



Arizona Medical Board

1740 W. Adams St, Suite 4000 • Phoenix, Arizona 85007

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FINAL MINUTES FOR SPECIAL TELECONFERENCE MEETING

Held on Tuesday, August 13, 2024

1740 W. Adams St., Board Room A • Phoenix, Arizona

Board Members

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

GENERAL BUSINESS

A. CALL TO ORDER

Chair Figge called the meeting to order at: 5:04 p.m.

B. ROLL CALL

The following Board members participated virtually: Dr. Figge, Dr. Bethancourt, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Gillard and Ms. Jones

ALSO PRESENT

The following Board staff participated in the meeting: Patricia McSorley, Executive Director; Raquel Rivera, Deputy Director; Claude Deschamps, M.D., Chief Medical Consultant; Nicole Samaradellis, Investigations Manager; and Michelle Robles, Board Operations Manager. Carrie Smith, Assistant Attorney General ("AAG") also participated in the meeting.

C. PUBLIC STATEMENTS REGARDING MATTERS LISTED ON THE AGENDA

Individuals who addressed the Board during the Public Statements portion of the meeting appear beneath the case.

LEGAL MATTERS

D. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON SETTLEMENT OFFER IN LIEU OF FORMAL HEARING

1. MD-22-0544A, ATTILA MADY, M.D., LIC. #24825
Dr. Mady participated virtually. Elizabeth Campbell, AAG participated virtually on behalf of the State and Lynette Evans, AAG participated virtually as the Board's Independent Legal Advisor.

Dr. Mady stated that he did not misrepresent anything to the Board and that he started out with zero recall. Dr. Mady stated that his ex-wife made the complaint and that it had been more than a year since this incident had happened. Dr. Mady stated that the evidence indicated initially that the events did not occur. Dr. Mady further stated that since his daughter was under his custody, she was under his decision making. Dr. Mady stated that the Board's investigators insisted that he provided evidence that he did not have. Dr. Mady informed the Board that in 31 years of practice, he has had an immaculate record and that he cannot concede to relinquishing his license. Dr. Mady informed the Board that his settlement proposal is to not renew his license once it expires and that he will no longer practice in Arizona.

Ms. Campbell stated that Board staff has maintained professionalism in their correspondence with Dr. Mady, which has not been returned by Dr. Mady. Dr. Mady has made inflammatory allegations about Board staff that are unfounded. Ms. Campbell stated that the Board's mission is to protect the public. The Board is a regulatory board and physicians licensed by the Board agree to participate in and be subject to regulation. Ms. Campbell noted that the Board receives complaints from all sorts of people and from all sorts of different situations, and the fact that the Board received an initial complaint regarding medical care that Dr. Mady has provided from his ex-wife is beside the point. Since it was a complaint about medical care, the Board has an obligation to investigate, which it did. Board staff sent Dr. Mady a letter within approximately a month of receiving the complaint requesting that he provide a complete narrative response. Dr. Mady responded that he did not remember and that the place of the injury didn't make sense. Ms. Campbell noted that this does not match the text messages obtained during the investigation. Ms. Campbell further noted that before a superior court judge in his family law matter, Dr. Mady did remember that he had performed the suture. When he responded to the Board in November, Dr. Mady again claimed not to remember. Ms. Campbell stated that Dr. Mady is simply not cooperating with the Board's investigation process and has provided misleading statements that go to his regulability. As a result, discipline is appropriate.

Dr. Mady stated that there are a number of inaccuracies and that he did not initially recall. Dr. Mady further stated that the evidence that is being used is falsified by his ex-wife. Dr. Mady stated that the Board cannot know what happened if he himself cannot remember the events that occurred. Dr. Mady stated that parental statutes means he was required to care for his daughter and that the Board's investigators wanted him to make statements that are not true. Dr. Mady argued that it is not irrelevant that the complainant is his ex-wife and stated that he was in the field practicing and making sure his daughter was getting the best care that she could receive. Dr. Mady stated that he has been a good physician and that he does not reject the Board's authority to protect the public, but the Board is acting on inaccurate information.

Dr. Gillard acknowledged that the complaint was from the ex-wife and that this has been a long contentious Board process. Dr. Gillard noted that the medical records on the wound described a superficial laceration, five days old, healing well with sutures and steri strips. Dr. Gillard stated that the crux of this matter is whether or not there was cooperation with the Board. Dr. Gillard stated that this was a minor injury, however, there is a problem when you suture a wound and treat without keeping records. Dr. Gillard noted that the physician completed a neuropsychiatric evaluation and the psychologist did not find any pathology.

MOTION: Dr. Krahn moved to reject the settlement offer and continue the matter to formal hearing.

SECOND: Ms. Bain.

Dr. Beyer opined that the physician's settlement offer to just allow the license to expire is not acceptable. Dr. Beyer acknowledged that there are a lot of complicated issues that Dr. Mady has brought up and there will be an opportunity to bring those up as a part of a hearing. Dr. Figge confirmed that the physician's offer is to allow his license to expire. Dr. Krahn noted Dr. Mady's communication where he requested the settlement conference

and made numerous requests. Dr. Krahn found this letter to cause concern about how the physician is interacting with the Board and his ability to comply with the Board's jurisdiction and Arizona revised statutes. Dr. Gillard noted that the Board has the ability to accept or reject the ALJ's recommendation if the Board decides that revocation is not appropriate and can issue a different form of discipline. Dr. Gillard agreed that a full evidentiary hearing is appropriate for the physician to have these complicated issues heard.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Gillard and Ms. Jones. The following Board members were absent: Dr. Farmer and Dr. Moschonas.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

OTHER BUSINESS

E. ADJOURNMENT

MOTION: Dr. Bethancourt moved for adjournment.

SECOND: Dr. Krahn.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Gillard and Ms. Jones. The following Board members were absent: Dr. Farmer and Dr. Moschonas.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

The meeting adjourned at: 5:34 p.m.



A handwritten signature in black ink that reads "Patricia E. McSorley".

Patricia E. McSorley, Executive Director