



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, November 16, 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.
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
Debbie Mitchell, 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

September 21, 2013 Open Session

MOTION: Mr. Fiegen moved to approve the minutes. Dr. Reiss seconded. Dr. Ward and Mr. Landau voted to approve the minutes they were present for and abstained from those they were not present for.

VOICE VOTE: The motion carried 5-0-2.

September 21, 2013 Executive Session

MOTION: Mr. Fiegen moved to approve the minutes. Dr. Reiss seconded. Dr. Ward and Mr. Landau abstained for the portions they were not present for.

VOICE VOTE: The motion carried 5-0-2.

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. William Higgins, DO Case No. DO-12-0069A License No. 1260

Dr. Cunningham recused himself.

Dr. Higgins was not present. The Medical Consultant reviewed the case. The Deputy Director provided further information regarding who was the supervising physician for the PA, as previously requested by the Board. After discussion and consideration, it was determined there was no statutory violation.

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

VOICE VOTE: Motion carried 6-0-1.

B. Donovan Schmidt, DO Case No. DO-12-0190A License No. 2768

Dr. Schmidt was present with attorney Scott Holden. The Investigator reviewed the case. Dr. Donovan answered the Board's questions regarding who is the responsible party for medical records owned by the practice. He stated he was an investor and only practiced at the clinic a few times.

MOTION: Mr. Landau moved for an **INVESTIGATIVE HEARING**. After further discussion, Mr. Landau withdrew his motion.

The Board requested the A.A.G. to contact the South Dakota Attorney General's office regarding legality of withholding electronic medical records as a lien for money owed and to contact the medical records company in S.D. The Board directed staff to refer this case to the Arizona Medical Board and the Nursing Board. This case was continued until further information is obtained.

C. Suzanne Bentz, DO Case No. DO-12-0152A License No. 2866

Dr. Bentz was not present. The Complainant was present. The Medical Consultant reviewed the case. The Complainant answered the Board's questions. The Board directed staff to do a random chart review of five (5) hormone therapy client's charts.

MOTION: Dr. Reiss moved for an **INVESTIGATIVE HEARING**. Dr. Ward seconded.

VOICE VOTE: Motion carried 7-0.

The Board recessed for a break at 9:19 a.m. and returned to Open Session at 9:30 a.m.

D. Lorie Loreman, DO Case No. DO-13-0082A License No. 3782

Dr. Loreman was not present. The Complainant was present. The Investigator reviewed the case. The patient’s husband was present as a witness and answered the Board’s questions. After discussion, the Board directed staff to amend the notice to allege violation of A.R.S. § 32-1854 (46), “engaging in disruptive or abusive behavior in a professional setting” and advise Dr. Loreman she may respond to the new allegation. The Board directed staff to obtain affidavits from witnesses of the alleged disruptive or abusive behavior in which the patient’s husband claimed she had engaged in a hospital setting.

MOTION: Mr. Landau moved for an **INVESTIGATIVE HEARING**. Dr. Sabeeh seconded.

ROLL CALL VOTE: 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							

E. Marc Schwartz, DO Case No. DO-12-0160A License No. 4610

Dr. Schwartz was present with attorney Artie Eaves. The Medical Consultant reviewed the case. Dr. Schwartz answered the Board’s questions.

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

VOICE VOTE: Motion carried 7-0.

Reviews of Executive Director Dismissals:

A. John Bickle, DO Case No. DO-12-0172A License No. 3095

Dr. Bickle was not present. The Complainant was present. The Investigator 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 Executive Director Dismissal. Dr. Cunningham seconded.

VOICE VOTE: Motion carried 7-0.

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

A. Milton Wright, DO Case No. DO-11-0133A License No. 4166

Dr. Wright was present with attorney T. Scott King and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Wright answered the Board’s questions. After discussion and consideration of the allegations regarding medications prescribed, it was determined there was no statutory violation.

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

VOICE VOTE: Motion carried 7-0.

B. John Manning, DO Case No. DO-12-0028A License No. 0935

This case was continued.

- C. Arash Araghi, DO Case No. DO-12-0204A License No. 3888

Dr. Araghi was present with attorney Steve Myers and was sworn in by the court reporter. The Deputy Director reviewed the case. Dr. Araghi answered the Board’s questions. The Board acknowledged they have no reason to believe Dr. Araghi has practiced while impaired but expressed concern about his judgment which led to a second DUI conviction within a five year period.

Dr. Sabeeh moved to enter Executive Session to obtain legal advice. Dr. Steingard seconded. The Board entered into Executive Session at 11:12 a.m. to obtain legal advice and returned to Open Session at 11:20 a.m.

Dr. Steingard moved to enter Executive Session to review records protected by law. Dr. Cunningham seconded. The Board entered into Executive Session at 11:20 a.m. to review records protected by law with Dr. Araghi and his attorney, Mr. Myers, and returned to Open Session at 11:45 a.m.

The Board continued the case.

- D. Richard Worhacz, DO Case No. DO-12-0042A License No. 3948

Dr. Worhacz was present with attorney Elizabeth Peterson and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Worhacz read a prepared statement and answered the Board’s questions. After discussion and consideration, it was determined there was no statutory violation.

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

VOICE VOTE: Motion carried 7-0.

- E. Mark Peterson, DO Case No. DO-12-0004A License No. 3006

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

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

ROLL CALL VOTE: 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							

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

Dr. Novak was present and was sworn in by the court reporter. The Deputy Director reported that Dr. Novak was in compliance with the Interim Consent Agreement. After being employed for two months Dr. Novak has returned to the Board to report her current status. Dr. Novak answered the Board’s questions and indicated she was willing to convert the current interim order to a final order.

MOTION: With Dr. Novak’s agreement, Mr. Landau moved to convert the Interim Consent Agreement to a Final Consent Agreement. Dr. Cunningham seconded.

ROLL CALL VOTE: 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							

G. James Reidy, DO Case No. DO-12-0030A License No. 4012

Dr. Reidy was present with attorney Andy Plattner and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Reidy gave a prepared statement to the Board. Dr. Reidy answered the Board’s questions. The Board expressed concern regarding Dr. Reidy’s scant documentation of his treatment discussions with the patient. After discussion and consideration, it was determined there was no statutory violation.

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

VOICE VOTE: Motion carried 7-0.

The Board recessed for lunch at 12:28 p.m. and resumed Open Session at 1:08 p.m.

H. Philo Rogers, DO (continued) Case No. DO-11-0136A License No. 2809

Cases called after 1:00 p.m.

I. E. Griffin Cipolla, DO Case No. DO-12-0073A License No. 2811

Dr. Cipolla was present with attorney Fred Cummings and was sworn in by the court reporter. The Investigator reviewed the case. Dr. Cipolla answered the Board’s questions. The Board expressed concern regarding the inappropriate and potentially suggestive personal note Dr. Cipolla wrote in a birthday card he sent to a patient. The Board expressed concern regarding possible boundary issues. Dr. Cipolla stated his intention was solely to be supportive of the patient.

MOTION: Dr. Ward moved for a **LETTER OF CONCERN** for inappropriate patient interaction and **20 HOURS NON-DISCIPLINARY CONTINUING MEDICAL EDUCATION (CME)** in the area of boundary issues at the respondent’s cost, to be pre-approved by the Executive Director and completed within 12 months. The CME shall be in addition to the statutory requirements for renewal. Mr. Landau seconded.

ROLL CALL VOTE: 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							

J. Brent Korn, DO (continued) Case No. DO-11-0159A License No. 4328

K. Donald Fruchtman, DO Case No. DO-12-0162A License No. 2874

Dr. Fruchtman was present and was sworn in by the court reporter. The Medical Consultant reviewed the case and the results of her chart review. Dr. Fruchtman answered the Board’s questions. The Board expressed concern regarding Dr. Fruchtman’s prescribing practices and treatment of pain patients. Concern for public safety was also expressed.

MOTION: Dr. Ward moved for a finding of **UNPROFESSIONAL CONDUCT** for a violation of the following:

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 (38) Any conduct or practice that endangers a patient's or the public's health or may reasonably be expected to do so.

Dr. Ward moved for the **FINDINGS OF FACT** to include:

1. Medication side effects were not discussed based on the chart review (all).
2. Treatment plans and goals were not obtained based on the chart review (all).
3. Medical records were not requested or reviewed (A.C., M.D., M.H. (DOB 1/24/84), S.K., R.K., A.L., J.M., V.M., J.R. (DOB 5/28/82), T.R., J.R. (DOB 6/28/73), M.S., R.S., J.S. and M.T.).
4. No urine drug screen was performed (T.G., M.H., S.K., J.R. (DOB 6/28/73) and J.S.).
5. Urine drug screens were discussed but the results were not included in the medical record (A.C., E.C., J.K., A.L., J.M. and V.M.).
6. Occasionally urine drug screens were done, but were inconsistent with the stated medications (E.C., M.D., M.H. (DOB 1/24/84), R.K., A.L., M.S., R.S. and M.T.).
7. The urine drug screen was positive for illegal substances but the medications were continued (A.C. and A.L.).
8. A controlled substance contract was not signed (A.C., E.C., M.D., J.E., T.G., M.H. (DOB 1/24/84), M.H. (DOB 2/5/83), S.K., J.K., R.K., A.L., J.M., V.M., J.R. (DOB 5/28/82), J.R. (DOB 6/28/73), M.S., R.S. and M.T.).
9. There was no documentation of the patient being referred to a consultant (J.E., M.H. (DOB 1/24/84), S.K., J.K., R.K., A.L., J.M., J.R. (DOB 6/28/73), T.R., R.S., J.S. and M.T.).
10. A pharmacy audit was not documented (A.C., E.C., M.D., J.E., T.G., M.H. (DOB 1/24/84), M.H. (DOB 2/5/83), S.K., T.R., J.K., R.K., A.L., J.M., V.M., J.R. (DOB 5/28/82), J.R. (DOB 6/28/73), M.S., R.S., J.S. and M.T.).
11. The patient was seen in the emergency room with a possible overdose but the medications were continued (A.C., R.K. and R.S.).
12. The patient reported their narcotics lost or stolen and the medications were refilled (A.L., J.M. and V.M.).
13. The patient was on large doses of a narcotic (E.C., M.D., J.E., T.G., M.H. (DOB 1/24/84), M.H. (DOB 2/5/83), S.K., R.K., J.M., V.M., J.R. (DOB 5/28/82), T.R., M.S., R.S., J.S. and M.T.).
14. No diagnostic procedures were documented (M.H. (DOB 1/24/84), S.K., J.K., A.L., J.R. (DOB 6/28/73) and R.S.).
15. The patient was involved in an motor vehicle crash or had a DUI possible related to controlled substance use (R.K., V.M. and R.S.).
16. The patient M.H. DOB 2/5/83 was given an independent evaluation by a spinal surgeon who felt that narcotics were contraindicated yet they were continued.
17. Patient E.G.:
 - a. The patient was on narcotics for chronic headaches.
 - b. The patient was not referred to a specialist regarding his headaches or his chronic pain.
 - c. The patient was being given large doses of Oxycodone. These included Oxycodone 30 mg and Oxycodone 15 mg #180, #360 or #540 tablets per month, depending on the month. It appears the extremely large quantities of

medication the patient received in May of 2012 and July of 2012 was due to the patient filling the prescriptions more than once by photocopy at different pharmacies.

- d. No old medical records from Mayo Clinic were obtained or included in the medical records.
- e. A function-based approach was not implemented.

Dr. Cunningham seconded.

ROLL CALL VOTE: 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 **5-YEAR PROBATION** to include the following restrictions and requirements:

1. Respondent shall surrender his DEA registration certificate for Suboxone,
2. Respondent is not to prescribe Suboxone or any of its derivatives,
3. Respondent is not to prescribe Class II, III, IV or V controlled substances,
4. Respondent is to attend 30 hours of CME in the area of Pain Management at the cost of the doctor, approved in advance by the Executive Director, in addition to the statutory requirements, and to be completed within 24 months, and
5. At the completion of the CME, but no sooner than 24 months, Respondent may come before the Board to request reinstatement of his prescribing privileges.

Dr. Cunningham seconded.

ROLL CALL VOTE: 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 3:01 p.m. and returned to Open Session at 3:11 p.m.

L. Jack Hawks, DO

Case No. DO-12-0010A

License No. 4049

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

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

VOICE VOTE: Motion carried 7-0.

M. Brian Page, DO

Case No. DO-12-0016A

License No. 3416

Dr. Page was present with attorney Teresita Mercado and was sworn in by the court reporter. The Medical Consultant reviewed the case. Dr. Page answered the Board’s questions. The Board expressed concern regarding Dr. Page’s alleged rude and impatient behavior with the patient who filed the complaint. Dr. Page stated he does not believe he was rude to the complainant, he has brought in an associate physician into his practice to share the workload and is consequently able to take more time with his patients. After discussion and consideration, the Board determined there was no statutory violation.

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

ROLL CALL VOTE: Motion carried 6-1.

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

N. Rebecca Weiss, DO

Case No. DO-12-0022A

License No. 4424

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

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

VOICE VOTE: Motion carried 7-0.

O. Ramon Morales, DO

Case No. DO-13-0055A

License No. 4391

Dr. Morales was present and was sworn in by the court reporter. The Deputy Director reviewed the case. Dr. Morales answered the Board’s questions. The Board noted his progress in compliance and recommended he return before the Board in six (6) months to report his progress to the Board.

MOTION: Dr. Steingard moved for **DISMISSAL** of the non-compliance case. Dr. Cunningham seconded.

VOICE VOTE: Motion carried 7-0.

P. Heidi Hornbeek, DO

Case No. DO-12-0161A

License No. 005835

Dr. Hornbeek was present with attorney Paul Giancola and was sworn in by the court reporter. The Executive Director reviewed the case. Dr. Hornbeek answered the Board’s questions and provided an update.

Dr. Dr. Steingard moved to enter Executive Session to review records protected by law. Dr. Cunningham seconded. The Board entered into Executive Session at 3:58 p.m. to review records protected by law and returned to Open Session at 4:04 p.m.

MOTION: Mr. Landau moved for a **DISMISSAL** of allegations of a violation of (6) and (38). Dr. Cunningham seconded.

ROLL CALL VOTE: 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: Mr. Landau moved for a **LETTER OF CONCERN** for conduct that could impair the licensee’s ability to safely practice medicine. Dr. Cunningham seconded.

ROLL CALL VOTE: Motion carried 6-1.

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

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

A. Dennis Parker, DO Case No. DO-12-0013A License No. 0819

Dr. Reiss recused himself.

Dr. Parker was not present. Attorney Steve Myers was present as Dr. Parker’s representative. The Executive Director reviewed the case. Dr. Parker has offered to voluntarily surrender his license.

MOTION: Dr. Sabeeh moved to accept Dr. Parker’s **VOLUNTARY SURRENDER** of his license. Dr. Cunningham seconded.

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

	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	1					X		
ABSENT	0							

The Board invited questions from the medical students and dismissed them from the meeting at 4:31 p.m.

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

Dr. Stiegler was not present. The Board continued the case.

B. Craig Barrett Brown, DO Case No. DO-11-0156A License No. 005801

Dr. Reiss recused himself. Dr. Brown was present with attorney Steve Myers.

Dr. Steingard moved to enter Executive Session to review records protected by law. Dr. Cunningham seconded. The Board entered into Executive Session at 4:35 p.m. to review records protected by law and returned to Open Session at 4:51 p.m.

MOTION: Dr. Ward moved pursuant to discussion in Executive Session. Dr. Cunningham seconded.

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

	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	1					X		
ABSENT	0							

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

Dr. Shing was not present. The Executive Director informed the Board that Dr. Shing is now practicing in New Mexico. The Board discussed Dr. Shing’s written request and a review of the Board Order currently in place. The Board expressed discomfort at lifting the restrictions without talking to Dr. Shing. The Board tabled the case until such time as Dr. Shing is able to attend a board meeting.

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. R4-22-207.

A. Alena Petty, DO Case No. DO-13-0179A Application No. 006268

Dr. Petty was present. The Executive Director reviewed the license application. On her application, Dr. Petty appropriately reported a DUI and provided documentation of compliance with all the court’s requirements. She answered the Board’s questions and expressed deep regret over this isolated incident.

MOTION: Dr. Reiss moved to approve Dr. Petty’s license application. Dr. Cunningham seconded.

ROLL CALL VOTE: 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							

- B. Christopher Johnson, DO Case No. DO-13-0104A Application No. 006170

Dr. Johnson was not present. The Executive Director reviewed his letter to the Board requesting he be allowed to shadow an out of state physician for 40 hours a week for 3 months in internal medicine. The Board requested staff to obtain a verification of licensure for the out of state physician, that the physician is in good standing, and a copy of his CV.

MOTION: Mr. Landau moved to accept the two modifications contingent upon the Executive Director’s review and approval of the requested documents. Dr. Cunningham seconded.

VOICE VOTE: Motion carried 7-0.

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

Dr. Wanamaker was present. The Executive Director reviewed the status of his license application. Dr. Wanamaker reported his licensure in another state as well as his current participation in an accredited vascular surgery fellowship program in Michigan.

MOTION: Dr. Steingard moved to approve Dr. Wanamaker’s license application. Mr. Landau seconded.

VOICE VOTE: Motion carried 7-0.

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

- A. Report on ED Dismissed Complaints
 Ms. Jones, E.D., reported there were 4 ED dismissed complaints from the period of September 5 to November 11, 2013.
- B. President & Board Member reports
 Dr. Steingard reported that if a member would like to attend the AAOE meeting in Texas, he will not be able to attend.
- C. Executive Director Report
 - 1. Budget
 Ms. Jones reported that budget figures are very close to what is proportioned for this point in the fiscal process. We have paid a number of yearly expenses in the first or second quarter and we had additional investigative costs in the first and second quarter. She reported we are in line with the percentage of the year that has elapsed.
 - 2. Update on security project(s).
 Ms. Jones reported that the front desk security measures have been completed. The medical board is considering a metal scanner and x-ray machine for use at the board meetings. The equipment will require the hiring of another off duty officer and if we contribute to the cost, it will be approximately \$8,400. The Board did not take action on the matter at this time.
- D. Board may review, discuss and take action on proposed rules package.
 The Board pended this for a future meeting.
- E. Board may review, discuss and take action on proposed statutory changes.
 The Board discussed the possibility of running a bill to correct and update the statutes. At this time, the Board directed Ms. Jones to approach the health committee chairs and discuss the climate for running the changes in this next session. Mr. Landau volunteered to assist.

- F. Board may review, discuss and take action on FDA notice regarding hyperbaric chambers
The Board approved placing the FDA notice on the Board's website for informational purposes.
- G. Board may review, discuss and take action on licensee board certification listing on website profiles.
The Board requested Ms. Jones seek additional information from other states and present it at a future board meeting for further consideration.
- H. Board may review, discuss and take action on HB2045, effective date 12/31/2013.
The Board approved placing the new statutory language on the website for informational purposes.

The meeting adjourned at 6:05 p.m.

DRAFT