



**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.  
Jon B. Fiegen, J.D.  
Jerry G. Landau, J.D.  
Mary Ann Picardo, D.O.  
Vas Sabeeh, D.O.  
Michael P. Ward, D.O.

**Executive Director**  
Jenna Jones

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

**Saturday, February 23, 2013**

**BOARD MEMBERS PRESENT:**

Scott Steingard, D.O., President  
Douglas Cunningham, D.O., Vice President  
Jon B. Fiegen, J.D.  
Jerry G. Landau, J.D.  
Michael P. Ward, D.O.  
Vas Sabeeh, D.O.

**BOARD MEMBERS ABSENT:**

Mary Ann Picardo, D.O.

**STAFF / OTHERS PRESENT:**

Jenna Jones, Executive Director  
Barbara Meyers, Deputy Director  
Therese Hall, Business Manager  
John O'Hair-Schattenberg, Investigator  
Kathy Fowkes, Admin Asst II, Licensing Division  
Sarah Selzer, Assistant Attorney General  
Mary L. Davis, RPR & CCR, Ottmar & Associates

**1. CALL TO ORDER**

Board President Dr. Scott Steingard called the meeting to order at 8:00 a.m.

**2. ROLL CALL AND REVIEW OF AGENDA**

The Executive Director took the roll. Six (6) 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 School Osteopathic Medicine Arizona at A.T. Still University. He also welcomed the residents and staff from Midwestern University/Kingman Regional Medical Center.
- B. Welcome to the Medical Residents and Staff from Kingman Regional Medical Center – Family Medicine Residency Program.
- C. The Board's custom is to ask members of the public to speak when the agenda item of interest to the person is called. If you want to address the Board on an issue not on the agenda, you will be asked to speak prior to the adjournment. All people wishing to speak should fill out a speaker form and give it to a staff member.

**4. REVIEW, CONSIDERATION AND APPROVAL OF MINUTES**

January 26, 2013 Open Session

In the minute entry for item 8A, Mr. Landau requested a typographical error in the title before his name be corrected from “Dr.” to “Mr.”

**MOTION:** Dr. Cunningham moved to approve the minutes as amended. Mr. Fiegen seconded.  
**VOICE VOTE:** Motion carried 6-0.

January 26, 2013 Executive Session

**MOTION:** Dr. Cunningham moved to approve the minutes. Mr. Fiegen seconded.  
**VOICE VOTE:** Motion carried 6-0.

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

Case Reviews

A. Russell Hisscock, DO Case No. DO-12-0038A License No. 4374

Dr. Hisscock was not present. The Investigator reviewed the case. The Board discussed the case.

**MOTION:** Dr. Cunningham moved for **DISMISSAL**. Dr. Sabeeh seconded.  
**VOICE VOTE:** Motion carried 6-0.

B. Jessica DiNizio, DO Case No. DO-11-0032A License No. 005296

Dr. DiNizio was not present. The Medical Consultant reviewed the case. The Board discussed the case.

**MOTION:** Dr. Steingard moved for an Investigative Hearing. Dr. Cunningham seconded.  
**ROLL CALL VOTE:** Motion carried 4-2.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Picardo	Mr. Fiegen	Dr. Ward	Mr. Landau	Dr. Sabeeh
YES	4	X	X		X		X	
NO	2					X		X
ABSTAIN/RECUSE	0							
ABSENT	0			X				

C. Erwina Ungos, DO Case No. DO-11-0189A License No. 3960

Dr. Ungos was not present. The Medical Consultant reviewed the case. The Board discussed the case.

**MOTION:** Dr. Ward moved for **DISMISSAL**. Dr. Sabeeh seconded.

**VOICE VOTE:** Motion carried 6-0.

Reviews of Executive Director Dismissals:

A. Robert Johnson, DO Case No. DO-12-0127A License No. 005063

The Complainant and the Respondent were not present. The Medical Consultant reviewed the case. The Board discussed the case.

**MOTION:** Dr. Cunningham moved to uphold **DISMISSAL**. Mr. Landau seconded.

**VOICE VOTE:** Motion carried 6-0.

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

A. Darrell Peters, DO Case No. DO-11-0168A License No. 005529

Dr. Peters was present with attorney Lawrence J. Rosenfeld and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Peters answered the Board's questions.

The Board entered Executive Session for legal advice at 9:43 a.m. and returned to Open Session at 9:54 a.m.

Patient B.S., a witness for Dr. Peters, was present and was sworn in by the court reporter. B.S. addressed the Board and answered the Board's questions.

The Board tabled this case and directed staff to do the following:

- Obtain a psychiatric evaluation of Dr. Peters by a psychiatrist approved by the Executive Director;
- Obtain a pharmacy query for all prescribing;
- Obtain the medical records for the patients listed in the pharmacy query;
- Obtain a drug screen; and
- Contact Banner about their policies and procedures regarding the removal of medication(s) and syringes.

B. Eric Huish, DO Case No. DO-11-0006A License No. 2318

Dr. Huish was present and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Huish answered the Board's questions.

**MOTION:** Dr. Cunningham moved for a **DISMISSAL**. Dr. Sabeeh seconded.

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

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Picardo	Mr. Fiegen	Dr. Ward	Mr. Landau	Dr. Sabeeh
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	0			X				

C. Anthony Pozun, DO Case No. DO-10-0181A License No. 3684

Dr. Sabeeh recused himself from this case.

Dr. Pozun was present with attorney Daniel P. Jantsch and was sworn in by the court reporter.

The Board entered Executive Session for legal advice at 10:39 a.m. and returned to Open Session at 10:46 a.m.

The Board recessed for a short break at 10:46 a.m. and returned to open session at 10:56 a.m.

The Medical Consultant reviewed the case. Dr. Pozun answered the Board's questions.

The Board entered Executive Session to discuss confidential records at 11:05 a.m. and returned to Open Session at 11:35 a.m.

**MOTION:** Dr. Ward moved for **DISMISSAL**. Dr. Cunningham seconded.

**ROLL CALL VOTE:** Motion carried 4-0 with one abstention and one recusal.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Picardo	Mr. Fiegen	Dr. Ward	Mr. Landau	Dr. Sabeeh
YES	4	X	X			X	X	
NO	0							
ABSTAIN/RECUSE	2				X			X
ABSENT	1			X				

D. Christopher LeSueur, DO Case No. DO-11-0183A License No. 2385

Dr. LeSueur was present. The Medical Consultant reviewed the case. Dr. LeSueur was sworn in by the court reporter and answered the Board's questions.

**MOTION:** Dr. Cunningham moved for **DISMISSAL**. Dr. Ward seconded.

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

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Picardo	Mr. Fiegen	Dr. Ward	Mr. Landau	Dr. Sabeeh
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1			X				

Board directed staff to refer case to the Arizona Medical Board.

E. John Thompson, DO Case No. DO-11-0007A License No. 4022

This case was continued.

F. Kimberly Carlson, DO Case No. DO-11-0196A License No. 3384

Dr. Carlson was present with attorney Kathleen M. Rogers and was sworn in by the court reporter. The Investigator reviewed the case. Dr. Carlson answered the Board's questions.

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

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

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Picardo	Mr. Fiegen	Dr. Ward	Mr. Landau	Dr. Sabeeh
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1			X				

The Board recessed for lunch at 12:24 p.m. and returned to open session at 1:07 p.m.

**Cases called after 1:00 p.m.**

Agenda Items 6-G, 6-H and 6-I were heard concurrently.

G. David Reynolds, DO Case No. DO-10-0035A License No. 3529

Dr. Reynolds was present and was sworn in by the court reporter. Dr. Reynolds agreed to hearing this case with cases DO-11-0020A and DO-12-0189A concurrently, though each case will be decided separately. The Investigator reviewed the cases. Dr. Reynolds answered the Board's questions.

The Board directed staff to obtain a psychiatric evaluation by a psychiatrist approved by the Executive Director. These cases were tabled until this evaluation is obtained.

H. David Reynolds, DO Case No. DO-11-0020A License No. 3529

This case was heard concurrently with Case No. DO-10-0035A.

The Board directed staff to attempt to locate the retired registered nurse to whom this case referred.

I. David Reynolds, DO Case No. DO-12-0189A License No. 3529

This case was heard concurrently with Case No. DO-10-0035A.

J. Richard Waldrop, DO Case No. DO-12-0072A License No. 3686

Dr. Waldrop was present with attorney Robert Chelle and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Waldrop answered the Board's questions.

**MOTION:** Dr. Ward moved to continue the case and to offer a Consent Agreement for an Interim Practice Restriction subject to the following:

- Respondent shall be restricted from prescribing any controlled substances, including marijuana certificates;
- Respondent shall obtain PACE I and II evaluations; and
- Respondent shall obtain a neuropsychological evaluation by a specialist approved by the Executive Director.

Mr. Landau seconded.

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

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Picardo	Mr. Fiegen	Dr. Ward	Mr. Landau	Dr. Sabeeh
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1			X				

The Board directed staff to draft and offer the Interim Consent Agreement.

K. Travis Stiegler, DO Case No. DO-12-0141A License No. 005517

Dr. Stiegler was present. The Executive Director reviewed the case. Dr. Stiegler answered the Board's questions.

**MOTION:** Mr. Landau moved to offer a Consent Agreement pursuant to a violation of A.R.S. §32-1854(25). His motion included offering a Consent Agreement for a five (5) year Probation with the monitoring provisions and subject to the following practice restriction:

- Respondent shall work no more than 30 hours per week including on-call.

Dr. Cunningham seconded.

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

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Picardo	Mr. Fiegen	Dr. Ward	Mr. Landau	Dr. Sabeeh
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1			X				

L. Jodi Novak, DO Case No. DO-12-0159A License No. 3620

Dr. Novak was present. The Executive Director reviewed the case. Dr. Novak answered the Board's questions.

**MOTION:** Mr. Landau moved to find a violation of A.R.S. §32-1854(25) and to offer an Interim Consent Agreement with a five (5) year Probation requiring compliance with the monitoring provisions and for practice restrictions subject to the following:

- Respondent shall work no more than 36 hours per week;
- Respondent shall work no overnight shifts; and
- Respondent shall notify the Board immediately upon obtaining employment, and shall appear before Board two (2) months after the start of employment.

Dr. Cunningham seconded.

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

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Picardo	Mr. Fiegen	Dr. Ward	Mr. Landau	Dr. Sabeeh
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1			X				

**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. None

**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. R4-22-109.**

A. Amir Emami, DO Case No. DO-12-0206A Applicant No. 006035

Dr. Emami was present. The Executive Director reviewed the application. Dr. Emami answered the Board’s questions.

**MOTION:** Dr. Ward moved to approve Dr. Emami’s application for licensure. Dr. Cunningham seconded.  
**ROLL CALL VOTE:** Motion carried 6-0.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Picardo	Mr. Fiegen	Dr. Ward	Mr. Landau	Dr. Sabeeh
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1			X				

B. Christine Walker, DO Case No. DO-12-0191A Applicant No. 006029

Dr. Walker was present. The Executive Director reviewed the application. Dr. Walker answered the Board’s questions.

The Board entered Executive Session for legal advice at 4:10 p.m. and returned to Open Session at 4:25 p.m.

**MOTION:** Dr. Ward moved to approve Dr. Walker’s application for licensure. Mr. Landau seconded.  
**ROLL CALL VOTE:** Motion carried 6-0.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Picardo	Mr. Fiegen	Dr. Ward	Mr. Landau	Dr. Sabeeh
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN/RECUSE	0							
ABSENT	1			X				

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

A. Report on ED Dismissed Complaints

Ms. Jones advised that there have been ten (10) ED dismissed complaints since the last Board meeting. She provided a copy of the printout with the details of each case as required in statute.

B. President & Board Member reports

Dr. Steingard reported that Dr. Cunningham will be attending this year's FSMB meeting as the voting delegate.

C. Executive Director Report

Ms. Jones presented a list of items that she would like to discuss at the March board meeting. She invited Board members to submit any other items they would like to discuss.

D. Board may review, discuss and take action on proposal for additions to building security.

Ms. Jones reported that she has requested an estimate to make the reception area of the office more secure by enclosing the lobby area. The estimates are not done but it appears it will cost approximately \$8,000. The Board suggested getting a security evaluation by the appropriate state entity. She expects to have the final figures and estimates by the March meeting.

**10. ADJOURNMENT**

The meeting adjourned at 4:52 p.m.