



Governor
Douglas Ducey

**ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY**
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Board Members
Douglas Cunningham, D.O., Pres
Jerry G. Landau, J.D., V.P.
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Jonathan Maitem, D.O.
Martin Reiss, D.O.
Christopher Spiekerman, D.O.
Interim Executive Director
Barbara Prah-Wix, D.O.

**NOTICE OF AGENDA OF MEETING OF THE
ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY**

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the Arizona Board of Osteopathic Examiners in Medicine and Surgery ("Board") and to the general public that the Board will hold a meeting open to the public on:

**Saturday, March 16, 2019 beginning at 8:05 A.M.
AT THE OFFICE OF THE ARIZONA BOARD OF OSTEOPATHIC EXAMINERS,
1740 W Adams St • Phoenix, Arizona
Board Room A**

Pursuant to A.R.S. §32-1855.03(C) through (E), the Board shall keep confidential the identities of patients and any medical records from which they could be identified. Pursuant to A.R.S. §38-431.03 (A) (3), the Board may vote to go into Executive Session to discuss personal matters, to consider confidential records, or to obtain legal advice on any item on the agenda.

Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting Board Staff at (480) 657-7703. Requests should be made as early as possible to allow time to arrange the accommodation. This document can be available in alternative formats by contacting Board Staff at (480) 657-7703.

The mission of the Board is to protect the public by setting educational and training standards for licensure, and by reviewing complaints made against osteopathic physicians, interns, and residents to ensure that their conduct meets the standards of the profession, as defined in law (A.R.S. § 32-1854).

AGENDA

1. CALL TO ORDER not before 8:05 a.m.

2. ROLL CALL AND REVIEW OF AGENDA

3. CALL TO THE PUBLIC

- A. Welcome to the Medical Students – Midwestern University Arizona College of Osteopathic Medicine, A.T. Still University Kirksville College of Osteopathic Medicine, and A.T. Still University School of Osteopathic Medicine in Arizona.
- B. If any member of the public who is not a respondent/licensee or applicant or complainant wishes to address the Board on a matter that appears on the agenda, you will be asked to speak during the Call to the Public. If you want to address the Board on an issue not on the agenda, you will also be asked to speak during the Call to the Public. All those wishing to speak should fill out a speaker form and give it to a staff member.

4. REVIEW, CONSIDERATION AND APPROVAL OF MINUTES

- A. January 12, 2019 Open Session
- B. January 12, 2019 Executive Session
- C. January 31, 2019 Open Session
- D. January 31, 2019 Executive Session

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

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03(A)(2) or to discuss or consult with its attorney and receive legal advice pursuant to A.R.S. § 38-431.03(A)(3).

- A. DO-18-0099A, Gregory Francis Gargiulo DO, LIC. #4421
- B. DO-18-0030A, Joseph William Winchell DO, LIC. #4179
- C. DO-17-0247B, Michael David Goodman DO, LIC. #3786
- D. DO-17-0294A, Kris Parchuri DO, LIC. #4737
- E. DO-18-0002A, Michael Allen Dekker DO, LIC. #006406
- F. DO-18-0062A, James David Stewart DO, LIC. #005591
- G. DO-18-0014A, Roy Niels Skousen DO, LIC. #2214
- H. DO-18-0143A, James William Osborne DO, LIC. #4439
- I. DO-19-0005A, Anthony Christopher Pozun DO, LIC. #3684

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

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03(A)(2) or to discuss or consult with its attorney and receive legal advice pursuant to A.R.S. § 38-431.03(A)(3).

- A. DO-18-0087A, Andrew Jay Colman DO, LIC. #1839
- B. DO-18-0013A, Robert D. Lundell DO, LIC. #005135
- C. DO-17-0106A, Jamison Mark Foster DO, LIC. #006198
- D. DO-18-0017A, Narinder Kaur Brar DO, LIC. #4368
- E. DO-18-0147A, Steven Kent Ochi DO, LIC. #007522
- F. DO-18-0090A, Rick Alan Shacket DO, LIC. #4257
Continued
- G. DO-18-0141A, Bryan David Friedman DO, LIC. #006111

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

Cases in this section will be called after 1:00 p.m. All other agenda items may be called at any time during the meeting.

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03(A)(2) or to discuss or consult with its attorney and receive legal advice pursuant to A.R.S. § 38-431.03(A)(3).

- H. DO-18-0052A, Norberto Sibayan Perez DO, LIC. #3121
Continued

8. 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).

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03(A)(2) or to discuss or consult with its attorney and receive legal advice pursuant to A.R.S. § 38-431.03(A)(3).

- A. DO-14-0206A, Carl Edward Ferguson DO, LIC. #2244
B. DO-14-0221A, Carl Edward Ferguson DO, LIC. #2244

9. REVIEW,DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO A PROPOSED CONSENT AGREEMENT AND POSSIBLE VACATING FORMAL HEARING. TO BE HEARD AT 1:00 P.M.

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03(A)(2) or to discuss or consult with its attorney and receive legal advice pursuant to A.R.S. § 38-431.03(A)(3).

- A. DO-17-0085A, Marc Brian Grant DO, LIC. #1609

10. REVIEW, DISCUSSION AND ACTION ON REHEARING OR REVIEW PURSUANT TO A.A.C. R4-22-108.

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03(A)(2) or to discuss or consult with its attorney and receive legal advice pursuant to A.R.S. § 38-431.03(A)(3).

- A. DO-17-0151A, Marvin Allen Borsand DO, LIC. #2261

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.

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03(A)(2) or to discuss or consult with its attorney and receive legal advice pursuant to A.R.S. § 38-431.03(A)(3).

- A. DO-19-0008A, Michelle Tom , LIC. #N/A
B. DO-18-0009A, Veronica Jean Ruston , LIC. #N/A
C. DO-19-0014A, John R Alessi , LIC. #N/A

D. DO-19-0021A, Jonathon Allen Sexton DO, LIC. #N/A

E. DO-19-0023A, Larry Eugene Menestrina , LIC. #N/A

12. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING PRACTICE EXPERIENCE VERIFICATION FOR APPLICANTS UNDER A.A.C. R4-22-202(B).

A. Licensure Credentialing

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

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03(A)(2) or to discuss or consult with its attorney and receive legal advice pursuant to A.R.S. § 38-431.03(A)(3).

A. Report on Interim ED Dismissed Complaints

B. President and Board Member Reports

C. Interim Executive Director Report

1. Financial Report

2. Report on pending complaints, applications and personnel matters.

3. Current Events that Affect the Board

D. Legislation Update

1. H2075: ELECTRONIC PRESCRIBING; EXCEPTIONS; DEADLINES

2. H2182: PERMIT; LICENSE; DENIALS; AGENCY HEARING

3. H2463: OCCUPATIONAL REGULATIONS; LICENSES; COMMUNICATIONS; NOTICE

4. H2519: PHYSICIAN ASSISTANTS; SUPERVISION

5. H2569: OCCUPATIONAL LICENSING; RECIPROCITY

6. H2660: OCCUPATIONAL REGULATION; PRIOR CONVICTION; APPLICABILITY

7. S1029: QUALIFYING PHYSICIANS; OPIATE-DEPENDENT PATIENTS

8. S1036: AZ MEDICAL BOARD; CONTINUATION

9. S1039: PAIN MANAGEMENT CLINICS; REGULATION

10. S1062: HEALTH PROFESSIONALS; ADDRESS; DISCLOSURE

11. S1086: HEALTH PROFESSIONS; TEMPORARY UCENSURE

12. S1169: MEDICAL RECORD REPRODUCTIONS; FEES; EXCEPTION

13. S1232: ADMINISTRATIVE HEARINGS; REVIEW; ANTICOMPETITIVE ACTIONS

14. S1354: GRADUATE MEDICAL EDUCATION; APPROPRIATION

15. S1402: CONTROLLED SUBSTANCES; SCHEDULE DESIGNATIONS

16. S1482: STATE AGENCIES; FEE INCREASE; LIMIT

17. HB2118: UNAUTHORIZED PRACTICE; HEALTH PROFESSIONS

E. General Accounting Office Audit

14. REVIEW, DISCUSSION AND POSSIBLE ACTION OF BOARD MEETING DATES 2019

15. REVIEW, CONSIDERATION OF RESUMES FOR EXECUTIVE DIRECTOR POSITION AND POSSIBLE SELECTION OF PROSPECTIVE INTERVIEW CANDIDATES.

A. Resumes

16. REVIEW DISCUSSION AND POSSIBLE ACTION ON DEVELOPMENT OF INTERVIEW QUESTIONS FOR EXECUTIVE DIRECTOR INTERVIEWS.

A. Questions For Executive Director Interview

The Board may vote to hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S § 431.03(A)(2) on the agenda items 15 and 16.

17. REVIEW DISCUSSION AND POSSIBLE ACTION ON EXECUTIVE DIRECTOR INTERVIEW AND SELECTION PROCESS.

18. QUESTION AND ANSWER SESSION BETWEEN THE MEDICAL STUDENTS AND MEMBERS OF THE BOARD AND DISCUSSION RELATING TO ISSUES SURROUNDING THE PRACTICE OF OSTEOPATHIC MEDICINE.

19. ADJOURNMENT



Barbara Prah-Wix, D.O.

Interim Executive Director