



Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258

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FINAL MINUTES FOR SPECIAL TELECONFERENCE MEETING Held on Wednesday, November 5, 2014 9535 E. Doubletree Ranch Road • Scottsdale, Arizona

Board Members

Gordi S. Khera, M.D., F.A.C.C., Chair
Richard T. Perry, M.D., Vice-Chair
Ram R. Krishna, M.D., Secretary
Jodi A. Bain, Esq.
Marc D. Berg, M.D.
Donna S. Brister
R. Screven Farmer, M.D.
Robert E. Fromm, M.D.
Paul S. Gerding, Esq.
James M. Gillard, M.S., M.D., F.A.C.E.P., F.A.A.E.M.
Edward G. Paul, M.D.
Wanda J. Salter, R.N.

GENERAL BUSINESS

A. CALL TO ORDER

Dr. Khera called the meeting to order at 6:00 p.m.

B. ROLL CALL

The following Board members participated telephonically: Ms. Bain, Dr. Berg, Ms. Brister, Dr. Farmer, Dr. Fromm, Mr. Gerding, Dr. Gillard, Dr. Khera, Dr. Krishna, Dr. Paul, Dr. Perry, and Ms. Salter.

ALSO PRESENT

Rick Rice, Assistant Attorney General ("AAG"), Civil Division Chief Counsel; Marc Harris, AAG; Carrie Smith, AAG, Legal Advisor; Patricia E. McSorley, Interim Acting Executive Director; William Wolf, M.D., Chief Medical Consultant; Rachel Shepherd, Investigator; Danielle Steger, Investigator; Mary Bober, Board Operations Manager; Alicia Cauthon, Executive Assistant; Amanda Schwabe, Public Records/Board Coordinator; and Andrea Cisneros, Staff Investigational Review Committee ("SIRC") Coordinator.

C. CALL TO THE PUBLIC

Shirley Brener spoke during the call to the public regarding matters previously adjudicated by the Board. All other individuals that addressed the Board during the call to the public appear beneath the matter(s) referenced.

D. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING IMPLEMENTATION OF FINGERPRINTING REQUIREMENTS PURSUANT TO A.R.S. §§ 32-1422(A)(12) AND 32-1430(E).

MOTION: Dr. Khera moved to enter into Executive Session pursuant to A.R.S. § 38-431.03(A)(3).

SECOND: Dr. Krishna

VOTE: 12-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

The Board entered into Executive Session at 6:58 p.m.
The Board returned to Open Session at 7:15 p.m.
No legal action was taken by the Board during Executive Session.

Dr. Khera commended the Interim Acting Executive Director and Board staff for their excellent work.

CONSENT AGENDA

E. APPROVE OR DENY LICENSE APPLICATION

MOTION: Dr. Khera moved to approve the license application in item numbers 1, 2, 3, 4, 6, 7, 9, 11, 12, 14, 15, and 16.

SECOND: Ms. Salter

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Ms. Bain, Dr. Berg, Dr. Farmer, Dr. Fromm, Mr. Gerding, Dr. Gillard, Dr. Khera, Dr. Krishna, Dr. Paul, Dr. Perry, and Ms. Salter. The following Board member was absent: Ms. Brister.

VOTE: 11-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

1. MD-14-1434A, ALAIN S. ASHER, M.D., LIC. #N/A
RESOLUTION: Approve the license application.

2. MD-14-0773A, DAVID C. BUSTER, M.D., LIC. #N/A
RESOLUTION: Approve the license application.

3. MD-14-1438A, DINESH CHINTHAGADA, M.D., LIC. #N/A
Dr. Chinthagada spoke during the call to the public.

RESOLUTION: Approve the license application.

4. MD-14-1430A, DWIGHT D. COLLMAN, M.D., LIC. #N/A
RESOLUTION: Approve the license application.

5. MD-14-0906A, THOMAS R. HANSEN, M.D., LIC. #N/A
Neal Jensen, CEO, Cobre Valley Regional Medical Center ("CVRMD"); Evelyn Vargas, Public Relations Director, CVRMD; and Byron Belew, Board Chairman, CVRMD, spoke during the call to public on behalf of Dr. Hansen.

MOTION: Dr. Gillard moved to approve the license application.

SECOND: Ms. Salter.

Ms. Shepherd presented the case for the Board. She summarized that Dr. Hansen entered into a stipulation and order with the Utah Board for unprofessional and unlawful conduct involving the prescribing of controlled substances to his wife for a number of years without performing an exam or establishing a doctor-patient relationship. Additionally, Dr. Hansen reportedly signed medical records indicating that he reviewed records of his PA, and exceeded the scope of his authority that was beyond the scope of his delegation agreement. The Utah Order stipulates that Dr. Hansen was placed on probation for three years, is required to practice under a supervised physician and complete prescribing, documentation, and supervision courses.

Ms. Shepherd added that during the course of the license application process, Board staff noted a malpractice matter involving Dr. Hansen via the FSMB, which Dr. Hansen failed to disclose on his application. The malpractice case was referred to a medical consultant for a quality of care review, and no deviations from the standard of care were identified. Finally, Ms. Shepherd informed the Board that Dr. Hansen disclosed a medical condition on his license application, which he indicated does not limit his ability to practice safely.

MOTION: Dr. Khera moved for the Board to enter into Executive Session pursuant to A.R.S. § 38-431.03(A)(2).

SECOND: Dr. Krishna

VOTE: 12-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

The Board entered into Executive Session at 6:22 p.m.

The Board returned to Open Session at 6:31 p.m.

No legal action was taken by the Board during Executive Session.

Dr. Gillard modified his motion to include offering the physician a consent agreement for a probationary license that reflects the provisions in the Utah Order.

MODIFIED MOTION: Dr. Gillard moved to offer the physician a consent agreement for a probationary license to reflect the provisions in the Utah Board Order, allowing licensure, as long as the probation exists for the Utah Board. The purpose of the probationary license is to allow specific employment at Cobre Valley Hospital, and only until the provisions of the Utah probation are met, the matter shall return to the Board for consideration of an unrestricted license. If the physician declines, the license shall be denied.

SECOND: Ms. Salter

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Dr. Berg, Ms. Brister, Dr. Farmer, Dr. Fromm, Mr. Gerding, Dr. Gillard, Dr. Khera, Dr. Krishna, Dr. Paul, Dr. Perry, and Ms. Salter. The following Board member was absent: Ms. Bain.

VOTE: 11-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

6. MD-14-1437A, KATHLEEN M. SHEFNER, M.D., LIC. #N/A
RESOLUTION: Approve the license application.

7. MD-14-1474A, RICHARD M. MOE, M.D., LIC. #N/A
RESOLUTION: Approve the license application.

8. MD-14-1087A, ANTHONY F. DAVIS, M.D., LIC. #N/A
Ms. Shepherd summarized that Dr. Davis failed to disclose on his license application action taken by another Board for prescribing to a relative. Board members expressed concern regarding Dr. Davis' narrative regarding the other Board's action in that it seemed the physician did not take the matter seriously. Board members discussed whether further investigation is warranted in order to hear from the physician regarding the Board's concern.

MOTION: Dr. Gillard moved to allow the physician the opportunity to withdraw his license application. If he declines, the matter will be returned for further investigation.

SECOND: Dr. Farmer

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Dr. Berg, Ms. Brister, Dr. Farmer, Dr. Fromm, Mr. Gerding, Dr. Gillard, Dr. Khera, Dr. Krishna, Dr. Paul, Dr. Perry, and Ms. Salter. The following Board member was absent: Ms. Bain.

VOTE: 11-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

9. MD-14-0769A, KARTHIK RAGHAVAN, M.D., LIC. #N/A
RESOLUTION: Approve the license application.

10. MD-14-0794A, CAROL A. NEWMAN, M.D., LIC. #N/A
Ms. Steger summarized that the Board previously considered this case at its August 2014 meeting, at which time the Board voted to return the matter in order to have the physician undergo a PHP assessment, noting that the physician was being monitored in Texas. The Board's PHP Contractor assessed Dr. Newman and

determined that she is safe to practice while enrolled in PHP for dependence monitoring for a period of four years. The PHP Contractor also recommended that the probation include psychiatric monitoring and psychotherapy.

MOTION: Dr. Gillard moved to approve the license with the stipulation that the physician continue with PHP monitoring for a period of four years.

SECOND: Dr. Paul

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Dr. Berg, Ms. Brister, Dr. Farmer, Dr. Fromm, Mr. Gerding, Dr. Gillard, Dr. Khera, Dr. Krishna, Dr. Paul, Dr. Perry, and Ms. Salter. The following Board member was absent: Ms. Bain.

VOTE: 11-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

11. MD-14-0357A, DANIEL L. BRASLAU, M.D., LIC. #N/A
RESOLUTION: Approve the license application.

12. MD-14-1471A, ERIC M. WILLIAMS, M.D., LIC. #N/A
RESOLUTION: Approve the license application.

13. MD-14-1439A, MARK R. ROCKOFF, M.D., LIC. #N/A
Dr. Gillard recognized that the Board's Chief Medical Consultant recommended that the reported malpractice cases be referred to an outside medical consultant for a quality of care review.

MOTION: Dr. Gillard moved to refer the case to an outside medical consultant for a quality of care review of the malpractice cases.

SECOND: Dr. Khera

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Ms. Bain, Dr. Berg, Ms. Brister, Dr. Farmer, Dr. Fromm, Mr. Gerding, Dr. Gillard, Dr. Khera, Dr. Krishna, Dr. Paul, Dr. Perry, and Ms. Salter. The following Board member was absent: Ms. Bain.

VOTE: 11-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

14. MD-14-1479A, JAMES F. BRENNAN, M.D., LIC. #N/A
RESOLUTION: Approve the license application.

15. MD-14-1451A, WILLIAM A. CARROLL, M.D., LIC. #N/A
RESOLUTION: Approve the license application.

16. MD-14-1450A JAMES R. SMITH, M.D., LIC. #N/A
RESOLUTION: Approve the license application.

The meeting adjourned at 7:16 p.m.



Patricia E. McSorley
Patricia E. McSorley
Interim Acting Executive Director