



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

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

Saturday, January 26, 2013

BOARD MEMBERS PRESENT:

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

STAFF / OTHERS PRESENT:

Jenna Jones, Executive Director
Barbara Meyers, Deputy Director
Therese Hall, Business Manager
John O'Hair-Schattenberg, Investigator
Kathy Fowkes, Licensing Division
Sarah Selzer, Assistant Attorney General
Debora Mitchell, CVR & CCR, Ottmar & Associates

1. CALL TO ORDER

Board President Dr. Scott Steingard called the meeting to order at 8:01 a.m.

2. ROLL CALL AND REVIEW OF AGENDA

The Executive Director took the roll. Seven (7) 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.
- 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. 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

November 17, 2012 Open Session

MOTION: Dr. Picardo moved to approve the minutes. Dr. Cunningham seconded.
VOICE VOTE: Motion carried 7-0.

November 17, 2012 Executive Session

MOTION: Mr. Fiegen moved to approve the minutes. Dr. Cunningham seconded.
VOICE VOTE: Motion carried 7-0.

November 21, 2012 Open Session

MOTION: Dr. Picardo moved to approve the minutes. Dr. Cunningham seconded.
VOICE VOTE: Motion carried 7-0.

January 08, 2013 Open Session

MOTION: Dr. Picardo moved to approve the minutes. Dr. Cunningham seconded.
VOICE VOTE: Motion carried 7-0.

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

Case Reviews

A. None

Reviews of Executive Director Dismissals:

A. None

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

A. John Deuel, DO Case No. DO-10-0100A License No. 4459

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

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

ROLL CALL VOTE: Motion carried 7-0.

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

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

B. Mark Flood, DO Case No. DO-10-0096A License No. 4277

Dr. Flood was not present.

MOTION: Mr. Landau moved to return this case to Case Review status. Dr. Cunningham seconded.

VOICE VOTE: Motion carried 7-0.

C. Sidney Semrad, DO Case No. DO-11-0019A License No. 2605

Dr. Semrad was present with attorney Stephen W. Myers and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Semrad answered the Board's questions. The Complainant was present, was sworn in by the court reporter and answered the Board's questions. Mr. Myers addressed the Board.

MOTION: Mr. Landau moved for a **LETTER OF CONCERN** due to failure to obtain diagnostic tests appropriate to symptoms. Dr. Picardo seconded.

ROLL CALL VOTE: Motion carried 6-1.

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

D. James Reed, DO Case No. DO-10-0111A License No. 2845

Dr. Reed was present with attorney Stephen W. Myers and was sworn in by the court reporter. The Medical Consultant summarized the case. The Executive Director reviewed the PACE evaluation. Dr. Reed read a prepared statement. Mr. Myers addressed the Board. Dr. Reed answered the Board's questions. Dr. Reed advised he would no longer prescribe Suboxone and that he had been compliant with the Interim Order by not prescribing opioids.

MOTION: Dr. Ward moved to terminate the Interim Order for a Practice Restriction. Dr. Cunningham seconded.

ROLL CALL VOTE: Motion carried 7-0.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Picardo	Mr. Fiegen	Dr. Ward	Mr. Landau	Dr. Sabeeh
YES	7	X	X	X	X	X	X	X

NO	0							
ABSTAIN/RECUSE	0							
ABSENT	0							

MOTION: Dr. Cunningham moved for a **LETTER OF CONCERN** for practicing outside the scope of his specialty, inadequate record keeping and physical examinations and inappropriate prescribing of opioids. Dr. Picardo seconded.

ROLL CALL VOTE: Motion carried 7-0.

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

Board directed staff to complete a pharmacy query to confirm that Dr. Reed is no longer prescribing opioids.

The Board recessed for a short break at 9:47 a.m. and returned to open session at 10:00 a.m.

E. David Orringer, DO Case No. DO-11-0027A License No. 4568

Dr. Orringer was present with attorney Steven Centuori and was sworn in by the court reporter. The Medical Consultant reviewed the case. The CPEP evaluation was presented.

The Board entered Executive Session for legal advice at 10:22 a.m. and returned to Open Session at 10:27 a.m.

Dr. Orringer answered the Board's questions. The Board discussed the case.

The Board entered Executive Session for legal advice at 10:38 a.m. and returned to Open Session at 10:45 a.m.

Dr. Orringer agreed that he was willing to discuss entering into a Consent Agreement with the Board. The Board continued this case for the purpose of drafting a Consent Agreement.

F. Jennessa Hussey, DO Case No. DO-11-0045A License No. 005493

Dr. Hussey was present with attorney Kent E. Turley and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Hussey answered the Board's questions.

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

ROLL CALL VOTE: Motion carried 7-0.

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

G. Teresa Borchers, DO Case No. DO-11-0075A License No. 3681

Dr. Borchers was present with attorney Mary G. Isban and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Borchers answered the Board's questions.

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

ROLL CALL VOTE: Motion carried 7-0.

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

H. Thang Nguyen, DO Case No. DO-11-0057A License No. 4056

Dr. Nguyen was present with attorney Dan Cavett and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Nguyen answered the Board's questions.

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

ROLL CALL VOTE: Motion carried 6-1.

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

The Board recessed for lunch at 12:12 p.m. and returned to open session at 12:47 p.m.

The Board entered Executive Session for legal advice re: Case DO-11-0027A at 12:47 p.m. and returned to Open Session at 12:53 p.m.

Cases called after 1:00 p.m.

- I. Jeffrey Bushman, DO Case No. DO-11-0069A License No. 2338

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

MOTION: Mr. Landau moved for a non-disciplinary **LETTER OF CONCERN** for an error in writing a prescription. Dr. Cunningham seconded.

ROLL CALL VOTE: Motion carried 7-0.

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

- J. Gaylon Crawford, DO Case No. DO-10-0161A License No. 2923

Dr. Crawford was present with attorney Gordon Lewis and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Crawford answered the Board’s questions. The Board noted that they did not have jurisdiction to obtain medical records related to this complaint.

The Board entered Executive Session for legal advice at 1:32 p.m. and returned to Open Session at 1:45 p.m.

The Board tabled this case in order to consider agenda item 6-K and 6-L, and then returned to it.

MOTION: Mr. Landau moved for a **DISMISSAL**. Dr. Steingard seconded.

ROLL CALL VOTE: Motion carried 7-0.

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

K. Gaylon Crawford, DO Case No. DO-11-0188A License No. 2923

Dr. Crawford was present with attorney Gordon Lewis and remained sworn in. The Medical Consultant reviewed the case. Dr. Crawford answered the Board’s questions.

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

ROLL CALL VOTE: Motion carried 7-0.

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

L. Gaylon Crawford, DO Case No. DO-11-0104A License No. 2923

Dr. Crawford was present with attorney Gordon Lewis and remained sworn in. The Medical Consultant reviewed the case. Dr. Crawford answered the Board’s questions.

MOTION: Dr. Cunningham moved for **DISMISSAL** and 20 hours non-disciplinary **CONTINUING MEDICAL EDUCATION** in the area of medical record keeping approved by the Executive Director and to be completed in 6 months. Mr. Landau seconded.

ROLL CALL VOTE: Motion carried 7-0.

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

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

This case was heard in conjunction with Agenda Item 9.

Dr. Stiegler was present and was sworn in by the court reporter. The Deputy Director reviewed the case. Dr. Stiegler answered the Board’s questions.

The Board continued this case until the March agenda.

7. CONSIDERATION AND POSSIBLE ACTION ON CONTINUATION OF INVESTIGATIVE HEARING NO. DO-12-0025A CONCERNING JOSEPH COLLINS, D.O. INCLUDING CONSIDERATION AND POSSIBLE ACTION ON COMPLIANCE WITH TERMS OF BOARD ORDER IN CASE NO. DO-12-0025A

CONCERNING JOSEPH COLLINS, D.O. AND POSSIBLE VIOLATION OF THE SAME PURSUANT TO A.R.S. § 32-1855.

A. Joseph Collins, DO Case No. DO-12-0025A License No. 3858

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

8. CONSIDERATION AND POSSIBLE ACTION ON REQUEST BY JOSEPH COLLINS, D.O. TO SURRENDER LICENSE NO. 3858 PURSUANT TO A.R.S. §32-1855 (M) ONLY.

A. Joseph Collins, DO Case No. DO-12-0025A License No. 3858

Dr. Collins was not present.

MOTION: Dr. Landau moved to accept Dr. Collins’ affidavit of surrender and direct staff to offer a Consent Agreement for Voluntary Surrender of License and to report back at the February 23, 2013 meeting. Dr. Cunningham seconded.

ROLL CALL VOTE: Motion carried 7-0.

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

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

This case was heard in conjunction with Agenda Item 6-M.

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

Dr. Walker was present. The Executive Director reviewed the application.

The Board entered Executive Session to discuss confidential records at 3:04 p.m. and returned to Open Session at 3:32 p.m.

This case was continued in order to obtain more medical information. Mr. Landau requested a copy of the sentencing document from Pima County.

B. Mark E. Shelly, DO Case No. DO-12-0209A Applicant No. 006051

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

MOTION: Mr. Landau moved to approve the application. Mr. Fiegen seconded.

ROLL CALL VOTE: Motion carried 5-2.

	Vote	Dr. Steingard	Dr. Cunningham	Dr. Picardo	Mr. Fiegen	Dr. Ward	Mr. Landau	Dr. Sabeeh
YES	5	X			X	X	X	X
NO	2		X	X				
ABSTAIN/RECUSE	0							
ABSENT	0							

C. Keenan Wanamaker, DO Case No. DO-12-0208A Applicant No. 006061

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

MOTION: Dr. Steingard moved to accept the following re-entry program for licensure:

1. Applicant to obtain a passing score on COMVEX exam
2. Applicant to complete ACLS and BLS
3. Applicant to complete 40 hours Category 1 CME in Surgery and 40 hours Category 1-A CME in General Medical Knowledge
4. Applicant to provide the Board a copy of his notification of acceptance from a supervising facility

Dr. Cunningham seconded.

ROLL CALL VOTE: Motion carried 7-0.

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

D. Desmond Nunan, DO Case No. DO-12-0207A Applicant No. 006059

Dr. Nunan was present. The Executive Director reviewed the application. Dr. Nunan answered the Board's questions.

MOTION: Dr. Cunningham moved to approve Dr. Nunan's application. Dr. Steingard seconded.

ROLL CALL VOTE: Motion carried 7-0.

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

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

A. Report on ED Dismissed Complaints

Ms. Jones reported that 31 cases had been dismissed under the Executive Director since the last Board meeting. She advised the current pending was 168 complaints. She thanked the Board members for their diligence in working through the backlog to reduce the number of pending matters.

B. President & Board Member reports

Dr. Steingard reported that the FSMB meeting would be held April 18-20 in Boston and that if anyone was interested in attending to let Ms. Jones know before February 1.

C. Board may review, discuss and take action on opening rules package

Dr. Ward, Mr. Landau and Mr. Fiegen volunteered to serve on a committee to review the Rules package.

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

The Executive Director reported on a number of bills. The Board discussed proposed legislation regarding the practice of medicine.

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

A. President

MOTION: Dr. Picardo moved to re-elect Dr. Steingard for Board President. Mr. Fiegen seconded.

ROLL CALL VOTE: Motion carried 7-0.

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

B. Vice President

MOTION: Dr. Picardo moved to re-elect Dr. Cunningham for Board Vice President. Mr. Fiegen seconded.

ROLL CALL VOTE: Motion carried 7-0.

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

13. **ADJOURNMENT**

The Board adjourned at 4:49 p.m.