



Governor
Janice K. Brewer

**ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY**

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Board Members
Scott Steingard, D.O., Pres
Douglas Cunningham, D.O., V.P.
Gary A. Erbstoesser, D.O.
Jerry G. Landau, J.D.
Martin Reiss, D.O.
Lew Riggs, Ed.D.
Vas Sabeeh, D.O.

Executive Director
Jenna Jones

**MINUTES OF THE PUBLIC BOARD MEETING OF
THE ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY**

Saturday, September 20, 2014

BOARD MEMBERS PRESENT:

Scott Steingard, D.O. President
Douglas Cunningham, D.O., Vice-President
Gary A. Erbstoesser, D.O.
Jerry G. Landau, J.D.
Martin Reiss, D.O.
Lew Riggs, Ed.D.
Vas Sabeeh, D.O.

STAFF / OTHERS PRESENT:

Jenna Jones, Executive Director
Barbara Meyers, Deputy Director
Barbara Prah, D.O., Medical Consultant
John O'Hair-Schattenberg, Investigator
Kathy Fowkes, Admin. Asst. II, Licensing Division
Jeanne Galvin, Assistant Attorney General
Cheryl Henke, RPR, Ottmar & Associates (morning)
Hayley Westra, RPR, Ottmar & Associates (afternoon)

1. CALL TO ORDER

Dr. Scott Steingard, Board President, called the meeting to order at 8:23 a.m.

2. ROLL CALL AND REVIEW OF AGENDA

The Executive Director took the roll. Seven board members were present, establishing quorum for the meeting. The Executive Director reviewed the agenda.

3. CALL TO THE PUBLIC

- A. Dr. Steingard welcomed the Medical Students from Arizona College of Osteopathic Medicine at Midwestern University, Kirksville College of Osteopathic Medicine and A.T. Still University School of Osteopathic Medicine in Arizona.
- B. The Board's custom is to ask members of the public to speak when the agenda item of interest to the person is called. Members of the public who wanted to address the Board on an issue not on the agenda were invited to speak prior to the adjournment.
- C. Dr. Steingard welcomed new Board member Gary A. Erbstoesser, D.O. who is a board certified family practice physician. Dr. Steingard also expressed appreciation to previous Board member Michael Ward, D.O. for his years of service.

4. REVIEW, CONSIDERATION AND APPROVAL OF MINUTES

July 19, 2014 Open Session

MOTION: Mr. Riggs moved to approve the minutes. Dr. Reiss seconded. Dr. Cunningham and Dr. Erbstoesser abstained.

VOICE VOTE: The motion carried 5-0.

July 19, 2014 Executive Session

MOTION: Mr. Riggs moved to approve the minutes. Dr. Reiss seconded. Dr. Cunningham and Dr. Erbstoesser abstained.

VOICE VOTE: The motion carried 5-0.

August 25, 2014 Open Session

MOTION: Mr. Riggs moved to approve the minutes. Dr. Reiss seconded. Dr. Cunningham and Dr. Erbstoesser abstained.

VOICE VOTE: The motion carried 5-0.

5. REVIEW, DISCUSSION, AND ACTION ON CASE REVIEWS OF ALLEGATIONS OF UNPROFESSIONAL CONDUCT A.R.S. § 32-1855 (C through F).

Case Reviews

A. James Hess, DO Case No. DO-13-0142A License No. 2309

Mr. Landau recused himself. This case involved a doctor-patient miscommunication. The Investigator reviewed the case. After discussion and consideration, it was determined there was no statutory violation.

MOTION: Dr. Cunningham moved for **Dismissal**. Dr. Sabeeh seconded.

VOICE VOTE: The motion carried 6-0 with one recusal.

B. Peter Kubitz, DO Case No. DO-14-0075A License No. 4087

The Investigator reviewed the case. This case involved a defamatory complaint by an M.D. After discussion and consideration, it was determined there was no statutory violation.

MOTION: Dr. Cunningham moved for **Dismissal**. Dr. Reiss seconded.

VOICE VOTE: The motion carried unanimously.

MOTION: Dr. Cunningham moved to refer this case to the AMB for review of the complainant's unprofessional conduct for violation of A.R.S. § 32-1401(27)(T), knowingly making fraudulent statements in the practice of medicine.

VOICE VOTE: The motion carried unanimously.

C. Carl Ferguson, DO Case No. DO-13-0058A License No. 2244

The Investigator reviewed the case. The Board expressed a desire to speak with Dr. Ferguson.

MOTION: Dr. Cunningham moved for **Investigative Hearing**. Mr. Landau seconded.

VOICE VOTE: The motion carried unanimously.

D. Jeremy Mosburg, DO Case No. DO-13-0217A License No. 4373

The Medical Consultant reviewed the case. The Board discussed whether or not being ten (10) minutes late for an appointment was sufficient grounds for a physician or his staff to cancel an appointment.

MOTION: Mr. Landau moved for **Investigative Hearing**. Dr. Cunningham seconded.

ROLL CALL VOTE: The motion carried 7-0.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	0							

- E. Melissa Holden LeBorgne, DO Case No. DO-13-0188A License No. 005709

The Medical Consultant reviewed the case. This case involved alleged failure to diagnose a serious illness in an HIV patient. Dr. Holden LeBorgne was present with attorney Elizabeth Petersen. Dr. Holden LeBorgne answered the Board's questions. The complainant was present and answered the Board's questions.

The Board felt Dr. Holden LeBorgne acted appropriately in this case. After discussion and consideration, it was determined there was no statutory violation.

MOTION: Dr. Cunningham moved for **Dismissal**. Dr. Reiss seconded.

VOICE VOTE: The motion carried unanimously.

- F. Barbara Celestina, DO Case No. DO-13-0222A License No. 3120

The Medical Consultant reviewed the case. This case was investigated as the result of a medical malpractice settlement. The Board acknowledged this case was very challenging and the respondent's options for testing were limited.

MOTION: Dr. Cunningham moved for **Dismissal**. Dr. Reiss seconded.

VOICE VOTE: The motion carried unanimously.

Reviews of Executive Director Dismissals:

- A. Gabriel Perry, DO Case No. DO-14-0011A License No. 3545

MOTION: Dr. Cunningham moved to uphold the **Executive Director Dismissal**. Dr. Reiss seconded.

VOICE VOTE: The motion carried unanimously.

The Board recessed for a short break at 9:25 a.m. and returned to Open Session at 9:35 a.m.

6. REVIEW, DISCUSSION AND ACTION ON INVESTIGATIVE HEARINGS PURSUANT TO A.R.S. § 32-1855 (E) ONLY.

- A. Timothy Missey, DO Case No. DO-13-0078A License No. 005426

Dr. Missey was present with attorney DeeDee Holden and was sworn in by the court reporter. This case involved communicating serious or life-threatening potential diagnoses to a patient before having adequate test results. The Medical Consultant reviewed the case. Dr. Missey answered the Board's questions. The Complainant was also present, was sworn in by the court reporter and answered the Board's questions. The Board expressed satisfaction with Dr.

Missey's standard of care in this case. The Board also appreciated Dr. Missey's desire to be transparent but recommended a revised communication style when discussing potential diagnoses with patients. After discussion and consideration, it was determined there was no statutory violation.

MOTION: Dr. Cunningham moved for **Dismissal**. Dr. Reiss seconded.

ROLL CALL VOTE: The motion carried 7-0.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	0							

- B. Gerald Pass, DO (continued) Case No. DO-13-0006A License No. 2974
- C. Ty Endean, DO (continued) Case No. DO-13-0076A License No. 3953
- D. Tracy West, DO Case No. DO-14-0020A License No. 4236

Dr. West was present and was sworn in by the court reporter.

Mr. Landau moved to enter Executive Session to review records and testimony regarding records which are confidential by statute. Dr. Steingard seconded. The Board entered Executive Session at 10:05 a.m. and returned to Open Session at 10:48 a.m.

The Board entered Executive Session to obtain legal advice at 10:48 a.m. and returned to Open Session at 10:57 a.m.

The Board recessed for a short break at 10:57 a.m. and returned to Open Session at 11:02 a.m.

MOTION: Mr. Landau moved in accordance with the Executive Session discussion. Dr. Cunningham seconded.

ROLL CALL VOTE: The motion carried 7-0.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	0							

- E. Kevin O'Donnell, DO Case No. DO-14-0001A License No. 005034

Dr. O'Donnell was present and was sworn in by the court reporter. This case involved obtaining only verbal consent and not written consent from a patient prior to an in-office procedure. The Medical Consultant reviewed the case. Dr. O'Donnell answered the Board's questions. The Board recommended Dr. O'Donnell obtain written consent.

MOTION: Dr. Reiss moved for **Dismissal**. Dr. Sabeeh seconded.

ROLL CALL VOTE: The motion carried 7-0.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	0							

F. Norman Gramstad, DO Case No. DO-13-0175A License No. 3181

Dr. Gramstad was present with attorney Steve Perlmutter and was sworn in by the court reporter. This case involved alleged over-prescribing of opioid medications. The Medical Consultant reviewed the case. The Board expressed concerns regarding Dr. Gramstad’s opioid prescribing habits, failure to recognize a patient’s pregnancy even after multiple abdominal exams, and prescribing opioids to a pregnant patient. The Board discussed the case.

The Board instructed staff to draft an Interim Consent Agreement for a PACE, CPEP or equivalent practice evaluation and a restriction on prescribing opioids.

This case was tabled for Dr. Gramstad and his attorney to discuss the Consent Agreement. This case resumed at 12:52 p.m. Mr. Perlmutter advised the Board Dr. Gramstad would be willing to enter into the agreement.

MOTION: Mr. Landau moved for an Interim Consent Agreement whereas Dr. Gramstad agrees to undergo a practice evaluation at PACE, CPEP or equivalent, to be completed no later than 120 days from the effective date of the consent agreement and further, during the period of the consent agreement that Dr. Gramstad’s practice be restricted in that he is prohibited from prescribing opioids, and further that the case be tabled until the Board receives the result of the practice evaluation.

Dr. Cunningham seconded.

ROLL CALL VOTE: The motion carried 7-0.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	0							

G. Norman Gramstad, DO Case No. DO-14-0124A License No. 3181

This case involved alleged prescribing of opioid medications after a patient overdosed on heroin. This case was heard and adjudicated in conjunction with Case No. DO-13-0175A.

H. Mark Siegel, DO Case No. DO-13-0132A License No. 2479

Dr. Siegel was present with his billing specialist and was sworn in by the court reporter. This case involved a complaint regarding billing. The Investigator reviewed the case. After discussion and consideration, it was determined there was no statutory violation.

MOTION: Mr. Landau moved for **Dismissal**. Dr. Cunningham seconded.

VOICE VOTE: The motion carried unanimously.

The Board recessed for lunch at 12:06 p.m. and returned to Open Session at 12:52 p.m.

I. Christine Walker, DO

Case No. DO-14-0014A

License No. 006029

Dr. Walker was present and was sworn in by the court reporter. This case involved a class 4 felony theft conviction. The Investigator reviewed the case.

Dr. Cunningham moved to enter Executive Session to obtain legal advice. Dr. Steingard seconded. The Board entered Executive Session at 1:00 pm and returned to Open Session at 1:12 pm.

Dr. Walker answered the Board's questions.

Mr. Landau moved to enter Executive Session to review records and testimony regarding records which are confidential by statute. Dr. Steingard seconded. The Board entered Executive Session at 1:15 pm and returned to Open Session at 1:49 pm.

MOTION: In light of Dr. Walker's felony conviction, Dr. Cunningham moved that the Board vacate confidentiality of the current Consent Agreement.

ROLL CALL VOTE: The motion carried 7-0.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	0							

Dr. Cunningham moved to enter Executive Session to obtain legal advice. Dr. Steingard seconded. The Board entered Executive Session at 1:52 pm and returned to Open Session at 2:03 pm.

MOTION: Mr. Landau moved for a finding of **Unprofessional Conduct** for violation of A.R.S. § 32-1854 (2): committing a felony, whether or not involving moral turpitude, or a misdemeanor involving moral turpitude and A.R.S. § 32-1854 (25): Violating a formal order, probation or a stipulation issued by the Board under this chapter. Mr. Riggs seconded.

ROLL CALL VOTE: The motion carried 7-0.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	0							

MOTION: Dr. Reiss moved to have an **interim assessment for fitness for duty** by a licensed health care professional approved by the Executive Director who is not the psychiatrist she is currently seeing, to be completed within 60 days. Mr. Landau seconded.

ROLL CALL VOTE: The motion carried 7-0.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	0							

This case was tabled until the evaluation is received. Staff was asked to verify that her current employer has received her documentation and to forward her pertinent records to her treating psychiatrist for consideration.

- J. Don Barlow, DO Case No. DO-13-0027A License No. 2098

Dr. Barlow was present and was sworn in by the court reporter. This case came before the Board as a result of a medical malpractice settlement. The Medical Consultant reviewed the case. Dr. Barlow answered the Board's questions.

MOTION: Dr. Cunningham moved for **Dismissal**. Mr. Landau seconded.

VOICE VOTE: The motion carried unanimously.

- K. Ralph Luciani, DO Case No. DO-13-0097A License No. 1080

Dr. Luciani was present and was sworn in by the court reporter. This case involved alleged over-prescribing of opioid medications, alleged sub-par physical exams and inadequate medical record keeping. The Medical Consultant reviewed the case. Dr. Luciani answered the Board's questions. After discussion and consideration, it was determined there was no statutory violation.

MOTION: Dr. Reiss moved for **Dismissal**. Dr. Sabeeh seconded.

VOICE VOTE: The motion carried unanimously.

The Board recessed for a short break at 2:29 p.m. and resumed Open Session at 2:39 p.m.

- L. Jose Gochoco, DO Case No. DO-13-0045A License No. 1715

Dr. Gochoco was present with attorney Fred Cummings. This case involved alleged over-prescribing of opioid medications. The Medical Consultant reviewed the case. Mr. Cummings addressed the Board. He pointed out that this complaint was filed just prior to the non-disciplinary CME in prescribing opioids the Board required Dr. Gochoco to complete in April 2013. He said the majority of records reviewed for this complaint were for patients treated prior to this time and Dr. Gochoco had made changes to his practice to prevent this situation from every happening again. Dr. Gochoco answered the Board’s questions and discussed the changes he has made in his practice since 2013. The Board recommended Dr. Gochoco make himself available for emergency calls during his non-working hours.

MOTION: Dr. Sabeeh moved for **Dismissal**. Dr. Cunningham seconded.
VOICE VOTE: The motion carried unanimously.

- M. Aaron Boor, DO Case No. DO-13-0206A License No. 3594

Dr. Boor was present and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Boor answered the Board’s questions. The Board expressed concern regarding Dr. Boor’s statement that he does not know what the standard of care is for a complete physical exam and his failure to do complete physical exams on his patients.

Dr. Cunningham moved to enter Executive Session to obtain legal advice. Dr. Erbstoesser seconded. The Board entered Executive Session at 3:24 pm and returned to Open Session at 3:29 pm.

Dr. Boor continued to answer the Board’s questions.

The Board directed staff to complete a random chart review of ten (10) female patients and ten (10) male patients in Dr. Boor’s practice. The Board tabled this case until the chart review results have been obtained.

- N. Angela DeRosa, DO Case No. DO-13-0134A License No. 4223

Dr. DeRosa was present with attorney Sarah Agne and was sworn in by the court reporter. This case involved alleged misdiagnoses of hypothyroidism, vitamin B-12 deficiency and vitamin D deficiency. The Medical Consultant reviewed the case. Dr. DeRosa answered the Board’s questions. After discussion and consideration, it was determined there was no statutory violation.

MOTION: Dr. Steingard moved for **Dismissal**. Dr. Cunningham seconded.
ROLL CALL VOTE: The motion carried 7-0.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	0							

Dr. Steingard dismissed the medical students at 4:07 p.m.

7. CONSIDERATION AND ACTION ON COMPLIANCE WITH TERMS OF BOARD ORDERS AND REQUESTS TO MODIFY OR TERMINATE ORDERS, PURSUANT TO A.R.S. §32-1855 (E) AND (I).

A. David Orringer, DO

Case No. DO-11-0027A

License No. 4568

Dr. Orringer was present with attorney Michael L. Boreale. The Executive Director reviewed the case. Dr. Orringer requested the probation be lifted so he will be able to have less difficulty finding work.

Dr. Steingard moved to enter Executive Session to obtain legal advice. Dr. Cunningham seconded. The Board entered Executive Session at 4:25 pm and returned to Open Session at 4:34 pm.

The Board noted Dr. Orringer has only been on probation for a little over a year and to remove the probation would effectively close the case.

MOTION: Dr. Cunningham moved to deny the request. Mr. Landau seconded.

ROLL CALL VOTE: The motion carried 7-0.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	0							

Mr. Boreale requested the Board extend the timeframe to complete CPEP by one year.

MOTION: Mr. Landau moved to modify the order to increase the amount of time to complete the CPEP requirement by one (1) year. Mr. Riggs seconded.

ROLL CALL VOTE: The motion carried 7-0.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	0							

B. Ramon Morales, DO

Case Nos. DO-11-0038A,
 DO-11-0174A and
 DO-11-0179A

License No. 4391

Dr. Morales was present to request his probation(s) be terminated. The Deputy Director reviewed the status of the probation(s). Dr. Morales answered the Board's questions. The Board expressed reservations about terminating his probation(s) since he has not been in complete compliance with the order(s). The Board instructed Dr. Morales to go six months with compliance with the order(s) before returning to the Board.

MOTION: Mr. Landau moved to approve Terry Simpson, M.D. to be the practice monitor, directed the Executive Director to correspond with Dr. Simpson and relay the requirements of the practice monitor and obtain from Dr. Simpson his written agreement to carry out the responsibilities set forth in the order. Mr. Riggs seconded.

ROLL CALL VOTE: The motion carried 6-1.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh
YES	6	X		X	X	X	X	X
NO	1		X					
ABSTAIN/RECUSE	0							
ABSENT	0							

MOTION: Mr. Landau moved to deny Dr. Morales' request to terminate the probation. Dr. Cunningham seconded.

ROLL CALL VOTE: The motion carried 7-0.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	0							

- C. John Manning, DO (continued) Case No. DO-12-0028A License No. 0935

8. REVIEW, CONSIDERATION, AND ACTION ON APPLICATIONS FOR LICENSURE PURSUANT TO A.R.S. § 32-1822; PERMITS PURSUANT TO A.R.S. § 32-1829; AND RENEWALS OF LICENSES PURSUANT TO A.R.S. § 32-1825 (C-D) AND A.A.C. R4-22-207.

- A. Minh Quang Nguyen, DO Case No. DO-14-0133A Application No. 006342

Dr. Nguyen was present. The Executive Director reviewed the applicant's qualifications. Dr. Nguyen answered the Board's questions.

MOTION: Dr. Sabeeh moved to grant the license. Mr. Riggs seconded.

VOICE VOTE: The motion passed unanimously.

- B. Robert Gordon, DO Case No. DO-14-0196A Application No. 006491

Dr. Gordon was present. The Executive Director reviewed the applicant's qualifications. Dr. Gordon answered the Board's questions.

Mr. Landau moved to enter Executive Session to review records and testimony regarding records which are confidential by statute. Dr. Steingard seconded. The Board entered Executive Session at 5:08 p.m. and returned to Open Session at 5:27 p.m.

Dr. Reiss moved to enter Executive Session to obtain legal advice. Dr. Steingard seconded. The Board entered Executive Session at 5:27 p.m. and returned to Open Session at 5:30 pm.

MOTION: Dr. Reiss moved to grant the license with the request that Dr. Gordon return to the Board in six months for an update. Dr. Cunningham seconded.

VOICE VOTE: The motion carried unanimously.

C. Scott Scheer, DO Case No. DO-14-0193B Application No. 006295

Dr. Scheer was present. The Executive Director reviewed the applicant’s qualifications. Dr. Scheer answered the Board’s questions.

MOTION: Dr. Cunningham moved to grant the license. Dr. Sabeeh seconded.

VOICE VOTE: The motion carried unanimously.

D. Stacy Greenspan, DO Case No. DO-14-0190A Application No. 006317

Dr. Greenspan was present. The Executive Director reviewed the applicant’s qualifications. Dr. Greenspan answered the Board’s questions.

MOTION: Dr. Sabeeh moved to grant the license. Dr. Cunningham seconded.

VOICE VOTE: The motion passed unanimously.

E. Lynn Sweet, DO Case No. DO-13-0203A Application No. 006283

Dr. Sweet was present. The Executive Director reviewed the current status of this application including Dr. Sweet’s plan to complete the substantive review request.

MOTION: Mr. Landau moved that Dr. Sweet be granted a restricted license under the following conditions:

1. Dr. Sweet completes the 180 hour UCSD reentry program.
2. Dr. Sweet successfully completes all parts of the comprehensive exam given at the end of the program.
3. Upon receiving the license, Dr. Sweet is placed on probation for a period of 10 years.
4. Dr. Sweet completes the CPEP preceptorship program, after the preceptor is approved by the Executive Director.
5. Dr. Sweet is precluded from prescribing opioids and benzodiazepines for the term of probation.
6. Dr. Sweet employs a practice monitor at the conclusion of the preceptorship.

Dr. Reiss seconded.

ROLL CALL VOTE: The motion failed 3-4.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh
YES	3			X	X		X	
NO	4	X	X			X		X
ABSTAIN/RECUSE	0							
ABSENT	0							

MOTION: Dr. Sabeeh moved for **Denial of license** for previous findings of facts for revocation of licensure, the egregious nature of past cases that led to revocation, serious deficiencies found in the CPEP evaluation, and an insufficient plan of rehabilitation. Dr. Cunningham seconded.

ROLL CALL VOTE: The motion carried 5-0-2.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Reiss	Mr. Riggs	Dr. Sabeeh
YES	5	X	X		X	X		X
NO	0							
ABSTAIN/RECUSE	2			X			X	
ABSENT	0							

F. Stephanie Blackburn, DO Case No. DO-14-0228A Application No. 006531

Dr. Blackburn was present with attorney Justin Atkinson. The Executive Director reviewed the applicant’s qualifications. Dr. Blackburn answered the Board’s questions.

MOTION: Mr. Landau moved to grant the license. Dr. Cunningham seconded.

VOICE VOTE: The motion passed unanimously.

9. REPORTS FROM EXECUTIVE DIRECTOR, BOARD MEMBERS, and ASST ATTORNEY GENERAL

A. Report on ED Dismissed Complaints

Ms. Jones provided the board members with the report regarding ED dismissals.

B. President & Board Member reports

Dr. Steingard reported that Dr. Prah, Dr. Patrick Hogan, Dr. Nicholas Scott, Dr. Leon Cattolico and Jenna have completed two of the Opioid seminars with another next weekend in Kingman. There will be two more in the Phoenix area and two in Tucson. All are being completed under the FSMB grant.

C. Executive Director Report

Ms. Jones provided her report and advised that the only major concern is the increase in the number of complaints received. There has been a sizable increase, approx. 50% over last year, but she understands that other boards are seeing an increase too. At this point, it is not clear why the increase is occurring.

Ms. Jones also reported that the new computer system, VDI, should be available for the board members to use at the November meeting. The software to access VDI remotely will be uploaded to the member’s laptops. The previous information that members would be able to access the system from any mobile device is not available.

D. Board may review, discuss and take action on pursuing legislative changes

Mr. Landau reported that the committee recommends the Board move forward this next session with the package.

MOTION: Dr. Cunningham moved to approve the proposed changes and pursue the changes in this next legislative session. Mr. Landau seconded.

VOICE VOTE: The motion passed unanimously.

E. Board may review, discuss and take action on interstate compact agreement

The Board discussed the matter and felt that it was probably premature to run the legislation this next session. Mr. Landau felt there were some portions that will need to be modified from the FSMB drafted document to comply with Arizona law. The consensus was to table the matter at this time and possibly pursue next session, January 2016.

- F. Board may review, discuss and take action on statement from the ACOFP on the AOA/ACGME Single Accreditation System

The board discussed the matter briefly and would like to spend more time on the matter. As such, they requested the matter be placed on the November agenda.

- F. Board may review, discuss and take action on FSMB Medical Education Survey Questions 2014

The Board went through each of the questions and had a general discussion and agreement on how to respond to each. They directed Ms. Jones to submit the answers on behalf of the board based on their discussion.

- G. Board may review, discuss and take action on Executive Director Performance

A motion was made by Dr. Steingard and seconded by Mr. Landau to enter Executive Session to discuss personnel records that are confidential. The motion passed unanimously and the Board entered Executive Session at 7:00 p.m. They returned to open session at 7:10 p.m.

Board members commented that Ms. Jones has done a wonderful job and they are very happy with her leadership and skills as the director. Mr. Landau moved to establish the current Executive Director's salary as per the consensus in Executive Session. Dr. Cunningham seconded and the motion passed unanimously.

10. ADJOURNMENT

The Board adjourned at 7:15 p.m.