



Governor  
Douglas A. Ducey

**ARIZONA BOARD OF OSTEOPATHIC EXAMINERS  
IN MEDICINE AND SURGERY**

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**Board Members:**  
Gary A. Erbstoesser, D.O., Pres.  
Jonathan A. Maitem, D.O., V.P.  
Jeffrey H. Burg, AIF  
Dawn K. Walker, D.O.  
Ken S. Ota, D.O.  
Samara Shipon, D.O.  
Michael Goodman

**Executive Director**  
Justin Bohall

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**MINUTES FOR VIRTUAL MEETING OF THE**

**ARIZONA BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY**

**Held on Saturday, January 29, 2022**

**Approved on Saturday, March 26, 2022**

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**1. CALL TO ORDER**

Board President Erbstoesser called the meeting to order at 8:35 a.m.

President Erbstoesser thanked the Board members and staff for facilitating today’s proceedings, and read aloud the Board’s Mission Statement: “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).”

**2. ROLL CALL AND REVIEW OF AGENDA**

	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
<b>Present</b>	X	X	X		X	X	X
<b>Absent</b>				X			

**3. CALL TO THE PUBLIC**

- A. President Erbstoesser welcomed the Medical Students from 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. No individuals addressed the Board during the Call to the Public portion of the meeting.

**4. REVIEW, CONSIDERATION, AND APPROVAL OF MINUTES**

- A. December 4, 2021, Open Session

**MOTION: Vice-President Maitem moved for the Board to approve the December 4, 2021, Open Session Minutes.**

**SECOND: Dr. Walker**

**VOTE: 6-aye, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
<b>Aye:</b>	<b>6</b>	X	X	X		X	X	X
<b>Nay:</b>	<b>0</b>							
<b>Abstain/ Recuse:</b>	<b>0</b>							
<b>Absent:</b>	<b>1</b>				X			

B. December 4, 2021, Executive Session

**MOTION: Vice-President Maitem moved for the Board to approve the December 4, 2021, Executive Session Minutes.**

**SECOND: Mr. Goodman**

**VOTE: 6-aye, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
<b>Aye:</b>	<b>6</b>	X	X	X		X	X	X
<b>Nay:</b>	<b>0</b>							
<b>Abstain/ Recuse:</b>	<b>0</b>							
<b>Absent:</b>	<b>1</b>				X			

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

A. DO-21-0157A, Raymond Bakotic, DO

Dr. Bakotic was not present in the virtual meeting during the Board’s consideration of this matter. Anne Fulton-Cavett was present but noted that she had not been retained to represent Dr. Bakotic on this case.

Board staff summarized that this matter stemmed from the family member of Dr. Bakotic’s patient. The complaint alleges that Dr. Bakotic delayed and failed to provide a death certificate in a timely manner. Staff noted that Dr. Bakotic has not provided a written response to the complaint.

Legal Counsel Fulton-Cavett stated that Dr. Bakotic has provided the death certificate to the patient’s family and the delay was that the patient was not seen by Dr. Bakotic in over a year before their passing.

Assistant Attorney General (AAG) Jeanne Galvin stated that as Ms. Fulton-Cavett is not retained as legal counsel that she is unable to represent the doctor on this case.

Upon hearing the summary of the case and reviewing all materials provided the Board made a motion to continue the case review and reschedule it for a future meeting.

**MOTION: Mr. Burg moved to continue the Case Review for a future meeting.**

**SECOND: Vice-President Maitiem**

**VOTE: 6-aye, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

	Vote	Gary Erbstoesser, DO	Jonathan Maitiem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
<b>Aye:</b>	<b>6</b>	X	X	X		X	X	X
<b>Nay:</b>	<b>0</b>							
<b>Abstain/ Recuse:</b>	<b>0</b>							
<b>Absent:</b>	<b>1</b>				X			

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

**A. DO-21-0043A, Lance Winter, DO, Lic# 4408**

The Board took this case out of order on the agenda.

Mr. Goodman stated on the record that Dr. Winter is represented by a member of his firm and is recusing himself from the case. Mr. Goodman left the main session and did not participate in this portion of the meeting.

Dr. Winter and Attorney Jeffrey McLerran participated in the virtual meeting during the Board’s consideration of this matter. Dr. Winter was sworn in to provide his testimony.

Board staff provided a summary of the case and noted the case was reviewed by a Board Certified Orthopedic Surgeon. Board staff reported that the complaint stems from a medical malpractice complaint alleging that Dr. Winter failed to properly perform an ACL reconstruction.

President Erbstoesser noted for the record that Michael Steingart, DO, a well respect physician in the osteopathic community, was present and available to the Board should they have questions.

Dr. Winter provided a summary of his care and treatment of the patient. Mr. McLerran stated that the malpractice insurance company chose to settle the case and the physician did not have authority to reject the settlement even though he felt his care met the standard of care.

The Board questioned Dr. Winter on aspects of his treatment associated with the widened bone tunnels and the revision of the ACL allograft.

Dr. Winter provided a summary of his care and treatment of the patient to address the Board’s questions.

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

**MOTION: Vice-President Maitem moved for the Board to dismiss the complaint.**

**SECOND: Dr. Walker**

**VOTE: 5-aye, 0-nay, 0-abstain, 1-recuse, 1-absent.**

**MOTION PASSED.**

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
<b>Aye:</b>	<b>5</b>	X	X	X		X	X	
<b>Nay:</b>	<b>0</b>							
<b>Abstain/ Recuse:</b>	<b>1</b>							X
<b>Absent:</b>	<b>1</b>				X			

Mr. Goodman returned to the main session of the meeting and The Board resumed the order on the scheduled agenda.

**B. DO-21-0060A, Jeffrey Biehn, DO, Lic# 006744**

Dr. Biehn and Attorney Anne Holmgren participated in the virtual meeting during the Board's consideration of this matter. Dr. Biehn was sworn in to provide his testimony.

Board staff provided a summary of the case and noted the case was reviewed by a Board Certified Orthopedic Surgeon. Board staff reported that the complaint stems from a medical malpractice complaint alleging that Dr. Biehn failed to properly perform an ACL reconstruction.

The Board expressed concern with the physician's interaction and management of the Physician Assistant.

Upon hearing the summary of the case and reviewing all materials provided the Board made a motion to issue a non-disciplinary letter of concern.

**MOTION: Vice-President Maitem moved for the Board to issue a non-disciplinary Letter of Concern for lack of adequate supervision of a PA in violation of A.R.S. § 32-1854.34.**

**SECOND: Dr. Shipon**

**VOTE: 6-aye, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
<b>Aye:</b>	<b>6</b>	X	X	X		X	X	X
<b>Nay:</b>	<b>0</b>							
<b>Abstain/ Recuse:</b>	<b>0</b>							
<b>Absent:</b>	<b>1</b>				X			

**C. DO-21-0069A, Raymond Bakotic, DO, Lic# 2712**

Dr. Bakotic was not present in the virtual meeting but was represented by legal counsel, Anne Fulton-Cavett, during the Board's consideration of this matter.

**MOTION: Mr. Burg moved for the Board to enter into Executive Session to discuss confidential information and obtain legal advice pursuant to A.R.S. § 38-431.03(A)(2) & (3).**

**SECOND: Vice-President Maitem**

**VOTE: 6-aye, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
<b>Aye:</b>	<b>6</b>	X	X	X		X	X	X
<b>Nay:</b>	<b>0</b>							
<b>Abstain/ Recuse:</b>	<b>0</b>							
<b>Absent:</b>	<b>1</b>				X			

The Board entered into Executive Session at 9:32 a.m.

The Board returned to Open Session at 10:16 a.m.

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

Mr. Burg asked Ms. Fulton-Cavett if the physician is practicing. Ms. Fulton-Cavett stated that the office has been closed as his staff has been out, but Dr. Bakotic may have been going to the office. Ms. Fulton-Cavett requested that the Board return to Executive Session to review confidential health information.

**MOTION: Mr. Burg moved for the Board to enter into Executive Session to discuss confidential information and obtain legal advice pursuant to A.R.S. § 38-431.03(A)(2) & (3).**

**SECOND: Vice-President Maitem**

**VOTE: 6-aye, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
<b>Aye:</b>	<b>6</b>	X	X	X		X	X	X
<b>Nay:</b>	<b>0</b>							
<b>Abstain/ Recuse:</b>	<b>0</b>							
<b>Absent:</b>	<b>1</b>				X			

The Board entered into Executive Session at 10:23 a.m.  
 The Board returned to Open Session at 10:35 a.m.  
 No legal action was taken by the Board during the Executive Session.

Upon hearing the summary of the case and reviewing all materials provided the Board made a motion to issue an order to Cease and Desist to the Physician for practicing on an unexpired license and to continue the investigative hearing until the next board meeting. The Board directed staff to convene a special meeting before the next meeting if necessary to address the public’s protection.

**MOTION: Mr. Burg moved for the Board to issue an Order to Cease and Desist for practicing on an unexpired license and to continue the investigative hearing until the next board meeting.**

**SECOND: Vice-President Maitem**

**VOTE: 6-aye, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
<b>Aye:</b>	<b>6</b>	X	X	X		X	X	X
<b>Nay:</b>	<b>0</b>							
<b>Abstain/ Recuse:</b>	<b>0</b>							
<b>Absent:</b>	<b>1</b>				X			

**E. DO-19-0254A, Ira L. Snider, DO, Lic# 4745**

Dr. Snider and Attorney Steven B. Perlmutter, M.D. participated in the virtual meeting during the Board’s consideration of this matter. Complainant JH also participated in the virtual meeting. Dr. Perlmutter stated that they have an additional witness, Sufia Khan, MD, to speak on behalf of Dr. Snider.

Board staff reported that the complainant alleged the physician regularly prescribed Ritalin, Ativan, Ambien, Tramadol, and gabapentin to patient BS without performing a UDS or reviewing UDS reports for inconsistencies.

Dr. Snider provided a summary of his care and treatment of the patient.

The Board questioned Dr. Snider on aspects of his treatment associated with opioid prescribing and UDS.

Dr. Snider provided a summary of his care and treatment of the patient to address the Board’s questions.

Dr. Maitem stated on the record that in this case there exists a clear failure to meet the standard of care of this patient.

Sufia Khan, MD was present as a witness for Dr. Snider and provided a general summary to the Board on Dr. Snider's treatment and care of patients within his clinic.

The Board held voting on this individual case until all cases had been reviewed and moved to the next case.

**E. DO-19-0255A, Ira L. Snider, DO, Lic# 4745**

Dr. Snider and Attorney Steven B. Perlmutter, M.D. participated in the virtual meeting during the Board's consideration of this matter. Complainant JH also participated in the virtual meeting.

Board staff reported that the complainant alleged the physician prescribed Valium to patient JD regularly even though he knew the patient was on chronic opioid therapy and did not perform UDS. Board staff reported that the physician was also treating the patient with testosterone hormone therapy.

Dr. Snider provided a summary of his care and treatment of the patient.

The Board questioned Dr. Snider on aspects of his treatment associated with annual evaluations, wellness visits, and rectal and genital examinations.

Dr. Snider provided a summary of his care and treatment of the patient to address the Board's questions.

Dr. Erbstoesser expressed concern that the standard of care would be to perform a rectal and testicular examination prior to starting hormone treatment with testosterone.

The Board held voting on this individual case until all cases had been reviewed and moved to the next case.

**E. DO-19-0256A, Ira L. Snider, DO, Lic# 4745**

Dr. Snider and Attorney Steven B. Perlmutter, M.D. participated in the virtual meeting during the Board's consideration of this matter. Complainant AF also participated in the virtual meeting.

Board staff reported that the complainant alleged the physician prescribed Xanax and Ambien to patient BC regularly even though he knew the patient was on chronic opioid therapy and did not perform UDS.

Dr. Snider provided a summary of his care and treatment of the patient.

The Board questioned Dr. Snider on aspects of his treatment associated with opioid prescribing and UDS. The Board inquired about his protocol with requiring UDS and reviewing the CSPMP in conjunction with the treatment of the patient.

Dr. Snider provided a summary of his care and treatment of the patient to address the Board's questions.

Dr. Erbstoesser expressed concern about the review of the patient's medical records and the positive UDS results that indicated the patient was using methamphetamines but that was not addressed by Dr. Snider.

The Board held voting on this individual case until all cases had been reviewed and moved to the next case.

**E. DO-19-0257A, Ira L. Snider, DO, Lic# 4745**

Dr. Snider and Attorney Steven B. Perlmutter, M.D. participated in the virtual meeting during the Board's consideration of this matter. Complainant AF also participated in the virtual meeting.

Board staff reported that the complainant alleged the physician prescribed Ativan and Oxycodone to patient TM monthly and did not perform UDS.

Dr. Snider provided a summary of his care and treatment of the patient.

As before the Board questioned Dr. Snider on aspects of his treatment associated with opioid prescribing and UDS. The Board inquired about his protocol requiring UDS and reviewing the CSPMP in conjunction with the treatment of the patient.

Dr. Snider provided a summary of his care and treatment of the patient to address the Board's questions.

Dr. Erbstoesser expressed concern about the review of the patient's medical records and the positive UDS results that indicate the patient was using methamphetamines but that was not addressed by Dr. Snider.

The Board held voting on this individual case until all cases had been reviewed and moved to the next case.

**E. DO-19-0258A, Ira L. Snider, DO, Lic# 4745**

Dr. Snider and Attorney Steven B. Perlmutter, M.D. participated in the virtual meeting during the Board's consideration of this matter. Complainant AF also participated in the virtual meeting.

Board staff reported that the complainant alleged the physician prescribed Adderall and Klonopin to the patient without performing a UDS and continued to prescribe even though the patient was also prescribed narcotics by other providers.

Dr. Snider provided a summary of his care and treatment of the patient.

As before the Board questioned Dr. Snider on aspects of his treatment associated with opioid prescribing and UDS. The Board inquired about his protocol requiring UDS and reviewing the CSPMP in conjunction with the treatment of the patient.

Dr. Snider provided a summary of his care and treatment of the patient to address the Board's questions.

Dr. Erbstoesser expressed concern about the review of the patient's medical records and the positive UDS results that indicate the patient was using methamphetamines but that was not addressed by Dr. Snider.

Dr. Perlmutter provided a closing statement to the Board.

**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: 6-aye, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
<b>Aye:</b>	<b>6</b>	X	X	X		X	X	X
<b>Nay:</b>	<b>0</b>							
<b>Abstain/ Recuse:</b>	<b>0</b>							
<b>Absent:</b>	<b>1</b>				X			

The Board entered into Executive Session at 12:40 p.m.

The Board returned to Open Session at 12:49 p.m.

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

The Board determined that the Respondent has violations of the statute A.R.S. § 32-1854 (6), (21), & (39) and that the physician had fallen below the standard of care in all 5 cases. All 5 cases were combined for resolution.

Upon hearing the summary of the case and reviewing all materials provided the Board made a motion to issue a Decree of Censure, an Order for Disciplinary Continuing Medical Education for 27 hours in opioid prescribing and to deem the order of Continuing Medical Education as satisfied by the completion of the 27 hour physician prescribing course completed by the Respondent at UC San Diego PACE.

**MOTION: Vice-President Erbstoesser moved for a Decree of Censure for violations of A.R.S. § 32-1854 (6), (21), & (39) as specified in the Medical Consultant's Reports.**

**SECOND: Mr. Burg**

**VOTE: 6-aye, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
<b>Aye:</b>	<b>6</b>	X	X	X		X	X	X
<b>Nay:</b>	<b>0</b>							
<b>Abstain/ Recuse:</b>	<b>0</b>							
<b>Absent:</b>	<b>1</b>				X			

**7. CONSIDERATION AND ACTION ON PROPOSED CONSENT AGENDA FOR DISMISSAL OR OTHER ACTION**

A. No Items were agendized for this section and therefore no discussion occurred.

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

A. DO-18-0106A, Kathleen Cahoon, DO, Lic# 4279

This case was taken out of order on the agenda.

Dr. Cahoon was not present during the Board’s consideration of this matter. Assistant Attorney General (AAG) Seth Hargraves was present as the prosecuting counsel for the Board AAG Monique Coady was present as an Independent Advisor for the Board.

AAG Hargraves reported that the Board had forwarded the case to the Office of Administrative Hearings. Upon receiving the Complaint and Notice of Formal Hearing Dr. Cahoon requested to surrender her license. AAG Hargraves presented the Board with a signed copy of the proposed Consent Agreement for the Surrender of License.

Upon hearing the summary of the case and reviewing all materials provided the Board made a motion to accept the consent agreement as presented.

**MOTION: President Erbstoesser moved to accept the Consent Agreement for the Surrender of Licensure.**

**SECOND: Dr. Walker**

**VOTE: 6-aye, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

	<b>Vote</b>	<b>Gary Erbstoesser, DO</b>	<b>Jonathan Maitem, DO</b>	<b>Jeffrey Burg</b>	<b>Ken Ota, DO</b>	<b>Dawn Walker, DO</b>	<b>Samara Shipon, DO</b>	<b>Michael Goodman</b>
<b>Aye:</b>	<b>6</b>	<b>X</b>	<b>X</b>	<b>X</b>		<b>X</b>	<b>X</b>	<b>X</b>
<b>Nay:</b>	<b>0</b>							
<b>Abstain/ Recuse:</b>	<b>0</b>							
<b>Absent:</b>	<b>1</b>				<b>X</b>			

AAG Hargraves and AAG Coady left the meeting at this time.

The Board resumed the order on the scheduled agenda.

## **ROLL CALL**

The Board recessed from 1:00 pm to 1:30 pm. Roll call was done to confirm the presence of a quorum.

	<b>Gary Erbstoesser, DO</b>	<b>Jonathan Maitem, DO</b>	<b>Jeffrey Burg</b>	<b>Ken Ota, DO</b>	<b>Dawn Walker, DO</b>	<b>Samara Shipon, DO</b>	<b>Michael Goodman</b>
<b>Present</b>	<b>X</b>	<b>X</b>	<b>X</b>		<b>X</b>	<b>X</b>	<b>X</b>
<b>Absent</b>				<b>X</b>			

The Board resumed the order on the scheduled agenda.

**9. 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. DO-21-0114A, Carlos Sanchez**

Dr. Sanchez participated in the virtual meeting during the Board’s consideration of this matter.

Board staff reported that Dr. Sanchez applied for licensure and disclosed a number of malpractice cases. One malpractice case occurred in 1998 and was settled in 2002 that involved a nail puncture wound and was treated with antibiotics. Another malpractice case occurred in 2004 with an allegation of failure to diagnose an epidural abscess. Dr. Sanchez was dropped for the case. Another malpractice case occurred in 2005 and was alleged failure to have patient follow-up regarding arterial vascular disease. Dr. Sanchez was dropped for the case. Another malpractice case occurred in 2009 and was settled in 2010 with an allegation of failure to have patient failure to order follow-up lab or EKG in a timely fashion and failure to initiate further care or transfer to another facility in a patient with a cardiac event. Another case occurred in 2011 and is still ongoing. The allegation is failure to place an endotracheal tube correctly, failure to correct a kink the chest tube, failure to appropriately assess the patient’s status after a code, and failure to document a follow-up CXR after intubation and chest tube placement.

Dr. Sachez provided a summary of each case and his treatment and care of each patient. Vice-President Maitem questioned Dr. Sanchez about his care in each case. Dr. Sachez answered the Board’s questions and provided details on his care in each case.

**MOTION: Vice-President Maitem moved for the Board to grant an unrestricted license.**

**SECOND: Dr. Shipon**

**VOTE: 6-aye, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
<b>Aye:</b>	<b>6</b>	X	X	X		X	X	X
<b>Nay:</b>	<b>0</b>							
<b>Abstain/ Recuse:</b>	<b>0</b>							
<b>Absent:</b>	<b>1</b>				X			

**B. DO-21-0141A, Mehrdod S. Eleezeh**

Dr. Eleezeh participated in the virtual meeting during the Board’s consideration of this matter.

Board staff reported that Dr. Eleezeh disclosed two “Yes” answers on his application, an academic delay in his osteopathic medical school education by one year, and a probationary period during his 1-year post-graduate training. Dr. Eleezeh provided a summary of his disclosures and the remediation he has completed to address the issues at the time they occurred.

**MOTION: Mr. Burg moved for the Board to grant an unrestricted license.**

**SECOND: President Erbstoesser**

**VOTE: 6-aye, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
<b>Aye:</b>	<b>6</b>	X	X	X		X	X	X
<b>Nay:</b>	<b>0</b>							
<b>Abstain/ Recuse:</b>	<b>0</b>							
<b>Absent:</b>	<b>1</b>				X			

**C. DO-21-0181A, Clifton Smith**

Dr. Smith participated in the virtual meeting during the Board’s consideration of this matter.

Board staff reported that Dr. Smith applied for licensure and disclosed two “Yes” answers on his application, a settlement made on Dr. Smith’s behalf, and an arrest Dr. Smith provided a summary of the treatment and care of the patient involved in the settlement. Dr. Smith also provided a summary of the arrest that occurred in 2006.

**MOTION: Vice-President Erbstoesser moved for the Board to grant an unrestricted license.**

**SECOND: Dr. Walker**

**VOTE: 6-aye, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
<b>Aye:</b>	<b>6</b>	X	X	X		X	X	X
<b>Nay:</b>	<b>0</b>							
<b>Abstain/ Recuse:</b>	<b>0</b>							
<b>Absent:</b>	<b>1</b>				X			

**D. DO-21-0178A, Jennifer Yorke**

Dr. Yorke participated in the virtual meeting during the Board’s consideration of this matter.

Board staff reported that Dr. Yorke applied for licensure and disclosed a malpractice case that occurred in 2009 and was settled in 2014 that involved a patient that was seen in the Emergency Department with a fever and headache after striking her head on the steering wheel during a low-speed motor vehicle accident that occurred three days earlier. Dr. Yorke provided a summary of each case and her treatment and care of each patient. Vice-President Maitem questioned Dr. Yorke about his care in each case. Dr. Yorke answered the Board’s questions and provided details on her care with this patient. Vice-President Maitem commented that he did not believe that there were any violations of the statute that occurred in the case.

**MOTION: Vice-President Maitem moved for the Board to grant an unrestricted license.**

**SECOND: Dr. Shipon**

**VOTE: 6-aye, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
<b>Aye:</b>	<b>6</b>	X	X	X		X	X	X
<b>Nay:</b>	<b>0</b>							
<b>Abstain/ Recuse:</b>	<b>0</b>							
<b>Absent:</b>	<b>1</b>				X			

**E. DO-21-0182A, Corey Shaw**

Dr. Shaw participated in the virtual meeting during the Board’s consideration of this matter.

Board staff reported that Dr. Shaw applied for licensure and disclosed a malpractice case that occurred in 2009 and was settled in 2014 that involved a patient that was seen in the Emergency Department with a fever and headache after striking her head on the steering wheel during a low-speed motor vehicle accident that occurred three days earlier.

Dr. Shaw provided a summary of the case and his review of the radiology report of the patient.

Vice-President Maitem questioned Dr. Shaw about his review of the report.

Dr. Shaw answered the Board’s questions and provided details on his review.

**MOTION: Vice-President Maitem moved for the Board to grant an unrestricted license.**

**SECOND: Mr. Burg**

**VOTE: 6-aye, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
<b>Aye:</b>	<b>6</b>	X	X	X		X	X	X
<b>Nay:</b>	<b>0</b>							
<b>Abstain/ Recuse:</b>	<b>0</b>							
<b>Absent:</b>	<b>1</b>				X			

**10. 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 the medical students participating in the virtual meeting and discussed current issues surrounding the practice of osteopathic medicine.

**11. REVIEW, DISCUSSION, AND ACTION ON THE FOLLOWING MISC ITEMS.**

- A. Discussion & Selection of Delegate and Alternate Delegate to the Federation of State Medical Boards Annual Meeting

The Board selected Vice-President Maitem as the Voting Delegate and Dr. Shipon as the Alternate for the Federation of State Medical Boards’ Annual Meeting.

**12. REVIEW, CONSIDERATION, AND ACTION ON REPORTS FROM EXECUTIVE DIRECTOR.**

A. Report from Board Members

No reports were provided at this time.

B. Executive Director Report

1. Financial Report

Director Bohall provided the Board with an update on the financial status of the Board’s appropriation, expenditures, and revenue.

2. Current Events that Affect the Board

The Board’s next meeting is scheduled for March 29, 2022.

The Board discussed the possibility of returning to in-person meetings. Board staff provided an update on the technology enhancement being made in the Board’s meeting room to facilitate hybrid meetings going forward. The Board will review the situation again in March.

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 10 cases were dismissed since the Board’s last meeting.

**13. ELECTIONS OF OFFICERS PURSUANT TO A.R.S. § 32-1802(B) AND COMMITTEE APPOINTMENTS PURSUANT TO A.R.S. § 32-1802(E).**

A. President of the Board

Gary Erbstoesser, DO was nominated by Dr. Matiem to be President of the Board. Dr. Walker seconded the nomination. No other nominations were received. Dr. Erbstoesser was elected President by the Board.

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
<b>Aye:</b>	<b>6</b>	X	X	X		X	X	X
<b>Nay:</b>	<b>0</b>							
<b>Abstain/ Recuse:</b>	<b>0</b>							
<b>Absent:</b>	<b>1</b>				X			

B. Vice-President of the Board

Jonathan Maitem, DO was nominated by Dr. Erbstoesser to be the Vice-President of the Board. Mr. Burg seconded the nomination. No other nominations were received. Dr. Maitem was elected Vice-President by the Board.

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
Aye:	6	X	X	X		X	X	X
Nay:	0							
Abstain/ Recuse:	0							
Absent:	1				X			

C. Committee Appointments

1. Case Review Committee
2. Statute and Legislative Review Committee
3. Compliance Review Committee
4. Executive Director Performance Review Committee

President Erbstoesser will appoint the members of the committee and will have Mr. Bohall notify the members and convene their respective meetings.

**14. ADJOURNMENT**

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

**SECOND: Mr. Goodman**

**VOTE: 6-aye, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
Aye:	6	X	X	X		X	X	X
Nay:	0							
Abstain/ Recuse:	0							
Absent:	1				X			

The Board's meeting adjourned at 3:17 p.m.



Justin Bohall, Executive Director