



Arizona Medical Board

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FINAL MINUTES FOR SPECIAL TELECONFERENCE MEETING Held on Thursday, January 7, 2021 1740 W. Adams St., Board Room A • Phoenix, Arizona

Board Members

R. Screven Farmer, M.D., Chair
James M. Gillard, M.D., M.S., F.A.C.E.P., F.A.A.E.M., Vice-Chair
Edward G. Paul, M.D., Secretary
Jodi A. Bain, M.A., J.D., LL.M.
Bruce A. Bethancourt, M.D., F.A.C.P.
David C. Beyer, M.D., F.A.C.R., F.A.S.T.R.O.
Laura Dorrell, M.S.N., R.N.
Gary R. Figge, M.D.
Pamela E. Jones
Lois E. Krahn, M.D.

GENERAL BUSINESS

A. CALL TO ORDER

Chairman Farmer called the Board's meeting to order at 5:09 p.m., the Board observed a moment of silence in honor of the heroes who fought to protect the Nation's Capitol on January 6, 2021, and Chairman Farmer read aloud the Board's Mission Statement: "To protect public safety through the judicious licensing, regulation and education of all allopathic physicians."

Chairman Farmer recognized the Board members and staff for being an example of calm, efficient and effective government over the course of an extraordinary year with circumstances involving the pandemic, and through political and current events, have been cool, even-handed and effectively conducting business. Chairman Farmer commented that he was proud to be part of a group that functions so well under these circumstances.

B. ROLL CALL

The following Board members participated in the teleconference: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

ALSO PRESENT

The following Board staff participated in the teleconference: Patricia McSorley, Executive Director; Kristina Fredericksen, Deputy Director; Michelle Robles, Board Operations Manager; and Andrea Cisneros, Minutes Administrator. Carrie Smith, Assistant Attorney General ("AAG") was also present.

C. PUBLIC STATEMENTS REGARDING MATTERS LISTED ON THE AGENDA

Individuals that addressed the Board during the Public Statements portion of the teleconference appear beneath the matter(s) referenced.

D. EXECUTIVE DIRECTOR'S REPORT

- Update on Transition to GL Solutions Version 6
Deputy Director Fredericksen updated the Board regarding the transition to GL Solutions Version 6, and acknowledged the development team for their hard work and efforts. She also reported that the Agency has contracted with an IT company to assist the IT Department and be the first line of service with constant availability. Ms. Jones thanked the Deputy Director for her efforts, and Chairman Farmer pointed out that IT staff remains available for any Board members that need assistance.
- Update on Status of New Board Member Appointments
Executive Director McSorley reported that two new members have been appointed to the Board, one physician and one public member, and that they are being scheduled for orientation. The Board discussed whether any other vacancies exist on the Board, and Executive Director McSorley stated that she would further research the question and report back to the Board.
- Update of Board Processes and Staffing

E. DISCUSSION REGARDING DEBRIEFING ON BOARD PROCESSES

Chairman Farmer thanked the Board members and staff for their hard work and efforts in facilitating the Board's meetings and stated his appreciation for the Board's staff. Ms. Jones recognized the Board's staff for their hard work and diligence in fixing issues with the Board's 411 website over the holiday period.

F. APPROVAL OF MINUTES

- November 5, 2020 Special Teleconference Meeting
- December 4, 2020 Teleconference Meeting

Vice-Chairman Gillard requested that the minutes from the December 4, 2020 Teleconference be amended to fix the individual referenced as to have made the motion in Agenda Item No. M(10). Board staff confirmed that the recording will be reviewed to clarify the motion maker in that matter prior to finalizing that set of minutes.

MOTION: Dr. Figge moved for the Board to approve the November 5, 2020 Special Teleconference Meeting, and the December 4, 2020 Teleconference Meeting as amended.

SECOND: Vice-Chairman Gillard

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

LEGAL MATTERS

G. MOTION FOR REHEARING/REVIEW (Formal Interview)

1. MD-18-0026A, JOHN W. MCGETTIGAN, M.D., LIC. #12606

Dr. McGettigan and Attorney Susan Trujillo participated in the teleconference during the Board's consideration of this matter.

Board members confirmed that they received and reviewed the administrative record of the Formal Interview in this matter.

Ms. Trujillo asked the Board to grant Dr. McGettigan's petition for rehearing to consider the Practice Monitor's most recent reports and determine whether the sanction was excessive or should be modified. She explained that the Practice Monitor's October and

November chart review reports are material evidence that could not have been produced at the October 8th meeting as they did not exist on that date. Ms. Trujillo reported that Dr. McGettigan has completed the CME required in the Board's Order, and that the Interim Consent Agreement and final Board Order have already affected his practice in that he has been terminated from a number of major health insurance carriers. Ms. Trujillo also stated that his patient population has been affected due to the lack of pain management providers in the area. She stated that the Board's monitoring pursuant to the ICA has demonstrated that Dr. McGettigan is practicing within the standard of care.

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

SECOND: Ms. Bain

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

The Board entered into Executive Session at 6:14 p.m.

The Board returned to Open Session at 6:31 p.m.

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

Dr. Figge stated that rehearing or review was not warranted as he did not consider the Practice Monitor's recent reports as new material evidence given that the chart reviews were Board-ordered. Dr. Bethancourt spoke in support of Dr. Figge's comments. Vice-Chairman Gillard stated that he too agreed with Dr. Figge's comments, and spoke in support of granting a rehearing by the full Board based on the argument that the penalty was excessive. He noted that the first Medical Consultant ("MC") found no evidence of unprofessional conduct, while the second MC identified deviations from the standard of care and five additional patients' charts were pulled for review. Vice-Chairman Gillard also pointed out that the Committee's vote for discipline was not unanimous.

MOTION: Vice-Chairman Gillard moved for the Board to grant a rehearing to review the penalty based on A.A.C. R4-16-103(d)(5).

Motion failed due to lack of a second.

MOTION: Dr. Figge moved for the Board to deny the Petition for Rehearing.

SECOND: Dr. Krahn

Dr. Figge recognized that this was a complicated case that the MCs opinions were conflicting, and that further review of patients' charts resulted in the identification of deviations from the standard of care on the part of Dr. McGettigan. Dr. Figge spoke in favor of the motion and pointed out that the Board's Order did not require a unanimous vote, but that of a majority of Committee members. Dr. Figge stated that the Committee held a generous discussion in this matter, that the case was thoughtfully considered, and that the Board's Order is appropriate. Chairman Farmer also recognized that this was a complicated case.

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn. The following Board member voted against the motion: Vice-Chairman Gillard.

VOTE: 9-yay, 1-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

CONSENT AGENDA

H. CASES RECOMMENDED FOR DISMISSAL

MOTION: Ms. Jones moved for the Board to dismiss item numbers 1 and 2.

SECOND: Dr. Bethancourt

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse (one recusal noted on item number 2 as stated herein), 0-absent.

MOTION PASSED.

1. MD-19-0947A, RAED H. ALALAWI, M.D., LIC. #54131

RESOLUTION: Dismiss.

2. MD-20-0545B, AHMAD A. SHIR, M.D., LIC. #55536

Complainant KJ addressed the Board during the Public Statements portion of the teleconference.

Ms. Bain was recused from this item.

RESOLUTION: Dismiss.

3. MD-20-0187A, ABDULLAH M. YONAN, M.D., LIC. #27691

Complainant MN addressed the Board during the Public Statements portion of the teleconference.

Vice-Chairman Gillard recalled the comments made during the Public Statements, and stated his concerns regarding the lack of timely follow-up in a patient with ongoing symptoms. Dr. Krahn echoed the Vice-Chairman's comments, and stated that that there did not appear to have been a sufficient work-up done on the patient with a long interval before follow-up. Vice-Chairman Gillard proposed returning the case for SIRC to reconsider this matter and possible issuance of an Advisory Letter. AAG Smith informed the Board that the licensee was notified of a potential deviation from the standard of care and possibility of a non-disciplinary resolution prior to today's proceedings. The Board observed that the MC identified a potential deviation from the standard of care in that the physician failed to recommend timelier follow-up than three months in a patient with ongoing respiratory symptoms, and that the licensee was notified of the potential for the Board to sustain a violation of A.R.S. § 32-1401(27)(r).

MOTION: Vice-Chairman Gillard moved for the Board to issue an Advisory Letter for failure to recommend a timelier follow-up than three months in a patient with ongoing respiratory symptoms. There is insufficient evidence to support disciplinary action.

SECOND: Dr. Bethancourt

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn. The following Board member voted against the motion: Ms. Bain.

VOTE: 9-yay, 1-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

I. CASES RECOMMENDED FOR ADVISORY LETTERS

MOTION: Dr. Krahn moved for the Board to issue an Advisory Letter in item numbers 2, 3, 4, 9 and 10.

SECOND: Dr. Paul

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse (one recusal noted on item number 9 as stated herein), 0-absent.

MOTION PASSED.

1. MD-20-0604A, JOHN W. VANDERHOOF, M.D., LIC. #31892

Dr. Vanderhoof, Attorney Scott King, and Dr. Steve Miller addressed the Board during the Public Statements portion of the teleconference.

Dr. Bethancourt was recused from this item.

Dr. Beyer questioned whether to return the case for further investigation to obtain an additional MC review based on the differing opinions of the MC who reviewed the case and the licensee's expert witness, who was noted to have served as an MC for the Board in the past. Dr. Paul stated that he found the comments made during the Public Statements to be compelling given the experience of the expert witness. Dr. Paul spoke in favor of dismissing the investigation.

MOTION: Dr. Beyer moved for dismissal.

SECOND: Dr. Paul

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn. The following Board member was recused: Dr. Bethancourt.

VOTE: 9-yay, 0-nay, 0-abstain, 1-recuse, 0-absent.

MOTION PASSED.

2. MD-20-0321A, ERIC S. SCHLESINGER, M.D., LIC. #31303

RESOLUTION: Issue an Advisory Letter for failure to query the CSPMP database when issuing medical marijuana certifications. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

3. MD-19-1149A, DOUGLAS G. LOWELL, M.D., LIC. #19871

RESOLUTION: Issue an Advisory Letter for failure to properly perform a low anterior anastomosis of the colon resulting in additional surgery for correction. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

4. MD-20-0579A, KELVIN S. PANESAR, M.D., LIC. #26415

Dr. Panesar addressed the Board during the Public Statements portion of the teleconference.

RESOLUTION: Issue an Advisory Letter for failure to take appropriate precautions to prevent the possible spread of an infection and failure to notify all potentially exposed individuals. While the licensee has demonstrated substantial compliance through rehabilitation or remediation that has mitigated the need for disciplinary action, the board believes that repetition of the activities that led to the investigation may result in further board action against the licensee.

5. MD-20-0365A, CHRISTINE G. QUERIMIT, M.D., LIC. #52752

Dr. Bethancourt spoke against the recommendation to issue an Advisory Letter in this matter and stated he could not find fault on the part of the physician in this case. Dr. Bethancourt spoke in favor of dismissal and stated that this 39 year-old patient's condition did not appear to be congenital.

MOTION: Dr. Bethancourt moved for dismissal.

SECOND: Vice-Chairman Gillard

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

6. MD-18-0419A, PAYAM ZAMANI, M.D., LIC. #34305

Dr. Zamani and Attorneys Steve Myers and Ben Runkle addressed the Board during the Public Statements portion of the teleconference.

Dr. Beyer questioned the unusual billing practices and spoke in favor of returning the case for further investigation to obtain documentation to support the comments made during the Public Statements.

MOTION: Dr. Beyer moved for the Board to return the case for further investigation to obtain documentation supporting the claims made during the Public Statements.

SECOND: Vice-Chairman Gillard

Vice-Chairman Gillard stated that he seconded the motion for discussion purposes, stated that he was not sure that an Advisory Letter would not be warranted in this matter and proposed sustaining a recordkeeping violation only. Ms. Jones spoke in favor of the motion, and stated her concerns regarding the failure of the physician's office to assist the patient's son with their billing issues. Ms. Jones also questioned whether the company who provided the x-ray was an out-of-network provider. Dr. Bethancourt spoke in favor of the motion. Dr. Beyer clarified that there are two specific issues in question that warrant further investigation; the first involving the contractual agreement as it relates to the billing done under the physician's NPI number, and the second involving where the patients are sent for outside studies.

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

7. MD-19-1120A, DENNIS G. CRANDALL, M.D., LIC. #22422

Dr. Crandall and Attorney Russel Skelton addressed the Board during the Public Statements portion of the teleconference.

Vice-Chairman Gillard recalled the comments made during the Public Statements and noted that this matter stemmed from notification of a malpractice settlement. He recognized that this was a complicated case involving spine surgery, and found that the allegations of a delay were not substantiated.

MOTION: Vice-Chairman Gillard moved for dismissal.

SECOND: Dr. Figge

Dr. Figge spoke in favor of the motion and stated that the Public Statements speakers made good points.

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

8. MD-20-0311A, GIUSEPPE F. RAMUNNO, M.D., LIC. #44840

Attorney Michelle Donovan addressed the Board on behalf of Dr. Ramunno during the Public Statements portion of the teleconference.

Vice-Chairman Gillard noted that this matter stemmed from notification of a malpractice settlement, and that the MC found that the treatment was adequate. He also noted that the MC identified medical recordkeeping concerns in that there was no documentation of

risks discussed with the patient. Vice-Chairman Gillard observed the unfortunate outcome in this case, and noted that multiple surgeries were required. He spoke in favor of dismissal in light of the malpractice settlement and the physician having gone through that process.

MOTION: Vice-Chairman Gillard moved for dismissal.
SECOND: Dr. Krahn

Dr. Krahn stated that she seconded the motion for the purposes of discussion and that while she recognized that the MC found the care was adequate, she found that the decision to proceed with vaginal delivery as opposed to cesarean section was a key element in this case. Dr. Krahn stated that she was troubled by the lack of documentation in the chart regarding a discussion with the patient. Dr. Figge agreed with Dr. Krahn's comments and stated that cesarean section should have been considered. Dr. Figge stated his concerns regarding the lack of documentation. Dr. Beyer stated that he too agreed with Dr. Krahn's comments and spoke against the motion. After further discussion, Vice-Chairman Gillard and Dr. Krahn withdrew their motion.

MOTION: Dr. Krahn moved for the Board to issue an Advisory Letter for inadequate documentation. There is insufficient evidence to support disciplinary action.

SECOND: Vice-Chairman Gillard

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

9. MD-20-0356A, WILLARD R. CARNAHAN, M.D., LIC. #13209

Dr. Figge was recused from this item.

RESOLUTION: Issue an Advisory Letter for performing a wrong site surgery. The violation is a minor or technical violation that is not of sufficient merit to warrant disciplinary action.

10. MD-19-1045A, JARON J. FISCHBECK, M.D., LIC. #34353

Dr. Fischbeck addressed the Board during the Public Statements portion of the teleconference.

RESOLUTION: Issue an Advisory Letter for inappropriate testosterone treatment practices and inadequate documentation. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

J. CASES RECOMMENDED FOR ADVISORY LETTERS WITH NON-DISCIPLINARY CONTINUING MEDICAL EDUCATION ("CME") ORDERS

MOTION: Dr. Paul moved for the Board to issue an Advisory Letter with Non-Disciplinary CME Order in item numbers 1 and 2.

SECOND: Ms. Dorrell

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

1. MD-19-0671A, DAVID A. CAMARATA, M.D., LIC. #28451

RESOLUTION: Issue an Advisory Letter with Non-Disciplinary CME Order for inadequate medical recordkeeping, failure to accurately interpret post-operative x-rays, and inadequate monitoring of post-operative complications. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the

activities that led to the investigation may result in further board action against the licensee. Within six months, complete no less than 10 hours of Board staff pre-approved Category I CME in an intensive, in-person course regarding medical recordkeeping. The CME hours shall be in addition to the hours required for license renewal.

2. MD-20-0230A, GEORGE R. EDELEN, M.D., LIC. #30267

RESOLUTION: Issue an Advisory Letter with Non-Disciplinary CME Order for inadequate medical record-keeping and for failing to prescribe Narcan to a high risk patient. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee. Within six months, complete no less than 4 hours of Board staff pre-approved Category I CME regarding medical recordkeeping. The CME hours shall be in addition to the hours required for license renewal.

3. MD-20-0062A, KULBHUSHAN K. SHARMA, M.D., LIC. #22286

Dr. Sharma and Attorney Dr. Steve Perlmutter addressed the Board during the Public Statements portion of the teleconference.

Vice-Chairman Gillard recalled the comments made during the Public Statements, and stated that while he agreed with the recommendation for an Advisory Letter, he did not believe that CME was warranted. Dr. Figge agreed with the Vice-Chairman's comments and stated that CME was not warranted as it appeared that the physician has already learned from this case.

MOTION: Vice-Chairman Gillard moved to issue an Advisory Letter for performing an iliac angioplasty without appropriate indications resulting in postoperative complications. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

SECOND: Dr. Figge

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

K. REVIEW OF EXECUTIVE DIRECTOR DISMISSALS

MOTION: Vice-Chairman Gillard moved for the Board to uphold the dismissal in item numbers 1, 2, 3 and 4.

SECOND: Dr. Paul

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

1. MD-20-0370A, DONNI L. FLEISCHAKER, M.D., LIC. #17503

RESOLUTION: Uphold the dismissal.

2. MD-20-0088A, CHINEDU O. MMEJE, M.D., LIC. #43414

Dr. Mmeje and Attorney Heather Macre addressed the Board during the Public Statements portion of the teleconference.

RESOLUTION: Uphold the dismissal.

3. MD-20-0222A, MALIK T. RAHIM, M.D., LIC. #50197

Complainant RP addressed the Board during the Public Statements portion of the teleconference.

RESOLUTION: Uphold the dismissal.

4. MD-20-0568A, ROBERTO GONZALEZ, M.D., LIC. #53152

Dr. Gonzalez addressed the Board during the Public Statements portion of the teleconference.

RESOLUTION: Uphold the dismissal.

L. LICENSE APPLICATIONS

i. CONSIDERATION AND POSSIBLE ACTION TO APPROVE OR DENY LICENSE APPLICATION, OR TAKE OTHER ACTION

MOTION: Vice-Chairman Gillard moved for the Board to grant licensure in item numbers 1, 2, 4, 6, 7, 8 and 9.

SECOND: Dr. Krahn

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

1. MD-20-0755A, DARREN W. HOUSEL, M.D., LIC. #N/A

Dr. Housel addressed the Board during the Public Statements portion of the teleconference.

RESOLUTION: Grant licensure.

2. MD-20-0752A, BRADLEY H. GLENN, M.D., LIC. #N/A

RESOLUTION: Grant licensure.

3. MD-20-0189A, CARLOS DEL VALLE MONTES DOMINI, M.D., LIC. #N/A

Vice-Chairman Gillard noted an error on the application regarding the dates of the applicant's internship in California. He observed that Dr. Domini is currently licensed in California and that his postgraduate training was completed in another country. Vice-Chairman inquired regarding whether the Board should consider the equivalency. AAG Smith informed the Board that statute allows for the Board to consider whether the postgraduate training was equivalent to that which is required for licensure and grant licensure by endorsement. Ms. Jones stated that while the applicant reported plans to practice general medicine in a rural area of the Valley if granted licensure, and stated her concerns that he would have the ability to perform surgery without the Board's control or knowledge. Dr. Bethancourt recognized that the applicant is licensed in another jurisdiction. Vice-Chairman Gillard pointed out that if the physician planned to pursue practicing surgery, he would be required to go through the credentialing process. Chairman Farmer noted that the applicant has no prior disciplinary history, but did have some malpractice cases.

Board staff summarized that only one of the three reported malpractice cases were forwarded for quality of care review by an MC. She stated that the case involved the applicant's performance of a hysterectomy and perineal repair for removal of the uterus to enlarge the vagina for delivery of the uterus. The MC found that there was no consent for that in the file, and the MC recognized that the decision to repair would have to be determined at that time and that perineal repair is common in this type of procedure. The Board observed that the first malpractice case settled in 1996 and occurred in 1993, that the second case involved the lack of consent, and that the third malpractice case was ultimately dismissed. The Board also noted that the applicant has indicated that he does not plan to do obstetrics or hospital procedures.

MOTION: Vice-Chairman Gillard moved for the Board to find that the training was equivalent to that which is required for Arizona licensure and to grant licensure by endorsement.

SECOND: Dr. Bethancourt

Dr. Figge stated that based on his review of the SIRC report, he wanted to remind the committee members that 12 months of postgraduate education is required if the applicant graduated from a US medical school, and that postgraduate training requirements vary from state to state.

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

4. MD-20-0781A, PHILLIP J. COLLIER, M.D., LIC. #N/A

Dr. Collier addressed the Board during the Public Statements portion of the teleconference.

RESOLUTION: Grant licensure.

5. MD-20-0634A, FRANCISCO M. RALLS, M.D., LIC. #N/A

Ms. Jones stated her concerns regarding the applicant's criminal history and the failure to disclose it on his initial license application. Vice-Chairman Gillard agreed with Ms. Jones' comments and spoke in favor of issuing an Advisory Letter for failure to disclose and granting the license. AAG Smith informed the Board that statute does not provide that an Advisory Letter could be issued on initial application unless the conduct occurred under a previous Arizona license. Vice-Chairman Gillard stated that while he agreed with Ms. Jones' concerns, he did not see anything to clearly preclude the Board from granting the license.

Ms. Jones stated her concerns regarding the pattern of behavior and the failure to disclose the information on the application. She questioned whether the applicant should be invited for a Formal Licensing Interview. Dr. Figge spoke in favor of a Formal Licensing Interview, and suggested the Board consider possibly requiring the applicant to undergo an evaluation. Ms. Jones agreed with Dr. Figge's suggestion. Dr. Krahn spoke in favor of a Formal Licensing Interview and stated that the Board would benefit by hearing from the applicant prior to making a determination on the license application and to make him aware of the Board's concerns regarding the incomplete application. The Board members noted that inviting the applicant for an interview would not preclude the Board from later requiring a neuropsychological evaluation if warranted.

MOTION: Ms. Jones moved for the Board to invite the applicant to appear before the Board for a Formal Licensing Interview.

SECOND: Dr. Krahn

Vice-Chairman Gillard spoke in favor of the motion. Dr. Bethancourt also agreed with the motion and stated that an interview is needed before considering whether or not to grant licensure.

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

6. MD-20-0816A, CRAIG A. LEVY, M.D., LIC. #N/A

RESOLUTION: Grant licensure.

7. MD-20-0830A, LAWRENCE W. MILNE, M.D., LIC. #N/A

RESOLUTION: Grant licensure.

8. MD-20-0728A, CHRISTOPHER W. GIST, M.D., LIC. #N/A

RESOLUTION: Grant licensure.

9. MD-20-0111A, NEILESH S. GHODADRA, M.D., LIC. #N/A

RESOLUTION: Grant licensure.

ii. REVIEW, CONSIDERATION AND POSSIBLE ACTION REGARDING LICENSE REACTIVATION

1. MD-20-1054A, GARY R. KANTOR, M.D., LIC. #48552

MOTION: Vice-Chairman Gillard moved for the Board to grant the reactivation of licensure.

SECOND: Dr. Paul

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

iii. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING LICENSE APPLICATION AND CONSIDERATION OF RECOMMENDED ADVISORY LETTER

1. MD-20-1050A, FRED D. HOLMES, M.D., LIC. #N/A

Vice-Chairman Gillard noted that the recommendation to grant licensure and issue an Advisory Letter for practicing on an expired license is the usual course of action taken by the Board in similar matters.

MOTION: Vice-Chairman Gillard moved for the Board to grant licensure and issue an Advisory Letter for practicing with an expired license. While the licensee has demonstrated substantial compliance through rehabilitation or remediation that has mitigated the need for disciplinary action, the board believes that repetition of the activities that led to the investigation may result in further board action against the licensee.

SECOND: Dr. Bethancourt

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

iv. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING LICENSURE BY ENDORSEMENT PURSUANT TO A.R.S. § 32-1426(B) AND R4-16-201(F), OR TAKE OTHER ACTION

1. AMBREEN AZHAR, M.D., LIC. #N/A

Dr. Krahn spoke in favor of granting the license and stated that Arizona would benefit by having this subspecialist with experience in transplant nephrology. Vice-Chairman Gillard agreed with Dr. Krahn's comments and stated that the physician appeared to have obtained training equivalent to that which is required for Arizona licensure.

MOTION: Dr. Krahn moved for the Board to grant licensure by endorsement.

SECOND: Vice-Chairman Gillard

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.
VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.
MOTION PASSED.

2. RUTH N. POST, M.D., LIC. #N/A

Vice-Chairman Gillard noted that the Executive Director recommended granting the license.

MOTION: Vice-Chairman Gillard moved for the Board to grant licensure by endorsement.

SECOND: Dr. Bethancourt

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

*****END OF CONSENT AGENDA*****

OTHER BUSINESS

M. REQUEST FOR TERMINATION OF BOARD ORDER

1. MD-16-0743A, NORMAN K. WEINSTEIN, M.D., LIC. #32239

Vice-Chairman Gillard noted that the Executive Director recommended granting the request to terminate the Order and observed that Dr. Weinstein has completed five years of monitoring in Florida and Tennessee. Vice-Chairman Gillard spoke in favor of granting the request for termination, and also noted that this matter stemmed from Dr. Weinstein's self-report to the Board.

MOTION: Vice-Chairman Gillard moved for the Board to grant the request to terminate the August 8, 2016 confidential Board Order.

SECOND: Dr. Krahn

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

2. MD-18-0930A, MD-20-0494A, JILL R. UTLEY, M.D., LIC. #42779

Vice-Chairman Gillard noted the staff's recommendation, and the confidential information in the file. Vice-Chairman Gillard spoke in favor of granting the request for termination of the Practice Limitation based on positive information received regarding her medical condition. Dr. Krahn stated that while she agreed with the motion to grant the request for termination, she stated her concerns that the licensee has had very serious problems and that further issues will be looked at closely to determine the licensee's ability to be regulated by this Board. Vice-Chairman Gillard pointed out that any violation of the agreement would result in further Board action against the licensee.

MOTION: Vice-Chairman Gillard moved for the Board to grant the request to terminate the March 6, 2020 Practice Limitation.

SECOND: Dr. Bethancourt

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

3. MD-18-0297A, IRFAN FAZIL, M.D., LIC. #35023

Dr. Fazil addressed the Board during the Public Statements portion of the teleconference.

Vice-Chairman Gillard noted that the Executive Director recommended granting the request for termination as the licensee has complied with all terms and conditions of probation.

MOTION: Vice-Chairman Gillard moved for the Board to grant the request to terminate the October 22, 2018 Board Order.

SECOND: Dr. Krahn

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

4. MD-14-1290A, JOEL D. THOMPSON, M.D., LIC. #29611

Dr. Thompson addressed the Board during the Public Statements portion of the teleconference.

Chairman Farmer and Dr. Figge stated that they know Dr. Thompson professionally, and that it would not affect their ability to adjudicate this case. Chairman Farmer noted staff's recommendation in this matter, and commended the licensee for presenting to students at the medical school on an annual basis to try and help them avoid pitfalls that he had fallen into. Vice-Chairman Gillard noted that the Executive Director recommended granting the request to terminate.

MOTION: Vice-Chairman Gillard moved for the Board to grant the request to terminate the October 14, 2015 Board Order.

SECOND: Ms. Jones

VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

N. GENERAL CALL TO THE PUBLIC

No individuals addressed the Board during the General Call to the Public.

O. ADJOURNMENT

MOTION: Dr. Beyer moved for the Board to adjourn.

SECOND: Dr. Krahn

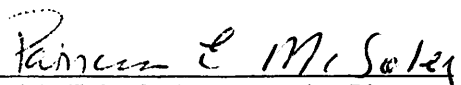
VOTE: The following Board members voted in favor of the motion: Chairman Farmer, Vice-Chairman Gillard, Dr. Paul, Ms. Bain, Dr. Bethancourt, Dr. Beyer, Ms. Dorrell, Dr. Figge, Ms. Jones and Dr. Krahn.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

The Board's meeting adjourned at 8:18 p.m.




Patricia E. McSorley, Executive Director