

A. DO-21-0121A, Ronald Baird, DO

Dr. Baird participated in the virtual meeting during the Board's consideration of this matter.

Board staff provided a summary of the case. The Board reviewed Dr. Baird's application for licensure at the December 4th, 2021 meeting. Board staff reported that Dr. Baird had not been forthcoming about relevant information on his application including an ongoing investigation with the DEA and his loss of hospital privileges. At the December 4th Board meeting an interim order was issued. Staff noted that prior to being sent notice Dr. Baird had not complied with the interim order issued by the Board. On May 6th, 2022 Board staff sent Dr. Baird notice of his application for its review at the June 11th, 2022 meeting. Board staff was also notified that Dr. Baird had applied with the Hawaii Medical Board on March 6th, 2021 before applying for the Arizona Osteopathic Board on April 12th, 2021. The Hawaii Medical Board found that Dr. Baird failed to disclose his disciplinary and investigative history. The Hawaii Medical Board denied Dr. Baird's license for attempting to obtain a license through fraud, misrepresentation or deceit. Dr. Baird did not disclose this denial to the Arizona Board.

Dr. Baird stated that he did not know he needed to disclose his Hawaii denial to the Board. Dr. Baird also informed the Board that he had many personal stressors and was not able to complete the interim order that the Board had issued.

MOTION: President Erbstoesser moved for the Board to enter into Executive Session to obtain legal advice pursuant to A.R.S. § 38-431.03(A)(3).

SECOND: Vice-President Maitem

VOTE: 7-aye, 0-nay, 0-abstain, 0-recuse, 0-absent

MOTION PASSED.

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey P. [unclear]	Kevin [unclear], DO	Erin Walker, DO	Samara Shipon, DO	Michael Goodman
Aye:	7	X	X	X	X	X	X	X
Nay:	0							
Abstain/ Recuse:	0							
Absent:	0							

The Board entered into Executive Session 12:50 p.m.

The Board returned to Open Session at 1:04 p.m.

No legal action was taken by the Board during Executive Session.

Upon hearing the summary of the case and reviewing all materials provided the Board made a motion for a denial of licensure.

MOTION: Vice-President Maitem moved for the Board to issue a denial of license for failing to meet the required qualifications of licensure pursuant to A.R.S. §§ 32-1822(A)(6), 32-1854(9), (15), (18), (25).

SECOND: Mr. Burg

VOTE: 7-aye, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
Aye:	7	X	X	X	X	X	X	X
Nay:	0							
Abstain/ Recuse:	0							
Absent:	0							

B. DO-22-0044A, Dale T. Ratcliffe, DO

Dr. Ratcliffe participated in the virtual meeting and his legal counsel, Flynn Carey, was also present during the Board’s consideration of this matter. Witnesses Dr. Sucher, MD and Francine Farrell were in attendance.

Board staff provided a summary of the case. Dr. Ratcliffe has applied for a PGT permit with the Board. Prior to the permit application in January 2007 Dr. Ratcliffe voluntarily surrendered his license after an arrest for illegal possession of narcotics, dangerous drugs and drug paraphernalia. Dr. Ratcliffe applied for a license 5 years after the voluntary surrender in accordance with the statute. Dr. Ratcliffe has applied for the PGT permit with HonorHealth and is being supervised by Michel Sucher, MD. and Eric Lott, MD.

Dr. Ratcliffe stated he has applied for the HonorHealth Addiction Medicine Fellowship with Dr. Sucher and would start in July. Dr. Sucher stated that he has known Dr. Ratcliffe for 7 years and he is a changed man and is doing extraordinarily well. Dr. Sucher stated that all fellows have direct supervision and as they proceed through the program fellows have indirect supervision. Dr. Sucher also stated that he feels Dr. Ratcliffe is safe to participate in this fellowship.

The Board received comments on Dr. Ratcliffe’s treatment and rehabilitation over the past 7 years from Francine Farrell, MS, LMFT, ICADC.

Upon hearing the summary of the case and reviewing all materials provided the Board made a motion for approval of PGT permit.

MOTION: Vice-President Maitem moved for the Board to issue a PGT permit.

SECOND: Dr. Walker

VOTE: 7-aye, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
Aye:	7	X	X	X	X	X	X	X
Nay:	0							
Abstain/ Recuse:	0							
Absent:	0							

C. DO-22-0003A, Robert Petruzzo, DO

Dr. Petruzzo participated in the virtual meeting during the Board's consideration of this matter.

Board staff provided a summary of the case. Dr. Petruzzo held an Arizona Osteopathic license from October 2009 to May 2019 when it expired for failure to renew. Dr. Petruzzo disclosed that an 805 report (peer review form) was filed against him in 2008 by Kaiser Medical Group and that his license was placed on 3 year probation in 2012. He completed all the terms of his probation and his license was restored in 2015.

Dr. Petruzzo stated he completed all the terms of his probation and there have been no other complaints filed against him. He also provided a summary of his current training and work. He was informed that his current workplace may need remote doctors in Arizona and that is why he is requesting licensure in Arizona.

Upon hearing the summary of the case and reviewing all materials provided the Board made a motion for approval of unrestricted licensure.

MOTION: Vice-President Maitem moved for the Board to unrestricted licensure.

SECOND: Dr. Ota

VOTE: 7-aye, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
Aye:	7	X	X	X	X	X	X	X
Nay:	0							
Abstain/ Recuse:	0							
Absent:	0							

D. DO-22-0039A, Willie C. Bruce, DO

The above referenced case was granted a continuance and will be reviewed at a later date.

E. DO-22-0042A, Thomas J. Handeguand, DO, LIC. #2220

Dr. Handeguand and legal counsel, Paul Giancola, participated in the virtual meeting during the Board's consideration of this matter.

Board staff provided a summary of the case. Board staff received Dr. Handeguand's application for renewal on December 26th, 2021. Staff did not receive the required police and court documents until the end of April 2022. On the renewal Dr. Handeguand disclosed that he pleaded guilty to a misdemeanor of disorderly conduct and was required to complete a 16 hour disorderly conduct program which he completed. Staff stated that they were not notified of the arrest within 10 days as stated by A.R.S. § 32-3208. Staff also noted that Dr. Handeguand did not report this arrest on his license renewal in December 2019.

Dr. Handeguand apologized for failing to report in a timely manner and wasn't aware of the reporting requirements. Dr. Handeguand expressed remorse and asked the Board to consider his time as a doctor with no complaints into their consideration of this matter. Mr. Giancola stated that this isolated incident for Dr. Handeguand will never happen again. Dr. Handeguand went on to give a summary of the incident that occurred.

Upon hearing the summary of the case and reviewing all materials provided the Board made a motion for approval of unrestricted licensure.

MOTION: Vice-President Maitem moved for the Board to unrestricted licensure.

SECOND: Dr. Ota

VOTE: 7-aye, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
Aye:	7	X	X	X	X	X	X	X
Nay:	0							
Abstain/ Recuse:	0							
Absent:	0							

F.-G. DO-22-0031A, DO-21-0179A, Brittany Woodall, DO, PGT. #R3499

The above referenced cases were granted a continuance and will be reviewed at a later date.

H. DO-22-0051A, Tahir Mahmood, DO

The above referenced case was granted a continuance and will be reviewed at a later date.

I. DO-22-0052A, Charles Brimmer, DO

Dr. Brimmer participated in the virtual meeting during the Board's consideration of this matter.

Board staff provided a summary of the case. Staff received a PGT application for Dr. Brimmer in April 2022. On the application Dr. Brimmer disclosed an arrest in 2019 after attempting to leave a bar without paying the total due. Dr. Brimmer further disclosed he entered into a diversion program & was required to complete 16 hours of an alcohol and drug use/abuse program as well as pay a fine due to the arrest.

Dr. Brimmer apologized to the Board for the events that brought him here. Dr. Brimmer stated he was using the wrong card and tried to find his friends to remedy the situation and that's when the arrest occurred. Dr. Brimmer stated this situation helped him align his values and change who he was.

MOTION: Vice-President Maitem moved for the Board to enter into Executive Session for personal and confidential information and to obtain legal advice pursuant to A.R.S. § 38-431.03(A)(2), (3).

SECOND: Dr. Erbstoesser

VOTE: 7-aye, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
Aye:	7	X	X	X	X	X	X	X
Nay:	0							
Abstain/ Recuse:	0							
Absent:	0							

The Board entered into Executive Session 1:55 p.m.
The Board returned to Open Session at 2:01 p.m.
No legal action was taken by the Board during Executive Session.

Upon hearing the summary of the case and reviewing all materials provided the Board made a motion to issue a PGT permit.

MOTION: Mr. Burg moved for the Board to issue a PGT permit.
SECOND: Vice-President Maitem
VOTE: 7-aye, 0-nay, 0-abstain, 0-recuse, 0-absent.
MOTION PASSED.

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
Aye:	7	X	X	X	X	X	X	X
Nay:	0							
Abstain/ Recuse:	0							
Absent:	0							

8. CONSIDERATION AND ACTION ON PROPOSED CONSENT AGREEMENTS, COMPLIANCE WITH TERMS OF BOARD ORDERS, AND REQUESTS TO MODIFY OR TERMINATE ORDERS

The Board heard the below case out of order on the agenda.

A. DO-17-0229A, DO-18-0076A, DO-20-0018A, Joseph Machuzak, DO, LIC. #N/A

Dr. Machuzak participated in the virtual meeting and his legal counsel, Flynn Carey, was also present during the Board's consideration of this matter. Seth Hargraves, Assistant Attorney General ("AAG"), participated on behalf of the State.

Board staff reported that Mr. Hargraves and Dr. Machuzak are asking that the Board consider whether to accept the State's offered consent agreement in the matter of Dr. Machuzak and requests to rescind the Board's motion to forward the cases to a formal hearing.

AAG Hargraves stated this case was initiated in July 2018 and was resolved by issuing a non-disciplinary order for continuing education to complete within 6 months. Dr. Machuzak was unable to complete the required continuing education and was granted an extension. Dr. Machuzak still did not comply with the order. An additional complaint was filed (DO-18-0076A) and the Board proceeded with an investigation and invited Dr. Machuzak to an investigative hearing at which point Dr. Machuzak ceased communication with the Board. The Board voted and proceeded with a formal hearing. The State is asking the Board adopt and accept the proposed consent agreement and vacate the hearing that is set for the end of the month.

Dr. Machuzak declined to make any comments. Legal counsel, Flynn Carey, addressed the Board and stated he agreed with AAG Hargraves' statement and that Dr. Machuzak has signed up for continuing education courses and is waiting on approval for some courses. AAG Hargraves & Mr. Carey also came to an agreement that if the Board accepts the consent they would like A.R.S 13-1855 (L) to be stricken from the agreement due to it not being applicable to the matter.

Upon hearing the summary of the case and reviewing all materials provided the Board made a motion to adopt the proposed consent agenda as amended and to rescind the Board's motion to forward the referenced cases to formal hearing.

MOTION: President Erbstoesser moved for the Board to adopt the proposed consent agenda and to rescind the Board's motion to forward DO-17-0229A, DO-18-0076A, and DO-20-0018A to formal hearing.

SECOND: Vice-President Maitem

VOTE: 7-aye, 0-nay, 0-abstain, 0-recuse, 0-absent

MOTION PASSED.

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
Aye:	7	X	X	X	X	X	X	X
Nay:	0							
Abstain/ Recuse:	0							
Absent:	0							

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

The Board met with the medical students participating in the virtual meeting and discussed current issues surrounding the practice of osteopathic medicine.

10. REVIEW, DISCUSSION, AND ACTION ON THE FOLLOWING MISC ITEMS.

- A. Vacant - No discussion on this item occurred. The Board moved forward with the agenda.

11. REVIEW, CONSIDERATION, AND ACTION ON REPORTS FROM EXECUTIVE DIRECTOR.

- A. Report from Board Members

Dr. Maitem provided a report on the FSMB annual meeting that was held in New Orleans, Louisiana.

- B. Executive Director Report

- 1. Financial Report

Executive Director Bohall reported that the end of the current Fiscal Year is near, and that the Board is on track to expend just under its appropriation, and that the Board has received over 100% of its estimated revenue for the year.

- 2. Current Events that Affect the Board

The Board's next meeting is scheduled for August 13, 2022.

- 3. Licensing and Investigations Update

Director Bohall provided the Board with an update on the licensing and investigations processes.

4. Report on Director Dismissed Complaints

Director Bohall reported that 23 cases were dismissed since the Board’s last meeting.

12. ADJOURNMENT

MOTION: Vice-President Maitem moved for the Board to adjourn.

SECOND: Dr. Walker

VOTE: 7-aye, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
Aye:	7	X	X	X	X	X	X	X
Nay:	0							
Abstain/ Recuse:	0							
Absent:	0							

The Board’s meeting adjourned at 2:31 p.m.

Justin Bohall, Executive Director