



Arizona Medical Board

1740 W. Adams St., Suite 4000 • Phoenix, Arizona 85007

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FINAL MINUTES FOR EMERGENCY TELECONFERENCE MEETING

Held on Tuesday, March 19, 2019

1740 W. Adams St., Board Room 4100 • Phoenix, Arizona

Board Members

R. Screven Farmer, M.D., Chair
James M. Gillard, M.D., M.S., F.A.C.E.P., F.A.A.E.M., Vice-Chair
Edward G. Paul, M.D., Secretary
Jodi A. Bain, M.A., J.D., LL.M.
Bruce A. Bethancourt, M.D., F.A.C.P.
David C. Beyer, M.D., F.A.C.R., F.A.S.T.R.O.
Teresa L. Connolly, D.N.P., R.N., N.E.A.-B.C.
Laura Dorrell, M.S.N., R.N.
Gary R. Figge, M.D.
Pamela E. Jones
Lois E. Krahn, M.D.

GENERAL BUSINESS

A. CALL TO ORDER

Dr. Farmer called the meeting to order at 5:01 p.m.

B. ROLL CALL

The following Board members were present telephonically: Dr. Farmer, Dr. Gillard, Ms. Bain, Dr. Bethancourt, Dr. Connolly, Ms. Dorrell, Ms. Jones and Dr. Krahn.

The following Board members were absent: Dr. Paul, Dr. Beyer and Dr. Figge.

ALSO PRESENT

Present among Board staff include: Patricia McSorley, Executive Director; Kristina Fredericksen, Deputy Director; Raquel Rivera, Investigations Manager; William Wolf, MD; Chief Medical Consultant and Michelle Robles, Board Operations Manager. Additionally present: Carrie Smith, AAG.

C. CALL TO THE PUBLIC

No one addressed the Board during the Call to the Public.

LEGAL MATTERS

D. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING SUMMARY ACTION

1. MD-18-1084A, MD-18-1216A, MD-19-0250A, HELEN E. WATT, M.D., LIC. #22016
Dr. Watt was present without counsel.

Board staff summarized that on February 14, 2018 Dr. Watt was issued a Decree of Censure and Two Year Probation to include completion of 10 hour CME course in an intensive, in-person course regarding medical recordkeeping and a 10 hour CME course in controlled substance prescribing. Dr. Watt was also required to enter into a contract with a Board approved monitoring company to conduct periodic chart reviews. In the first review, CPEP evaluated a total of ten patient charts. The monitoring

company reviewed five patients for whom Respondent provided medication management to address chronic pain issues and identified deficiencies in Dr. Watt's prescribing and medical recordkeeping. Specifically, in all five patient charts, Dr. Watt failed to substantiate her clinical course and treatment and all five patient charts presented issues with legibility. In the second CPEP review, which evaluated patient charts from August 2018; five of the patients reviewed were receiving MAT to address opioid use disorders, and the remaining five charts reviewed were primary care patients. With regard to patients receiving MAT, the monitoring company identified quality of care and documentation deficiencies with regard to all five charts. Specifically, for three patients, the monitoring company concluded that Respondent failed to meet generally accepted standards of practice, and for the remaining two patients, the monitoring company was unable to determine whether Respondent met generally accepted standards of practice due to documentation deficiencies. In the third CPEP review which evaluated ten patient charts from September 2018, the monitoring company identified deficiencies in Respondent's prescribing and medical recordkeeping for patients that Respondent was providing MAT for opioid use disorder. In light of the three consecutive chart reviews with identified deficiencies, an Interim Consent Agreement (ICA) for Practice Restriction was offered. The ICA was not returned by the stipulated March 15, 2019 deadline and a summary action meeting was scheduled.

Dr. Watt stated that the March 12th email containing the ICA had not been received until today as well as the notice for summary action. Dr. Watt stated that there were gross errors made by CPEP and she has supplied supplemental material to Board staff for review. Dr. Watt explained that she provided charts for review in a timely manner however CPEP's reviews were delayed and therefore no changes were able to be made to address concerns. Dr. Watt stated that the CSPMP was queried for every patient to ensure proper treatment. Dr. Watt also explained the situation that occurred that may have resulted in a gap of documentation regarding the CSPMP queries. Dr. Watt explained that she did not ignore urine drug screen concerns in the patient she prescribed Adderall to and noted that other physicians were prescribing opioids which were present in the screen. Dr. Watt noted that she utilizes pain contracts and urine drug screens and they are documented in the file. Dr. Watt requested a delay in summary action to allow her an adequate time to respond to the complaints and concerns.

Board staff confirmed that the email utilized to send the ICA had been used in the past. Board staff confirmed that the CPEP reports and licensee response are in the file for the Board's review. Board staff noted that the third case has been opened but due to the third strike of inadequate chart reviews the ICA was offered prior to a notice letter being sent to the licensee. Board staff explained that the length of time for a CPEP chart review report depends on the level of the review.

During deliberation, Dr. Gillard commented that email may not be an appropriate form of notification.

Ms. Smith informed the Board that Board staff typically provides licensees three days to respond to an ICA.

MOTION: Ms. Bain moved for the Board to enter into Executive Session pursuant to A.R.S. § 38-431.03(A)(3).

SECOND: Dr. Krahn.

The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Ms. Bain, Dr. Bethancourt, Dr. Connolly, Ms. Dorrell, Ms. Jones and Dr. Krahn. The following Board members were absent: Dr. Paul, Dr. Beyer and Dr. Figge.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

The Board entered into Executive Session at 5:25 p.m.

The Board returned to Open Session at 5:33 p.m.

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

MOTION: Dr. Gillard moved to allow the Respondent 24 hours to sign the Interim Practice Restriction, if not signed within the 24 hours the Respondent's license is summarily suspended based on the finding that the public health, safety or welfare imperatively requires emergency action by the Board.

SECOND: Ms. Bain.

Dr. Krahn commented that it is apparent that the licensee has had a history with the Board which increases a concern that a system was not in place to ensure Board communication.

The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Ms. Bain, Dr. Bethancourt, Dr. Connolly, Ms. Dorrell, Ms. Jones and Dr. Krahn. The following Board members were absent: Dr. Paul, Dr. Beyer and Dr. Figge.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

2. THIS ITEM HAS BEEN PULLED FROM THE AGENDA.

E. ADJOURNMENT

MOTION: Dr. Krahn moved to adjourn the meeting.

SECOND: Dr. Bethancourt.

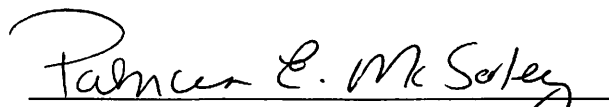
The following Board members voted in favor of the motion: Dr. Farmer, Dr. Gillard, Ms. Bain, Dr. Bethancourt, Dr. Connolly, Ms. Dorrell, Ms. Jones and Dr. Krahn. The following Board members were absent: Dr. Paul, Dr. Beyer and Dr. Figge.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

The meeting adjourned at 5:40 pm




Patricia E. McSorley, Executive Director