



Governor
Douglas A. Ducey

**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, January 23, 2016

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

STAFF / OTHERS PRESENT: Jenna Jones, Executive Director
Barbara Prah, D.O., Medical Consultant
Linda Kiesler, Investigations Manager
John O'Hair-Schattenberg, Investigator
Kathy Fowkes, Licensing Administrator
Jeanne Galvin, Assistant Attorney General
Mary L. Davis, RCR, Ottmar & Associates (morning)
Robin Jasper, RCR, Ottmar & Associates (afternoon)

1. CALL TO ORDER

Dr. Scott Steingard, Board President, called the meeting to order at 8:07 a.m. and read the Board's mission statement.

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, A.T. Still 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.

4. REVIEW, CONSIDERATION AND APPROVAL OF MINUTES

A. November 21, 2015 Open Session

MOTION: Mr. Riggs moved to approve the minutes. Dr. Cunningham seconded.

VOICE VOTE: Motion carried 7-0.

B. November 21, 2015 Executive Session

MOTION: Dr. Cunningham moved to approve the minutes. Dr. Erbstoesser seconded.

VOICE VOTE: Motion carried 7-0.

C. December 8, 2015 Open Session

MOTION: Dr. Cunningham moved to approve the minutes. Dr. Erbstoesser seconded.

VOICE VOTE: Motion carried 6-0-1. Dr. Sabeeh abstained.

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

Case Reviews

A. Arthur Speece, D.O.

Case No. DO-14-0293A

License No. 1439

Dr. Speece was not present. After discussion and consideration, the Board determined there was no statutory violation.

MOTION: Mr. Landau moved for **Dismissal**. Dr. Cunningham seconded. After further discussion, the motion and second were withdrawn.

MOTION: Dr. Reiss moved for **Dismissal**. Mr. Riggs seconded.

ROLL CALL VOTE: Motion carried 7-0.

	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							

- B. Kevin Slaughter, D.O. Case No. DO-13-0137A License No. 005858

Dr. Slaughter was not present. This complaint was opened after the Board was notified of action taken against Dr. Slaughter's Nevada license. The Board expressed concern regarding the nature of the findings of fact in Nevada Board of Osteopathic Medicine's disciplinary order.

MOTION: Dr. Cunningham moved for an **Investigative Hearing**. Dr. Reiss seconded.
VOICE VOTE: The motion carried 7-0.

- C. Louis Musso, D.O. Case No. DO-15-0044A License No. 005566

Dr. Musso was present. The complaint alleged Dr. Musso's colonoscopies were incomplete and sub-standard. Dr. Musso stated he was Board certified in General Surgery and in Vascular Surgery. Marc R. Matthews, M.D., F.A.C.S., spoke on behalf of Dr. Musso. The Board discussed the review of the case, which had found no deviation from the standard of care, and expressed concern that the complaint's definition of "standard of care" included unreasonable and non-standard measures. After discussion and consideration, the Board determined there was no statutory violation.

MOTION: Dr. Sabeeh moved for **Dismissal**. Dr. Cunningham seconded.
VOICE VOTE: The motion carried 7-0.

- D. Brent Sloten, D.O. Case No. DO-15-0170A License No. 3368

Dr. Sloten was present. The complaint alleged complaints against Dr. Sloten's staff. Dr. Sloten answered the Board's questions. After other patients complained about the complainant's behavior, staff requested she leave the premises several times and the complainant refused. After discussion and consideration, the Board determined there was no statutory violation.

MOTION: Dr. Reiss moved for **Dismissal**. Mr. Riggs seconded.
VOICE VOTE: The motion carried 7-0.

- E. Jocelyn Hendricks, D.O. Case No. DO-15-0175A License No. 4066

Dr. Hendricks was not present. After discussion and consideration, the Board determined there was no statutory violation.

MOTION: Dr. Cunningham moved for **Dismissal**. Dr. Reiss seconded.
VOICE VOTE: The motion carried 7-0.

- F. Shelly Friedman, D.O. Case No. DO-15-0185A License No. 2179

Dr. Friedman and the Complainant were present. The complainant answered the Board's questions. She stated she had gone to Dr. Friedman for a hair transplant but was instead pressured into purchasing an expensive product for hair loss at an inflated price and was refused a refund. Dr. Friedman answered the Board's questions. He stated the product was a lot less expensive than a hair transplant and the patient was not a good candidate for a hair transplant. He also provided a consent signed by the complainant which stated there could be no refunds on personal care products.

MOTION: Dr. Erbstoesser moved for **Dismissal**. Mr. Riggs seconded.

VOICE VOTE: The motion carried 7-0.

G. Bruce Sand, D.O. Case No. DO-15-0205A License No. 1841

Mr. Landau recused himself from this case.

Dr. Sand was not present. The Board discussed the complaint and wanted to receive testimony from the doctor and complainant.

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

VOICE VOTE: The motion carried 6-0-1. Mr. Landau was recused.

Reviews of Executive Director Dismissals

A. Jessica DiNizio, D.O. Case No. DO-15-0141A License No. 005296

Dr. DiNizio and the Complainant were not present.

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

VOICE VOTE: The motion carried 7-0.

The Board recessed for a short break at 9:26 a.m. and returned to Open Session at 9:39 a.m.

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

A. E. Griffin Cipolla, D.O. Case No. DO-15-0103A License No. 2811

Dr. Cipolla was present with attorney Richard K. Delo and was sworn in by the court reporter. The Investigator reviewed the case. The complaint alleged failure to make patient medical records available to other providers. Dr. Cipolla answered the Board's questions. He attributed most of the problems referenced in the complaint to a former employee and problems with his fax machine.

Dr. Cunningham moved to enter Executive Session to obtain legal advice. Dr. Steingard seconded. Motion passed 7-0. The board voted The Board entered Executive Session at 10:29 a.m. and returned to Open Session at 10:40 a.m.

The Board expressed concern with how Dr. Cipolla's issues with patient communication, office administration and his medical record keeping, as well as his patient load.

MOTION: Mr. Landau moved for a **Letter of Concern** for failure to provide medical records and to properly supervise office staff. He also moved to issue an Order for non-disciplinary CME for Dr. Cipolla to obtain 40 hours of **Continuing Medical Education** (CME) with ten (10) hours in each of the following areas: medical record keeping, office administration, patient/physician communication and physician burnout, to be pre-approved by the Executive Director and completed by August 31, 2016.

ROLL CALL VOTE: 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. Keikhosrow Mosallaie, D.O. Case No. DO-15-0158A License No. 4455

Dr. Mosallaie was present with attorney J. Russell Skelton and was sworn in by the court reporter. The Medical Consultant reviewed the case. The complaint alleged poor physician/patient communication both before and after a procedure which led to an unnecessary emergency room visit. Dr. Mosallaie answered the Board’s questions.

Dr. Mosallaie stated as a result of this complaint, he has changed his practice so that he now talks to the patient himself both before and after a procedure and is available for phone calls if problems arise after the patient returns home.

MOTION: Dr. Reiss moved for **Dismissal**. Dr. Cunningham seconded.
VOICE VOTE: The motion carried 7-0.

C. Mary Nowlin, D.O. Case No. DO-15-0119A License No. 3514

Dr. Nowlin was present with attorney Nick Bender and was sworn in by the court reporter. The Investigator reviewed the case. The complaint alleged failure to provide medical records due to non-payment. Dr. Nowlin’s attorney submitted 55 pages of information to the Board for consideration, three days before the meeting, which was not in accordance with A.A.C. R4-22-103 which states, “An individual who wants the Board to consider a document at a meeting or hearing shall submit the document to the Board at least 15 days before the meeting or hearing or at another time as directed by the Board.” The Board continued the case in order to have time to review and consider the records.

D. Bryan Glick, D.O. Case No. DO-15-0072A License No. 005257

Dr. Glick was present with attorneys Stephen Myers and Robert J. Milligan and was sworn in by the court reporter. The Investigator reviewed the case. The complaint alleged false advertising. Dr. Glick answered the Board’s questions. After discussion and consideration, the Board determined there was no statutory violation.

MOTION: Dr. Sabeeh moved for **Dismissal**. Dr. Reiss seconded.
VOICE VOTE: The motion carried 7-0.

E. Ali Rajaei-Tehrani, D.O. Case No. DO-15-0069A License No. 4383

Dr. Rajaei-Tehrani was present with attorney Stephen Myers and was sworn in by the court reporter. The Executive Director reviewed the case.

Dr. Cunningham moved to enter Executive Session to review records and testimony regarding records which are confidential by statute. Mr. Landau seconded. The Board entered Executive Session with Dr. Rajaei-Tehrani and Mr. Myers at 11:40 a.m. and returned to Open Session at 11:59 a.m.

Dr. Sabeeh moved to enter Executive Session to obtain legal advice. Mr. Riggs seconded. The Board entered Executive Session at 11:59 a.m. and returned to Open Session at 12:08 p.m.

Dr. Cunningham moved to enter Executive Session to review records and testimony regarding records which are confidential by statute. Mr. Landau seconded. The Board entered Executive Session with Dr. Rajaei-Tehrani and Mr. Myers at 12:08 p.m. and returned to Open Session at 12:11 p.m.

MOTION: Dr. Cunningham moved to act per discussion in Executive Session and continue the Investigative Hearing at a future date. Mr. Landau seconded.

ROLL CALL VOTE: 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. Ali Rajaei-Tehrani, D.O. Case No. DO-15-0165A License No. 4383

The Board granted Mr. Myers' request for a continuance in this matter.

G. William Stonecipher, DO Case No. DO-15-0118A License No. 0468

Dr. Stonecipher was present and was sworn in by the court reporter. The Executive Director reviewed the proposed Consent Agreement which included limitations on prescribing. Dr. Stonecipher requested some exceptions to the prescribing restrictions be added to the Interim Consent Agreement under consideration. The Board discussed the requested amendments. The request for Soma and Xanax would be stricken and all controlled substances would be limited to a prescription of no more than two (2) weeks, except for testosterone.

MOTION: Dr. Steingard moved to accept the **Consent Agreement for Interim Order for Practice Restriction** with amendments as discussed.

ROLL CALL VOTE: 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							

The Board recessed for lunch at 12:50 p.m. and returned to Open Session at 1:26 p.m.

Cases called after 1:00 p.m.

H. Teresa Borchers, D.O. Case No. DO-14-0279A License No. 3681

Dr. Borchers was present with attorney T'Shura-Ann Elias and was sworn in by the court reporter. The Executive Director provided the Medical Consultant's review of the case. The complaint alleged poor record-keeping, failure to do a history and physical, and failure to follow up on lab work. Dr. Borchers answered the Board's questions. This case involved two responses from the physician, the first of which Dr. Borchers claims is a forgery.

Joyce Michie, Esq., Practice Administrator for All Women's Medical Center and D'Arcy Downs-Vollbracht, Esq. were present and were sworn in by the court reporter. Ms. Michie and Ms. Downs-Vollbracht stated the records sent from All Women's were complete but they were not aware the billing records should have been included.

Dr. Steingard moved to enter Executive Session to obtain legal advice. Dr. Cunningham seconded. The Board entered Executive Session at 1:34 p.m. and returned to Open Session at 1:46 p.m.

The Board directed staff to obtain subpoenaed records including all billing records and interview the patient personally regarding medical care she received from Dr. Borchers. The Board directed staff to obtain an independent analysis of the signature to confirm the forgery. The case was continued.

I. Xuanhuy Ngoc Tran, DO Case No. DO-15-0049A Permit No. R2274

Dr. Tran was present with attorney Stephen Myers and was sworn in by the court reporter. The Investigator reviewed the case. The case was opened as a result of a self-reported DUI. Dr. Tran answered the Board's questions. Dr. Tran stated the MADD courses he took as a result of the DUI left a lasting impression and he no longer drinks alcohol.

MOTION: Mr. Landau moved for a **Letter of Concern** for driving under the influence. Mr. Riggs seconded.

ROLL CALL VOTE: The motion failed 2-5.

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

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

ROLL CALL VOTE: The motion carried 5-2.

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

J. Clinton Damron, D.O.

Case No. DO-15-0081A

License No. 4407

Dr. Damron was present with associate Joel Wright, MD. The Board offered to continue the case if Dr. Damron would prefer to obtain legal representation. Dr. Damron declined. Both physicians were sworn in by the court reporter. The Medical Consultant reviewed the case and reported the chart review results to the Board. The complaint alleged over-prescribing, resulting in a patient's death. Dr. Damron answered the Board's questions. Dr. Wright also addressed the Board. Damron has no The Board discussed the multiple concerns raised by the initial complaint and chart review.

MOTION: Mr. Landau moved for a finding of Unprofessional Conduct for violation of A.R.S. § 32-1854(6) and A.R.S. § 32-1854(38) with Findings of Fact as outlined in the Medical Consultant's report regarding the underlying complaint and chart review, including:

1. Over-prescribing,
2. Failure to refer to specialists,
3. Failure to perform Pharmacy audits,
4. Failure to respond to drug seeking behavior and addiction warnings from family members, and
5. Prescribing high levels of controlled substances.

Dr. Cunningham seconded.

Mr. Landau stated he was willing to withdraw his motion if Dr. Damron would be willing to enter into Interim Consent Agreement to restrict his prescribing and take Continuing Medical Education courses on prescribing opioids, then come back in July for re-evaluation. Dr. Cunningham agreed.

Dr. Damron agreed to consider an interim Consent Agreement. Mr. Landau and Dr. Cunningham withdrew the motion.

MOTION: Mr. Landau moved to draft a **Consent Agreement for an interim practice restriction** to include the following terms, to be considered by the Board at the February meeting:

1. Restricted from prescribing Schedule 2, 3 and 4 drugs with exception of Hospice and Hospitalized patients;
2. Undergo a PACE or CPEP evaluation in pain management; and
3. Obtain 40 hours CME in pain management, opioid prescribing, and addiction medicine pre-approved by Executive Director and to be completed by the September 2016 Board meeting.

Dr. Cunningham seconded.

ROLL CALL VOTE: 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							

This case was continued.

K. Thomas Handegund, D.O. (continued) Case No. DO-14-0324A License No. 2220

L. Rodney Faucett, D.O. Case No. DO-15-0066A License No. 1724

Dr. Faucett was not present. This case was continued.

M. John Wadleigh, D.O. Case No. DO-14-0314A License No. 1940

Mr. Riggs was recused from this matter.

Dr. Wadleigh was present with attorney Anne Fulton and was sworn in by the court reporter. Dr. Wadleigh made a statement and answered the Board's questions. He advised he has taken CME and has completed a number of changes at his office as a result of this matter in regards to prescribing controlled substances.

MOTION: Mr. Landau moved to issue a non-disciplinary Letter of Concern for prescribing controlled substances and to issue an Order for non-disciplinary CME that has already been completed. Dr. Cunningham seconded.

ROLL CALL VOTE: Motion carried 6-0-1.

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

N. Gerald Pass, D.O.

Case No. DO-14-0241A

License No. 2974

Dr. Pass was present. The Executive Director provided a review of the case. Dr. Pass has complied with the Board's interim order and is ready to resolve this matter regarding a DUI and failure to report.

MOTION: Mr. Landau moved to find a violation of A.R.S. §32-1854 (15) and A.R.S. 32-3208. Dr. Cunningham seconded. Motion carried, 7-0. After further discussion, the motion and second were withdrawn and the board reconsidered the vote. All voted in favor of the reconsideration.

MOTION: Mr. Landau moved to issue a non-disciplinary Letter of Concern for the DUI and failing to report the charges within ten days. Dr. Cunningham seconded.

ROLL CALL VOTE: 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							

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. Keith Ginsberg, D.O. Case No. DO-12-0061A License No. 3817

Dr. Ginsberg was present. Dr. Cunningham moved to enter Executive Session to review records and testimony regarding records which are confidential by statute. Mr. Riggs seconded. The Board entered Executive Session with Dr. Ginsberg at 5:43p.m. and returned to Open Session at 6:00 p.m.

MOTION: Dr. Cunningham moved to take action as discussed in Executive Session. Mr. Landau seconded.

ROLL CALL VOTE: 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. Christine Walker, D.O. Case Nos. DO-14-0014A/DO-12-0191A License No. 006029

This case was discussed with D0-15-0199A. Dr. Walker was present with her attorney Steve Myers. Mr. Myers made statements regarding Dr. Walker’s accomplishments to date in regards to her Orders and is requesting that the Board consolidate her health care providers reporting dates on a quarterly basis. Reports will be due on March 30, 2016; June 30, 2016; September 30, 2016, etc. The Board has recently received reports from two providers and he requested the next reports be due at the end of March, 2016, then June, 2016, and so on.

MOTION: Dr. Reiss moved to synchronize the quarterly reports for Dr. Walker’s healthcare providers beginning March 30, 2016. Dr. Cunningham seconded.

ROLL CALL VOTE: 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. Christine Walker, D.O. Case No. DO-15-0199A License No. 006029

This case was discussed with DO-14-0014A and DO-12-0191A. Dr. Walker was present with her attorney Steve Myers. Mr. Myers asked the Board to reconsider the scope of Dr. Walker’s CPEP evaluation and limit it to hormone replacement. He said the inclusion of Internal Medicine is not necessary as this she is only practicing hormone replacement. Ms. Jones reported she included the Internal Medicine component at the recommendation of CPEP. The Board discussed her recent completion of a residency in Internal Medicine, 2013, and the reasoning for the evaluation but did not take action to revise the scope of the CPEP evaluation.

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. Lynne Pirie Case No. DO-14-0049A Application No. 006370

Lynne Pirie was present with her attorney Greg Robinson. The Executive Director provided a review of the timeline for the application. Arthur Schurgin, D.O. was present in support of Ms. Pirie and spoke on her behalf. Mr. Robinson and Ms. Pirie made statements to the Board. Ms. Pirie denied that she had provided OMT after her license was revoked and stated she had not practiced medicine after her license was revoked in 2012.

MOTION: Dr. Cunningham moved to deny the licensure application for the practice of medicine while not licensed (unprofessional conduct) which was based upon the review and consideration of the DPS report number DR2014-003735, correspondence from the attorneys Robinson and Giancola, testimony before the board and of witnesses although Ms. Pirie is now denying her statements that she performed OMT. Mr. Landau seconded.

ROLL CALL VOTE: 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							

B. Kevin Huffman, D.O.

Case No. DO-15-0211A

Application No. 006722

The Board directed staff to request Dr. Huffman to appear at the February 2016 meeting for consideration of his application.

9. REVIEW, CONSIDERATION AND ACTION ON REPORTS FROM EXECUTIVE DIRECTOR, BOARD MEMBERS, and ASST ATTORNEY GENERAL

A. Report on ED Dismissed Complaints

Ms. Jones referred the Board to her report. There were no questions. 9 cases were dismissed between November 11, 2015 and January 13, 2016.

B. President & Board Member reports

Mr. Landau reported that he recently visited the California Osteopathic Board on behalf of the Federation of State Medical Boards.

C. Executive Director Report

1. Financial Report

Ms. Jones reported that she has provided the financial information as of December 31, 2015 in her report. The numbers are missing expenses for the Attorney General's billing and after that is added in we are just 2 or 3% under our appropriation for this time period.

2. Other News

None at this time.

3. Legislation update

Ms. Jones deferred to agenda item I.

D. Presentation from Affiliated Monitors, by Vincent DiCianni, Esq., President.

Mr. DiCianni presented who Affiliated Monitors is and what they can do to assist the board and licensees.

- E. Board may review, discuss and take action new teaching application.
 Ms. Jones presented the newly created application form to be in compliance with statute and rule. Mr. Landau moved to approve the application. Mr. Riggs seconded. Motion carried 7-0.
- F. Board may review, discuss and take action on policies.
 Ms. Jones presented the policies for consideration. Mr. Landau suggested we pend the matter until February but approve the policy LIC 001 regarding licensing. Dr. Reiss seconded. Motion carried 7-0.
- G. Board may review, discuss and take action on proposed amendments to licensure and locum tenens applications.
 Ms. Jones presented the revised applications for consideration. Mr. Landau moved to approve the new forms. Dr. Cunningham seconded. Motion carried 7-0.
- H. Board may review, discuss and take action on confidential monitoring program regarding use and eligibility.
 This matter was pended until a future meeting.
- I. Board may review and discuss legislation regarding HB2501 and HB2502, and other pending bills.
 Mr. Landau reported that HB2501 and HB2502 have been placed before the legislature by the health committee chair. The first deals with consolidation of administrative duties of the health care boards under the Department of Health Services. The second bill is for Arizona to enter the physician licensure compact.

10. BOARD MAY REVIEW, DISCUSS AND TAKE ACTION ON REQUEST FOR REVIEW OR REHEARING

Carl Ferguson, D.O.

Case No. DO-14-0221A
 and DO-14-0206A

License No. 2244

Ms. Jessica Miller, attorney for Dr. Ferguson was present and made comments to the Board as to the request for review or rehearing. She presented her arguments and advised that Dr. Ferguson takes this matter very seriously and has completed the PACE CME course and made changes in his practice regarding prescribing.

MOTION: Mr. Landau moved to deny the request for review or rehearing. Dr. Cunningham seconded.

ROLL CALL VOTE: 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							

11. ELECTION OF OFFICERS PURSUANT TO A.R.S. §32-1802(B)

A. President

Mr. Landau nominated Dr. Steingard for President. Mr. Riggs seconded the motion. There were no other nominations and the motion carried unanimously.

B. Vice President

Dr. Sabeeh nominated Dr. Cunningham for Vice President. Dr. Reiss seconded the motion. There were no other nominations and the motion carried unanimously.

12. ADJOURNMENT

The meeting was adjourned at 7:30 p.m.