



Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258

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Telephone (480) 551-2700 • Fax (480) 551-2705 • In-State Toll Free (877) 255-2212

FINAL MINUTES FOR SPECIAL MEETING Held on November 9, 2016 9545 E. Doubletree Ranch Road • Scottsdale, Arizona

Board Members

James M. Gillard, M.D., M.S., F.A.C.E.P., F.A.A.E.M., Chair

R. Screven Farmer, M.D., Vice-Chair

Jodi A. Bain, Esq., Secretary

Marc D. Berg, M.D.

Teresa L. Connolly, D.N.P., R.N., N.E.A.-B.C.

Gary R. Figge, M.D.

Robert E. Fromm, M.D., M.P.H.

Pamela E. Jones

Lois E. Krahn, M.D.

Edward G. Paul, M.D.

Wanda J. Salter, R.N.

GENERAL BUSINESS

A. CALL TO ORDER

Dr. Gillard called the meeting to order at 6:02 p.m.

B. ROLL CALL

The following Board members participated telephonically: Dr. Gillard, Dr. Farmer, Ms. Bain, Dr. Berg, Dr. Figge, Dr. Krahn, Ms. Jones, Dr. Paul and Ms. Salter.

The following Board members were absent: Dr. Connolly and Dr. Fromm.

ALSO PRESENT

Present among Board staff include: Carrie Smith, Assistant Attorney General ("AAG"); Patricia E. McSorley, Executive Director; Kristina Fredericksen, Deputy Director; William Wolf, M.D., Chief Medical Consultant; Kathleen Coffey, M.D., Internal Medical Consultant; Raquel Rivera, Interim Acting Investigations Manager; Andrea Cisneros, Staff Investigational Review Committee ("SIRC") Coordinator; Mary Bober, Board Operations Manager; and Michelle Robles, Board Coordinator.

C. PUBLIC STATEMENTS REGARDING MATTERS LISTED ON THE AGENDA – 6:00 p.m.

Individuals who addressed the Board during the Public Statements portion of the meeting appear beneath the matter(s) referenced.

D. EXECUTIVE DIRECTOR'S REPORT

Ms. McSorley had no report.

E. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING UPDATE AND THE IMPLEMENTATION OF THE INTERSTATE MEDICAL LICENSURE COMPACT

Ms. McSorley informed the Board that the Compact Commission will be meeting to address the IT infrastructure, the rules and requirements for licensure. Ms. McSorley requested a written letter appointing her as Commissioner from the Board to work with the FBI to determine whether additional statutory language is necessary to implement the Compact. Ms. Smith clarified that

there is a preemption mechanism in the Compact that in the event of certain conflicts with Arizona's state statutes.

CONSENT AGENDA

F. CASES RECOMMENDED FOR ADVISORY LETTERS

MOTION: Dr. Krahn moved to issue an Advisory Letter in item numbers 5, 8, 9, 12, 16, 17, 22, 23, 24, 27, 28, 30.

SECOND: Ms. Salter.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

1. MD-15-1127A, ASHWIN M. REDDY, M.D., LIC. #48835

Dr. Farmer summarized that the physician made a false statement regarding querying CSPMP and recommended non-disciplinary CME in addition to the advisory letter. Dr. Gillard noted that someone else in the office performed the query and the physician has no past Board history. Board members opined that the initial complaint was not substantiated. Dr. Farmer opined that the issue is not inadequate medical records but that the physician made a false statement and it warrants at minimum an Advisory Letter.

Board staff clarified that no query was made from the office but that the physician stated in his response that he had.

MOTION: Dr. Farmer moved to issue an Advisory Letter and Order for Non-Disciplinary CME for inadequate medical records, and for making a false statement to the Board regarding querying the Controlled Substance Prescription Monitoring Program on a patient. There is insufficient evidence to support disciplinary action. Within six months, complete 5 hours of Board staff pre-approved Category I CME in ethics. The CME hours shall be in addition to the hours required for license renewal.

SECOND: Dr. Krahn.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

2. MD-15-0912A, JASON L. KANG, M.D., LIC. #32583

Dr. Farmer summarized that the patient was seen by a Physician Assistant ("PA") and the licensee would review the chart after the patient was discharged from the Emergency Department. Dr. Gillard noted that typically in an Emergency Department the PA treats independently and the physician signs the chart after the visit. Dr. Figge commented that the physician needs to be available to the PA for questions but opined if the PA does not come to the physician for assistance they should not be held responsible.

MOTION: Dr. Farmer moved for dismissal.

SECOND: Dr. Paul.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

3. MD-15-0650A, WILLIAM C. S. KUO, M.D., LIC. #29306

Dr. Farmer stated that there were two issues in this case; inadequate medical records and inadequate follow up. Dr. Farmer disagreed with the finding of inadequate medical records and noted that the patient was difficult and noncompliant with regards to the follow up care.

MOTION: Dr. Farmer moved for dismissal.

SECOND: Dr. Krahn.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

4. MD-16-0420A, MOHAMED E. ELKOTB, M.D., LIC. #31663

Dr. Farmer summarized that this was a case of a medical records issue that resulted in a termination of staff privileges. Dr. Farmer opined there was no patient care issue and that this case does not warrant an Advisory Letter. Board members agreed there was no patient care concern.

MOTION: Dr. Farmer moved for dismissal.

SECOND: Dr. Paul.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED

5. MD-16-0345A, ROHIT MALHOTRA, M.D., LIC. #33419
RESOLUTION: Issue an Advisory Letter for action taken by the ARRA. While the licensee has demonstrated substantial compliance through remediation that has mitigated the need for disciplinary action, the Board believes that repetition of the activities that led to the investigation may result in further Board action against the licensee.

6. MD-15-1333A, FRANK TRUONG, M.D., LIC. #47020
Dr. Truong addressed the Board during the Public Statements Portion of the meeting.

Dr. Berg explained that the patient presented with a life threatening issue and the physician failed to check for ketones and to complete labs. Dr. Berg found it mitigating that the patient was ultimately noncompliant and the DKA disappeared a couple days later. Dr. Farmer expressed concern with the physician's lack of understanding of the required work up. Board members agreed that the physician failed to provide adequate follow up.

MOTION: Dr. Berg moved to issue an Advisory Letter and Order for Non-Disciplinary CME for failing to check for ketones and failing to document a plan for timely lab and follow up. There is insufficient evidence to support disciplinary action. Within six months, complete 10 hours of Board staff pre-approved Category I CME in the management of diabetes and/or the diagnosis of DKA. The CME hours shall be in addition to the hours required for license renewal.

SECOND: Dr. Farmer.

VOTE: 8-yay, 1-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

7. MD-16-0526A, HIEP T. NGUYEN, M.D., LIC. #49901
Dr. Nguyen and Attorney Steve Myers addressed the Board during the Public Statements portion of the meeting.

Dr. Farmer summarized that the physician was given a low level of discipline by the Massachusetts Board for a research error committed by individuals under his supervision. An abstract was submitted and once the physician found the errors he withdrew the abstract. Dr. Farmer noted that there was no public safety issue and the physician acted in a responsible manner.

MOTION: Dr. Farmer moved for dismissal.

SECOND: Dr. Berg.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

8. MD-15-0839A, PANKAJ M. JAIN, M.D., LIC. #32772
J.V. and D.M. addressed the Board during the Public Statements portion of the meeting.

RESOLUTION: Issue an Advisory Letter for failing to document discussion of nephrectomy as a possible complication of an open pyeloplasty to repair UPJ obstruction. There is insufficient evidence to support disciplinary action.

9. MD-15-0600A, SENECA A. CARRILLO, M.D., LIC. #31008
RESOLUTION: Issue an Advisory Letter for failing to hospitalize a patient with known lung cancer and hemoptysis from tracheostomy to undergo specialty consultation for evaluation of the airway and possible sites of bleeding. There is insufficient evidence to support disciplinary action.

10. MD-15-0409A, ALAN J. FISCHER, M.D., LIC. #22077
Dr. Farmer explained that there was a complication in a pain procedure where a globe was penetrated during a block and noted that although the California Board found violations, the Board's medical consultant ("MC") found that the care and follow up was appropriate.

Board staff commented that the California's findings were concerning and due to the MC's findings of no violations recommended issuance of an Advisory Letter for tracking purposes. Dr. Gillard opined that puncturing a globe is concerning and that an Advisory Letter for action taken by another state is appropriate.

MOTION: Dr. Figge moved to issue an Advisory Letter for action taken by the State of California. There is insufficient evidence to support disciplinary action.

SECOND: Dr. Farmer.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

11. MD-16-0136A, ANGELA LONG, M.D., LIC. #48717

Dr. Paul summarized that in this case a five year-old was prescribed an antibiotic through telemedicine. Dr. Paul opined that this occurs very often and the statute does not have the language to take into account video and audio telemedicine. Dr. Gillard noted that statute states a physical examination must take place when providing a prescription unless care has already been established. Board members discussed the importance of having the statute language changed to adapt to telemedicine. Ms. Smith clarified there is language in the statute that provides on call coverage for a covering physician.

MOTION: Dr. Paul moved for dismissal.

SECOND: Dr. Berg.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

Dr. Farmer requested this matter be referred to the Joint Legislative and Rules Committee for discussion regarding whether the board should look at the statutory language.

12. MD-15-1142A, ERIC N. NOVACK, M.D., LIC. #29419

RESOLUTION: Issue an Advisory Letter for inadequate medical records. There is insufficient evidence to support disciplinary action.

13. MD-15-0217A, DALTON R. CARPENTER, M.D., LIC. #32356

Dr. Berg summarized that the medical consultant found serious violations of the standard of care and recommended that the Board consider elevating the matter to a Letter of Reprimand. Board members discussed that real harm to the patient occurred and made future treatment to the patient difficult.

MOTION: Dr. Berg moved for the Board to return the case to offer the physician a Consent Agreement for a Letter of Reprimand. If they decline, invite for a Formal Interview.

SECOND: Dr. Krahn.

Dr. Gillard noted that the MC did not comment on an appropriate approach the physician should have taken to prevent the harm to the patient.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

14. MD-16-0449A, PAUL K. HOLDEN, M.D., LIC. #43170

Dr. Holden and Attorney Stephen Myers addressed the Board during the Public Statements portion of the meeting.

15. MD-16-0449B, RYAN B. TSUJIMURA, M.D., LIC. #23177

Dr. Tsujimura and Attorney Paul Giancola addressed the Board during the Public Statements portion of the meeting.

The Board addressed items 14 and 15 together. Dr. Paul summarized that these cases are about using photos for advertising but the physicians were not aware that the photos were being used and once they were made aware they removed the photos from their advertising.

MOTION: Dr. Paul moved for dismissal of items 14 and 15.

SECOND: Dr. Farmer.

Dr. Krahn opined that physicians need to review and be held accountable for publicity that has their name on it. Ms. Salter stated that this is a business and the physician needs to take ownership. Ms. Jones also commented on the advertising company being allowed access to the physicians' files.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

16. MD-16-0174A, WILLIAM W. BOHNERT, M.D., LIC. #5456
RESOLUTION: Issue an Advisory Letter for inadequate supervision of a Medical Assistant. There is insufficient evidence to support disciplinary action.
17. MD-15-1450A, GREGORY J. PORTER, M.D., LIC. #14879
Complainant S.D. addressed the Board during the Public Statements portion of the meeting.
RESOLUTION: Issue an Advisory Letter for inadequate documentation. There is insufficient evidence to support disciplinary action.
18. MD-15-1082A, JOHN V. DE GUZMAN, M.D., LIC. #22208
Dr. De Guzman and Counsel Libby Petersen addressed the Board during the Public Statement portion of the meeting.
Board members discussed that the PSA levels were in the normal range and felt that the physician provided responsible care.
MOTION: Dr. Paul moved for dismissal.
SECOND: Dr. Farmer.
VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.
MOTION PASSED.
19. MD-15-0861A, RALPH T. HEAP, M.D., LIC. #11721
Dr. Gillard noted that the MC was not concerned with the follow up care or surgery but found inadequate medical records as an incidental finding.
Board staff commented that the MC found the medical records atrocious and therefore; found an Advisory Letter to be appropriate. Dr. Krahn opined that the egregious nature of the records provides the potential for patient harm.
MOTION: Dr. Krahn moved to issue an Advisory Letter for inadequate medical records. There is insufficient evidence to support disciplinary action.
SECOND: Dr. Farmer.
VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.
MOTION PASSED.
20. MD-15-1277A, BARTON W. BUTTERBAUGH, M.D., LIC. #14268
Dr. Butterbaugh and Counsel Scott King addressed the Board during the Public Statements portion of the meeting.
The Board addressed items 20 and 21 together.
Dr. Berg summarized that the complaint arose out of bills that were submitted for tests not performed when establishing initial care. The complainant also stated that the physician did not provide patient records when requested. Dr. Berg opined this was an error and the physician did correct the issues once he became aware.
21. MD-15-0512A, BARTON W. BUTTERBAUGH, M.D., LIC. #14268
Dr. Butterbaugh and Counsel Scott King addressed the Board during the Public Statements Portion of the meeting.
Dr. Berg opined the physician received bad advice from the Washington Board.
MOTION: Dr. Berg moved for dismissal of item numbers 20 and 21.
SECOND: Dr. Krahn.
Board staff commented that the Washington Board dismissed the case since the DEA's investigation was sufficient to protect the public and noted the physician's license was expired.
VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.
MOTION PASSED.
22. MD-16-0066A, KATHERINE R. HUNT, M.D., LIC. #12832

RESOLUTION: Issue an Advisory Letter for incorrectly interpreting a screening digital mammogram. There is insufficient evidence to support disciplinary action.

23. MD-15-1027A, JOHN W. MCGETTIGAN, M.D., LIC. #12606
RESOLUTION: Issue an Advisory Letter for failure to recognize and address the abnormal results on a urine drug test. While the licensee has demonstrated substantial compliance through remediation that has mitigated the need for disciplinary action, the Board believes that repetition of the activities that led to the investigation may result in further Board action against the licensee.
24. MD-16-0185A, IRA S. WOLKE, M.D., LIC. #37694
RESOLUTION: Issue an Advisory Letter for action taken by the State of North Carolina. There is insufficient evidence to support disciplinary action.
25. MD-16-0050A, MANSOUR H. ASSAR, M.D., LIC. #23221
Dr. Berg expressed concern that real harm occurred to the patient and the MC found a standard of care violation with the Dobutamine testing. Dr. Berg opined that this case rises to the level of Letter of Reprimand. Dr. Gillard noted that the patient was showing symptoms of chest pain and in an 80 year-old patient, who already had an intervention, a stress test should have been completed and he should have been referred to a more appropriate environment of care.
- MOTION:** Dr. Berg moved to return the case to offer the physician a Consent Agreement for a Letter of Reprimand. If he declines, invite for Formal Interview.
SECOND: Dr. Paul.
VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.
MOTION PASSED.
26. MD-15-1464A, JAY R. LONG, M.D., LIC. #8862
Dr. Gillard summarized that the complainant was upset for not having a CBC completed and that there was a lab ordered but reported incorrectly.
- MOTION:** Dr. Farmer moved to Issue an Advisory Letter for failing to inform the patient and follow up on a complete blood count not reported by the laboratory. There is insufficient evidence to support disciplinary action.
SECOND: Ms. Jones.
VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.
MOTION PASSED.
27. MD-15-1169A, MANINDER S. KAHLON, M.D., LIC. #23074
RESOLUTION: Issue an Advisory Letter for failure to timely report test results. There is insufficient evidence to support disciplinary action.
28. MD-16-0356A, DANIEL P. TAHERI, M.D., LIC. #37910
RESOLUTION: Issue an Advisory Letter for action taken by the State of California. There is insufficient evidence to support disciplinary action.
29. MD-16-0336A, SCOTT E. KALINOWSKI, M.D., LIC. #41355
Dr. Gillard summarized that the MC found no deviation from the standard of care but reported a finding for inadequate medical records.
- Board staff confirmed the MC's findings for inadequate medical records.
- MOTION:** Dr. Figge moved to issue an Advisory Letter for inadequate medical records. There is insufficient evidence to support disciplinary action.
SECOND: Dr. Paul.
VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.
MOTION PASSED.
30. MD-16-0288A, STANLEY M. HIGGINS, M.D., LIC. #49004
RESOLUTION: Issue an Advisory Letter for action taken by the State of Colorado. There is insufficient evidence to support disciplinary action.

G. CASES RECOMMENDED FOR ADVISORY LETTERS WITH NON-DISCIPLINARY CONTINUING MEDICAL EDUCATION ORDERS

MOTION: Dr. Krahn moved to issue an Advisory Letter and Order for Non-Disciplinary CME in item numbers 5, 6 and 7.

SECOND: Dr. Paul.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

1. MD-15-1359A, DOUGLAS W. ROTHROCK, M.D., LIC. #26235

Ms. Jones was recused from this case.

Dr. Gillard expressed concern as the complainant was a physician who presented with a history of coronary symptoms and was given nitroglycerin. Dr. Gillard opined that given the age and pain the patient should have been sent to the emergency room and that the prescription of nitroglycerin could have made the situation worse.

Dr. Farmer found it concerning that the physician altered the medical records. Dr. Figge noted that there were risk factors for acute coronary syndrome and the patient could have paid with his life. Dr. Paul noted this physician has prior board history. Dr. Figge requested a new medical consultant review should be completed.

MOTION: Dr. Figge moved to return the case for further investigation to obtain a new quality of care review by a second Medical Consultant.

SECOND: Dr. Farmer.

VOTE: 8-yay, 0-nay, 0-abstain, 1-recuse, 2-absent.

MOTION PASSED.

2. MD-15-0710A, MD-15-1190A, KIUP A. KIM, M.D., LIC. #42708

J.R. addressed the Board during the Public Statements portion of the meeting.

Dr. Krahn expressed concern regarding the adequacy of the medical records and noted that the physician has received two Advisory Letters since 2011. Ms. Jones noted that the MC stated there was suboptimal medical care.

Board staff confirmed that findings of below average care and inadequate medical records were considered in both cases.

MOTION: Dr. Krahn moved to return the case to offer the physician a Consent Agreement for a Letter of Reprimand and Probation to complete the recommended CME. If he declines, invite for Formal Interview.

SECOND: Dr. Paul.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

3. MD-15-1466A, CARLOS R. GARRETON, M.D., LIC. #12428

Dr. Figge noted that this physician has received an Advisory Letter with CME for medical recordkeeping at the previous meeting and that the physician requested that the CME completed for the prior case be applied to this case.

MOTION: Dr. Figge moved to issue an Advisory Letter and Order for Non-Disciplinary CME for inadequate medical records. There is insufficient evidence to support disciplinary action. Within six months, complete no less than 15 hours of Board staff pre-approved Category I CME in an intensive, in-person course regarding medical recordkeeping. The CME hours shall be in addition to the hours required for license renewal. Dr. Garretton's completion of the CME requirement in case MD-16-0292A shall satisfy the CME requirement for this matter as well.

SECOND: Dr. Paul.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

4. MD-16-0123A, JOHN V. WOELLNER, M.D., LIC. #12440

B.K. addressed the Board during the Public Statements portion of the meeting.

Dr. Berg summarized that the patient had a lump and was instructed to follow up if there is pain. The patient followed up in ten months resulting in a malignant node. Dr. Berg

explained that the standard of care is to have a three to six week follow up on an abnormal node.

MOTION: Dr. Berg moved to Issue an Advisory Letter and Order for Non-Disciplinary CME for failure to timely refer a patient for evaluation and biopsy of cervical lymphadenopathy, and for inadequate medical records. There is insufficient evidence to support disciplinary action. Within six months, complete no less than 7 hours of Board staff pre-approved Category I CME in the evaluation of lymphadenopathy and neck masses. The CME hours shall be in addition to the hours required for license renewal.

SECOND: Ms. Jones.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

5. MD-15-0625A, MARCO B. SAUCEDO, M.D., LIC. #27068
RESOLUTION: Issue an Advisory Letter and Order Non-Disciplinary CME for inadequate medical records. There is insufficient evidence to support disciplinary action. Within six months complete no less than 15 hours of Board staff pre-approved Category 1 CME in an intensive, in person course regarding medical record keeping. The CME hours shall be in addition to the hours required for license renewal.
6. MD-15-0854A, BARRY D. ZARETZKY, M.D., LIC. #23452
RESOLUTION: Issue an Advisory Letter and Order for Non-Disciplinary CME for improper prescribing of controlled substances and for inadequate medical records. There is insufficient evidence to support disciplinary action. Within six months, complete no less than 15 hours of Board staff pre-approved Category I CME in an intensive, in-person course regarding prescribing of controlled substances. The CME hours shall be in addition to the hours required for license renewal.
7. MD-16-0025A, MATTHEW C. KIDD, M.D., LIC. #35101
RESOLUTION: Issue an Advisory Letter and Order for Non-Disciplinary CME for failing to diagnose and treat rhabdomyolysis, and for inadequate treatment of pneumonia. Within six months, complete no less than 10 hours of Board staff preapproved Category I CME in rhabdomyolysis and the treatment of pneumonia. The CME hours shall be in addition to the hours required for license renewal.

H. PROPOSED CONSENT AGREEMENTS (Disciplinary)

MOTION: Dr. Figge moved to accept the proposed Consent Agreement in item numbers 1-3.

SECOND: Dr. Paul.

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Dr. Gillard, Dr. Farmer, Ms. Bain, Dr. Berg, Dr. Figge, Ms. Jones, Dr. Krahn, Dr. Paul and Ms. Salter. The following Board members were absent: Dr. Connolly and Dr. Fromm.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

1. MD-16-0231A, PAUL M. BOLGER, M.D., LIC. #50030
RESOLUTION: Accept the proposed Consent Agreement for One Year Probation. Dr. Bolger shall comply with the Iowa Medical Board Order restricting his license and prohibiting him from performing telemedicine. Once the licensee has complied with the Probation, he must affirmatively request that the Board terminate the Probation. Dr. Bolger's request for termination must be accompanied by proof that the Iowa Medical Board Order has been terminated.
2. MD-15-0695A, LAURANCE SILVERMAN, M.D., LIC. #20780
RESOLUTION: Accept the proposed Consent Agreement for Surrender of Licensure.
3. MD-16-0133A, CHARLES M. ARAKAKI, M.D., LIC. #48611
RESOLUTION: Accept the proposed Consent Agreement for a Letter of Reprimand and Probation. Within six months, complete no less than 5 hours of Board staff pre-approved Category I CME in ethics. The CME hours shall be in addition to the hours required for license renewal. The Probation shall terminate upon proof of successful completion of the CME.

I. LICENSE APPLICATIONS

i. APPROVE OR DENY LICENSE APPLICATION

MOTION: Dr. Figge moved to approve the license application and grant the license in item numbers 1-5.

SECOND: Dr. Paul.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

1. MD-16-1090A, ROBERT P. HINKS, M.D., LIC. #N/A

RESOLUTION: Approve the license application and grant the license.

2. MD-16-0373A, MICHAEL NG, M.D., LIC. #N/A

Counsel Christine Cassetta addressed the Board during the Public Statements portion of the meeting.

RESOLUTION: Approve the license application and grant the license.

3. MD-16-0660A, SRIPRIYA D. SIDH, M.D., LIC. #N/A

RESOLUTION: Approve the license application and grant the license.

4. MD-15-0907A, FRANK R. JOHNSON, M.D., LIC. #N/A

Dr. Johnson addressed the Board during the Public Statements portion of the meeting.

RESOLUTION: Approve the license application and grant the license.

5. MD-16-0769A, ROBERT G. CLARK, M.D., LIC. #N/A

RESOLUTION: Approve the license application and grant the license.

ii. APPROVE OR DENY LICENSE APPLICATIONS WITH RECOMMENDATION FROM CHIEF MEDICAL CONSULTANT

1. MD-16-1001A, DANIEL L. ICENOGLE, M.D., LIC. #N/A

Dr. Gillard summarized that the physician had a malpractice payment and was reprimanded by the Wisconsin Board.

MOTION: Dr. Figge moved to approve the license application and grant the license.

SECOND: Ms. Salter.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

iii. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING RENEWAL APPLICATION

1. MD-15-0322A, SAILAJAH JANARTHANAN, M.D., LIC. #35946

Dr. Gillard explained that the Board accepted a consent agreement for a Letter of Reprimand and Probation and the physician is now before the Board for renewal of his license.

MOTION: Dr. Figge moved to grant the license renewal.

SECOND: Dr. Paul.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

iv. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING LICENSE REACTIVATION AND RECOMMENDED ADVISORY LETTER

1. MD-16-0853A, JOHN J. RUSH, M.D., LIC. #29538

Dr. Gillard summarized that the physician had a single remote malpractice case and requested inactivation of his Arizona license. However, while inactive he practiced medicine in another state.

MOTION: Dr. Figge moved to reactivate the license and issue an Advisory Letter for practicing medicine in another jurisdiction with an inactive Arizona medical license. The violation was minor or technical that is not of sufficient merit to warrant disciplinary action.

SECOND: Dr. Paul

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

v. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING APPLICANT'S REQUEST FOR WAIVER OF DOCUMENTATION REQUIREMENT**

MOTION: Dr. Paul moved to grant the request for waiver of documentation requirement in item numbers 1-4.

SECOND: Dr. Krahn.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

1. LISA B. HUGHES, M.D.

RESOLUTION: Grant the request for waiver of documentation requirement.

2. ELENA B. GARCIA, M.D.

RESOLUTION: Grant the request for waiver of documentation requirement.

3. SHERRY H. KESDEN, M.D.

RESOLUTION: Grant the request for waiver of documentation requirement.

4. WILLIAM G. MURCHISON, M.D.

RESOLUTION: Grant the request for waiver of documentation requirement.

vi. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING LICENSURE BY ENDORSEMENT PURSUANT TO A.R.S. § 32-1426(B) AND R4-16-201(F)**

a. **ADMINISTRATIVELY COMPLETE**

1. VJAY R. PATIL, M.D.

Dr. Gillard summarized that the physician has had no actions taken by other Boards and has provided letters of recommendation from current employers.

MOTION: Dr. Krahn moved to grant the license.

SECOND: Ms. Jones.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

vii. **APPROVE OR DENY LICENSE APPLICATION WITH RECOMMENDATION FROM THE EXECUTIVE DIRECTOR**

1. MD-16-1317A, VICTOR L. BEER, M.D., LIC. #N/A

Dr. Beer addressed the Board during the Public Statements portion of the meeting.

Dr. Gillard summarized that the physician had a remote settlement case and a lapse in practice from 2011 to 2015. However; Dr. Beer has a California license with no actions and is currently doing locum tenens and telemedicine. Dr. Gillard explained that do to the lapse in practice the Executive Director is recommending the physician complete the SPEX exam.

Board staff reiterated the physician has been working as a locum tenens for a couple of months and providing telemedicine and consultation for APPS since October 2015.

Ms. McSorley stated that based on the job description provided by APPS it is the Board's decision to grant or deny the license.

Dr. Figge opined that description provided sounded like clinical practice and noted that the physician has kept up to date with CME requirements to maintain his California license.

MOTION: Dr. Figge moved to grant the license.

SECOND: Dr. Paul.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.
MOTION PASSED.

OTHER BUSINESS

J. REQUEST FOR MODIFICATION OF BOARD ORDER

1. MD-15-0952A, DOUGLAS J. KRELL, M.D., LIC. #49982

Dr. Krell and Counsel Stephen Myers addressed the Board during the Public Statements portion of the meeting.

Dr. Gillard explained that the Board voted to issue a probationary license so that Dr. Krell could complete a mini residency at the August Board meeting and the physician has requested a language change with regards to the MMIS program being changed to Drexel program.

Ms. Smith explained that the consent agreement only allowed for the completion of the MIHS program and an amendment is before the Board to approve the Drexel program requested by Dr. Krell. Ms. Smith clarified the decision is to consider whether to grant the request for amendment not whether to grant a full license.

Dr. Berg commented that the physician is trying to obtain further training and that the Board should not impede that. Ms. Smith clarified that he cannot practice medicine in Arizona until successful completion of the program.

MOTION: Dr. Paul moved to grant the request to modify the Board Order for a provisional license.

SECOND: Dr. Figge

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

K. REQUEST FOR TERMINATION OF BOARD ORDER

1. MD-15-0435A, MICHAEL C. BRYAN, M.D., LIC. #37126

Dr. Gillard summarized that on June 3, 2016, Dr. Bryan entered into an Order for Letter of Reprimand and Probation. The probation required Dr. Bryan to complete a PACE evaluation, and he obtained an excellent report Dr. Bryan has complied with the terms of the Board Order and is now requesting termination of his probation.

MOTION: Dr. Figge moved to grant the request to terminate Dr. Bryan's June 3, 2016 Board Order.

SECOND: Dr. Paul.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

L. GENERAL CALL TO THE PUBLIC

No individuals addressed the Board during the General Call to the Public.

MOTION: Dr. Farmer moved to adjourn the meeting.

SECOND: Dr. Figge

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

The meeting adjourned at 9:21 p.m.



Patricia E. McSorley
Patricia E. McSorley, Executive Director