



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.
Martin Reiss, D.O.
Vas Sabeeh, D.O.
Michael P. Ward, 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 25, 2014

BOARD MEMBERS PRESENT:

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

STAFF / OTHERS PRESENT:

Jenna Jones, Executive Director
Barbara Meyers, Deputy Director
Barbara Prah, D.O., Medical Consultant
John O'Hair-Schattenberg, Investigator
Therese Hall, Business Manager
Kathy Fowkes, Admin. Asst. II, Licensing Division
Jeanne Galvin, Assistant Attorney General
Sheryl Henke, RPR, Ottmar & Associates

1. CALL TO ORDER

Board President Dr. Scott Steingard called the meeting to order at 8:03 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 and noted any changes.

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

November 16, 2013 Open Session

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

VOICE VOTE: The motion carried 7-0.

November 16, 2013 Executive Session

MOTION: Dr. Cunningham moved to approve the minutes. Mr. Landau seconded.
VOICE VOTE: The motion carried 7-0.

December 23, 2013 Open Session

MOTION: Mr. Landau moved to approve the minutes. Dr. Reiss seconded. Dr. Ward, Dr. Cunningham and Dr. Steingard abstained.
VOICE VOTE: The motion carried 4-0-3.

5. REVIEW, CONSIDERATION AND ACTION ON REHEARING OR REVIEW OF DECISION

A. Shawn Platt, DO (continued) Case No. DO-11-0165A License No. 3313

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

Case Reviews

A. Patricia Dietzgen, DO Case No. DO-13-0028A License No. 4031

Dr. Dietzgen and her office manager, Mark Dietzgen, were present. The Investigator reviewed the case. Dr. Dietzgen and Mr. Dietzgen answered the Board's questions. After discussion and consideration, it was determined there was no statutory violation.

MOTION: Mr. Fiegen moved for **DISMISSAL**. Dr. Cunningham seconded.
VOICE VOTE: The motion carried 7-0.

B. Cori Norgaard, DO Case No. DO-13-0039A License No. 005492

Dr. Norgaard and her attorney, Elizabeth Petersen, were present. The Investigator reviewed the case. Dr. Norgaard and her attorney answered the Board's questions. After discussion and consideration, it was determined there was no statutory violation.

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

C. Mark Davis, DO Case No. DO-13-0145A License No. 4810

Dr. Davis was not present. The Medical Consultant reviewed the case. After discussion and consideration, it was determined there was no statutory violation.

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

Reviews of Executive Director Dismissals:

A. Stacia Kagie, DO Case No. DO-13-0029A License No. 4129

Dr. Kagie was present. The complainant was not present. The Medical Consultant reviewed the case. After discussion and consideration, it was determined there was no statutory violation.

MOTION: Dr. Cunningham moved to uphold the **DISMISSAL**. Dr. Reiss seconded.
VOICE VOTE: The motion carried 7-0.

B. Estelle Farrell, DO Case No. DO-13-0153A License No. 3223

The complainant was present. The Medical Consultant reviewed the case. The complainant answered the Board’s questions. After discussion and consideration, it was determined there was no statutory violation.

MOTION: Dr. Reiss moved to uphold the **DISMISSAL**. Dr. Cunningham seconded.
VOICE VOTE: The motion carried 7-0.

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

A. Philo Rogers, DO Case No. DO-11-0136A License No. 2809

Dr. Rogers was present with his attorney, Heather Hendrix, and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Rogers answered the Board’s questions.

Dr. Cunningham moved to enter Executive Session to obtain legal advice. Dr. Steingard seconded. The Board entered into Executive Session at 9:14 a.m. to obtain legal advice and returned to Open Session at 9:25 a.m.

MOTION: Mr. Landau moved for a violation of A.R.S. § 32-1854(38): Any conduct or practice that endangers a patient's or the public's health or may reasonably be expected to do so.

Findings of Fact

1. There were no urine drug screens noted and there was no controlled substance contract.
2. Poor medical record documentation.
3. There was no discussion in the medical record regarding the patient’s diagnosis of ADD.
4. No old medical records from Magellan that specifically discussed the patient’s need for amphetamines.

Dr. Cunningham seconded.
ROLL CALL VOTE: The motion carried 7-0.

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

The Board acknowledged this case’s events occurred during the same timeframe as that which resulted in a Decree of Censure with Probation and the terms of Probation are still in effect.

MOTION: Mr. Landau moved for an **Administrative Warning**. Dr. Cunningham seconded.
ROLL CALL VOTE: The motion carried 4-3.

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

B. Brent Korn, DO

Case No. DO-11-0159A

License No. 4328

Dr. Korn was present with his attorney, David Williams, and was sworn in by the court reporter. The Medical Consultant reviewed the case, her concerns, and an outside medical reviewer’s report. Dr. Korn answered the Board’s questions. At the time of the events detailed by the complaint, Dr. Korn stated he was in a homeopathic preceptorship under his father, David Korn, DO, MD(H). The question was raised whether or not the Board has jurisdiction over this case.

Dr. Reiss moved to enter Executive Session to obtain legal advice. Dr. Cunningham seconded. The Board entered into Executive Session at 10:09 a.m. to obtain legal advice and returned to Open Session at 10:14 a.m.

There was a general consensus to accept jurisdiction for the case. The Board acknowledged it is the duty of the Board to review the case and make a determination based on osteopathic standard of care.

Dr. Korn answered the Board’s questions. Dr. Korn stated there are two published standards of care for the diagnosis and treatment of chronic lyme disease.

MOTION: Dr. Ward moved for a finding of **Unprofessional Conduct** for violation of A.R.S. § 32-1854(6), (11) and (38).

Findings of Fact

Whereas Dr. Korn:

- A. Was practicing as an osteopathic physician.
- B. Treated patient CH for lyme disease without appropriate diagnostic criteria.
- C. Engaged in the practice of medicine in a manner that harms or may harm a patient or that the board determines falls below the community standard. The standard of care with patients with lyme disease is to make a diagnosis based upon the combination of clinical findings and the appropriate positive diagnostic tests and developing an appropriate treatment regimen.
- D. Represented that a manifestly incurable disease, injury, ailment or infirmity can be permanently cured within a stated time.
- E. Conducted himself in a manner that endangers a patient's or the public's health or may reasonably be expected to do so.
- F. Deviated from the standard of care as noted in the medical consultants’ reports indicating that the patient did not have lyme disease and was treated with unconventional therapies.

Dr. Cunningham seconded.

ROLL CALL VOTE: The motion carried 7-0.

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

MOTION: Dr. Ward moved for a **Decree of Censure**, and to restrict Respondent from diagnosing and treating lyme disease as an osteopathic physician, require Respondent to reimburse the Board for the cost of the outside medical consultant and transcription during the Investigative Hearing, and to pay a civil penalty of \$500 per each violation, such costs to be paid within 90 days of the effective date of the Order.

Dr. Cunningham seconded.

ROLL CALL VOTE: The motion carried 7-0.

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

The Board recessed for a short break at 11:03 a.m. and returned to Open Session at 11:17 a.m.

C. John Manning, DO

Case No. DO-12-0028A

License No. 0935

Dr. Manning was present with his attorney, Kraig J. Marton, and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Manning answered the Board's questions.

Mr. Fiegen excused himself from the remainder of the meeting at 12:35 p.m.

Dr. Cunningham moved to enter Executive Session to obtain legal advice. Dr. Steingard seconded. The Board entered into Executive Session at 12:36 p.m. to obtain legal advice and returned to Open Session at 12:45 p.m.

MOTION: Mr. Landau moved for a finding of **Unprofessional Conduct** for violation of A.R.S. § 32-1854(6), Engaging in the practice of medicine in a manner that harms or may harm a patient or that the board determines falls below the community standard; and A.R.S. § 32-1854(38), any conduct or practice that endangers a patient's or the public's health or may reasonably be expected to do so.

Findings of Fact

Whereas Dr. Manning:

1. Fell below the community standard of care in the evaluation and treatment of chronic pain. The community standard of care includes an evaluation of past medical history, presenting complaint, appropriate physical exam, review of prior diagnostic testing, urine drug screens, and pharmacy queries.
2. Failed to conduct appropriate examinations and correlate examinations with diagnoses.
3. A.A.C. R9-17-202(F)(5)(g) and R9-17-202(G)(8)(e) requires an in-person examination and in at least one patient this was not done.
4. Recommended the use of medical marijuana when evaluations of patients did not indicate such a recommendation was appropriate.
5. All patients queried in the chart review conducted by the Medical Consultant were provided a medical marijuana certification. Respondent estimated 95% of patients who sought a marijuana certificate were provided with such.
6. A large number of young patients were diagnosed with chronic pain.
7. The physical exams that were reviewed by the Medical Consultant were inadequate.
8. The Arizona Board of Pharmacy query showed patient M.A. had used controlled substances for several months and had used seven different physicians for medication and eight different pharmacies. The patient was still given a certification.
9. A.R.S. § 36-2801(3) and A.A.C. R9-17-201 define *debilitating medical conditions*.
10. There were old medical records from a gastroenterologist stating patient S.M. had been treated for chronic diarrhea, constipation, nausea, vomiting and rectal bleeding. The medical records noted that the patient had had a significant improvement and then resolution of his symptoms with a change in his oral medication. The certification was still given.
11. Medical records from patient M.G.'s primary care physician were included in the chart, which revealed the patient had been undergoing a workup for nausea and jaundice. The medical record also documented the patient had a history of multiple drug abuse which included opioids and marijuana which he had gotten both in his home environment as well as from drug dealers. The patient had been in an outpatient treatment program. Laboratory revealed the patient's total bilirubin and direct bilirubin were elevated. The patient was still given a certification.
12. Received a note from patient A.D.'s urologist noting he did have testicular pain which had improved and also had an epididymal cyst. The urologist recommended Aleve twice a day. There is no evidence to suggest the patient would be expected to have chronic pain associated with the epididymal cyst, nevertheless he was provided a marijuana certification.

Dr. Cunningham seconded.

ROLL CALL VOTE: The motion carried 6-0, 1 absent.

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

MOTION: Mr. Landau moved for:

1. Decree of Censure;
2. An order restricting the physician’s practice, prohibiting the issuance of a written marijuana certificate as defined in A.R.S. 36-2801(18), the recommendation of medical marijuana; and
3. The physician to undergo a neuropsychological evaluation, as approved by the Executive Director, to be completed within 180 days at the respondent’s expense.

Dr. Cunningham seconded.

ROLL CALL VOTE: The motion carried 6-0, 1 absent.

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

The Board recessed for lunch at 1:13 p.m. and returned to Open Session at 1:45 p.m.

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| D. Douglas Bobb, DO (continued) | Case No. DO-12-0063A | License No. 1990 |
| E. Donald Curran, DO | Case No. DO-13-0068A | License No. 4034 |

Dr. Curran was present with his attorney, Stephen Myers, and was sworn in by the court reporter. The Deputy Director reviewed the case.

Dr. Steingard moved to enter Executive Session to review records protected by law. Dr. Reiss seconded. The Board entered into Executive Session at 1:48 p.m. to review records protected by law and returned to Open Session at 2:08 p.m.

Dr. Curran answered the Board’s questions. After discussion and consideration, it was determined there was no statutory violation.

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

ROLL CALL VOTE: The motion carried 6-0, 1 absent.

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

F. Paul Laven, DO

Case No. DO-12-0060A

License No. 2821

Dr. Laven was present with his attorney, Jay Fradkin, and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Laven answered the Board's questions. 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 6-0, 1 absent.

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

G. James Reed, DO

Case No. DO-12-0071A

License No. 2845

Dr. Reed was present with his attorney, Stephen Myers, and was sworn in by the court reporter. The Medical Consultant reviewed the outside medical consultant's report. Dr. Reed answered the Board's questions. The Complainant was also present and was sworn in by the court reporter. The complainant addressed the Board.

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

ROLL CALL VOTE: The motion carried 5-1, 1 absent.

	Vote	Dr. Steingard	Dr. Cunningham	Mr. Fiegen	Mr. Landau	Dr. Reiss	Dr. Sabeeh	Dr. Ward
YES	5	X	X			X	X	X
NO	1				X			
ABSTAIN/RECUSE	0							
ABSENT	1			X				

H. Julie Jacobs, DO

Case No. DO-12-0155A

License No. 5024

Dr. Jacobs was present and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Jacobs answered the Board's questions. After discussion and consideration, it was determined there was no statutory violation.

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

VOICE VOTE: The motion carried unanimously, 1 absent.

The Board recessed for a short break at 3:38 p.m. and returned to open session at 3:47 p.m.

I. Afeworki Kidane, DO

Case No. DO-12-0081A

License No. 4458

This case was heard and adjudicated in conjunction with DO-12-0111A. Dr. Kidane was present with his attorney, Kraig J. Marton, and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Kidane answered the Board's questions. The Board stated its concern regarding Dr. Kidane's prescribing practices and his understanding of a functional based approach to pain management.

MOTION: Mr. Landau moved for a finding of **Unprofessional Conduct** for violation of A.R.S. § 32-1854(6), engaging in the practice of medicine in a manner that harms or may harm a patient or that the board determines falls below the community standard; A.R.S. § 32-1854(36), prescribing or dispensing controlled substances or prescription-only medications without establishing and maintaining adequate and appropriate patient records; and A.R.S. § 32-1854(38), any conduct or practice that endangers a patient's or the public's health or may reasonably be expected to do so.

Findings of Fact in Case No. DO-12-0081A

1. Dr. Kidane continued to prescribe controlled substances to this young patient (21 year old) even after he had been warned by her probation officer she was associating with people that do "drugs in the car".
2. The patient's intake history was cursory.
3. There were no drug screens ordered or performed.
4. A pharmacy audit was not ever performed on the patient.
5. The patient was never sent for consultation regarding her back pain.
6. The patient was never referred to a pain medicine specialist.
7. The history of chief complaint and physical exam were exactly the same on every office visit and in electronic format.
8. The patient was never asked about her functional status.
9. The patient was not sent for x-rays.
10. There was no laboratory drawn.
11. There is no evidence that Dr. Kidane ever discussed possible side-effects, complications or alternative treatments with the patient.
12. It does not appear that the patient was ever tried on any anti-inflammatory or non-controlled substances.

Findings of Fact in Case No. DO-12-0111A

1. Dr. Kidane, for the most part, used short acting opioids for chronic pain and in at least one case used both Percocet and Oxycodone together (I.E.).
2. There were no urine drug screens on several patients (G.W., C.S., R.R., B.P. (DOB 5/6/1990), B.P. (DOB 10/1/1980), V.H., S.D., J.M., C.K., K.H. and D.K.).
3. When patients came to Dr. Kidane, quite often they were already on Oxycodone and Xanax and usually were complaining of low back pain due to a motor vehicle accident. Dr. Kidane continued the patients on these medications.
4. Dr. Kidane started people on Oxycodone as a first line treatment for pain (G.W., R.R., C.K., K.H., and P.O.).
5. There was no laboratory performed on several patients (G.W., B.P. (DOB 10/1/1980), P.O., C.K., K.H. and J.M.).
6. There was no controlled substance agreement on several patients (C.S., B.P. (DOB 10/1/1980), and V.H.)

7. There was no pharmacy audit on several patients (C.S., R.R., M.M. and J.C.).
8. A function-based approach was not used. (All).
9. X-rays and diagnostic studies were usually performed or at least ordered; however, many times the MRIs were ordered but not performed (G.W., J.M. and M.J.).
10. One patient had a positive urine drug screen for multiple prescription and illegal substances and her controlled substances were continued (A.P.).
11. Two patients had positive urine drug screens for illegal substances (marijuana) yet controlled substances were continued (P.O. and M.M.)

Dr. Cunningham seconded.

ROLL CALL VOTE: The motion carried 6-0, 1 absent.

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

The Respondent was asked if he would agree to a Consent Agreement. The Board tabled the matter to allow the doctor and his attorney consider the matter.

After the matter with Dr. Borsand, Dr. Kidane and Mr. Marton returned and said they would agree to limitations to treat patients under 35 years of age for chronic pain management and would complete CME.

MOTION: Mr. Landau moved to issue an **Order** that would include:

1. Restrict Dr. Kidane from prescribing opioids, class 2 and 3;
2. Require Dr. Kidane to undergo an evaluation at CPEP or PACE, within 6 months, of his pain management practice that would include his prescribing habits, specifically in the area of opioid use, to be completed at his expense; and After completion of the evaluation and completion of the recommendations, if any, he may petition the Board to lift the prescribing limitation.

Dr. Cunningham seconded.

ROLL CALL VOTE: The motion carried 6-0, 1 absent.

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

This case was heard and adjudicated in conjunction with Case No. DO-12-0081A.

- K. Marvin Borsand, DO Case No. DO-12-0050A License No. 2261

Dr. Borsand was present with attorney Paul Giancola and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Borsand answered the Board’s questions.

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

ROLL CALL VOTE: The motion carried 6-0, 1 absent.

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

- L. Brian Gallman, DO Case No. DO-12-0114A License No. 4061

The Board continued this case.

- M. Caren Borjeson, DO Case No. DO-12-0167A License No. 3117

Dr. Borjeson was present and was sworn in by the court reporter. Dr. Borjeson answered the Board’s questions. The complainant, S.R., was also present, sworn in by the court reporter and answered the Board’s questions.

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

ROLL CALL VOTE: The motion carried 4-2, 1 absent.

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

- N. Arash Araghi, DO (continued) Case No. DO-12-0204A License No. 3888

The Board continued this case.

8. CONSIDERATION AND POSSIBLE ACTION ON CONSENT AGREEMENT FOR VOLUNTARY SURRENDER OF LICENSE PURSUANT TO A.R.S. § 32-1855 (M) ONLY

- A. Mark Fantauzzi, DO Case No. DO-12-0051A License No. 3209

The Deputy Director reviewed the case.

MOTION: Dr. Steingard moved to accept the Order for Surrender and Consent to the Same. Mr. Landau seconded.

VOICE VOTE: The motion carried unanimously, 1 absent.

9. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING VACATING VOTE TO FORMAL HEARING AND DISPOSITION OF CASE

A. Darrell Bunch, DO Case No. DO-11-0074A License No. 1330

MOTION: Dr. Reiss moved to rescind the vote to Formal Hearing. Dr. Cunningham seconded.

VOICE VOTE: The motion carried unanimously, 1 absent.

The Board continued this case.

10. 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. Michael Shing, DO Case No. DO-11-0061A License No. 005367

Dr. Shing was present, made a statement, and answered the Board's questions.

MOTION: Mr. Landau moved to terminate the probation effective today. Dr. Cunningham seconded and asked that Dr. Shing return in six months to give the Board an update.

VOICE VOTE: The motion carried unanimously, 1 absent.

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

Dr. Stiegler was present, made a statement and answered the Board's questions regarding increasing his work hours.

MOTION: Mr. Landau moved to amend Dr. Steigler's Order to allow him to work up to 40 hours per week, with all other terms to remain the same. Mr. Landau asked Dr. Stiegler to come to the July Board meeting to provide an update. Dr. Ward seconded.

VOICE VOTE: The motion carried unanimously, 1 absent.

11. 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. Greg Singer, DO (withdrawn) Case No. DO-13-0160A Application No. 006203

The application was withdrawn.

B. Mark Hash, DO Case No. DO-13-0199A Application No. 006144

Dr. Hash was present and answered the Board's questions. The Board moved to enter Executive Session at 6:53 to discuss personal medical records.

MOTION: Dr. Ward moved to send a substantive request to Dr. Hash for additional information, extended the timeframes if necessary and return at the March meeting. Dr. Reiss seconded.

VOICE VOTE: The motion carried unanimously, 1 absent.

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

Dr. Sweet was present and answered the Board's questions. Dr. Sweet reported he wanted to enter a preceptorship under a local family practice physician. The Board did not believe this was acceptable and suggested Dr. Sweet pursue a mini-residency or a preceptorship under a board certified family practice physician or someone who had completed a residency in family practice.

MOTION: Mr. Landau moved to issue a substantive request to have Dr. Sweet locate a residency, mini-residency or acceptable preceptorship. Dr. Ward seconded.

VOICE VOTE: The motion carried unanimously, 1 absent.

D. Kevin Dolehide, DO (continued) Case No. DO-13-0223A Application No. 006281

This matter was continued.

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

A. Report on ED Dismissed Complaints

Ms. Jones provided a report with the statutorily required information.

B. President & Board Member reports

C. Executive Director Report

1. Budget

Ms. Jones provided the financial reports for the month ending December 31, 2013.

2. Update on security project(s).

D. Board may review, discuss and take action on proposed rules package.

Ms. Jones reported the committee is meeting Tuesday.

E. Board may review, discuss and take action on proposed statutory changes.

No action taken.

F. Board may review, discuss and take action on licensee board certification listing on website profiles.

No action taken, pended until February.

G. Board may review, discuss and take action on 2014 legislative update.

Ms. Jones reported that HB2087 regarding board member training passed the House Health committee.

H. Board may discuss and establish committee to review the Monitoring Assistance Program.

Dr. Steingard suggested a committee to review the monitoring program to assure it is up to date and make suggestions or recommend revision as needed. He asked Dr. Reiss to chair the committee and Dr. Cunningham to also serve on the committee. Both accepted.

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

A. President

Mr. Landau moved to nominate Dr. Steingard as President, Dr. Cunningham seconded. No other nominations were made. Mr. Landau moved to elect Dr. Steingard by acclamation, Dr. Reiss seconded. Motion carried unanimously.

B. Vice President

Dr. Steingard moved to nominate Dr. Cunningham as Vice President, Dr. Ward seconded. No other nominations were made. Mr. Landau moved to elect Dr. Cunningham by acclamation, Dr. Ward seconded. Motion carried unanimously.

14. ADJOURNMENT

The meeting adjourned at 7:43 p.m.