



Arizona Medical Board

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FINAL MINUTES FOR ADMINISTRATIVE JOINT LEGISLATION AND RULES COMMITTEE TELECONFERENCE MEETING Held on Thursday, May 1, 2025 1740 W. Adams St., Phoenix, Arizona

Committee Members

Jodi A. Bain, M.A., J.D., LL.M., Chair
Laura Dorrell, M.S.N., R.N.
R. Screven Farmer, M.D.
Gary R. Figge, M.D.
Lois E. Krahn, M.D.
Bruce Bethancourt, M.D.

GENERAL BUSINESS

A. CALL TO ORDER

Chairwoman Bain called the meeting to order at 4:05 p.m.

B. ROLL CALL

The following Committee members participated in the virtual meeting: Ms. Bain, Ms. Dorrell, Dr. Bethancourt and Dr. Figge.

The following Committee members were absent: Dr. Farmer and Dr. Krahn.

ALSO PRESENT

The following Board staff and Assistant Attorney(s) General participated in the virtual meeting: Raquel Rivera, Interim Executive Director; Michelle Butler, Chief Operations Officer; Michelle Robles, Board Operations Manager and Heather Foster, Public Records Coordinator. Carrie Smith, Assistant Attorney General ("AAG") was also present.

C. PUBLIC STATEMENTS REGARDING MATTERS LISTED ON THE AGENDA

No individuals addressed the Committee.

D. REVIEW, DISCUSSION AND POSSIBLE RECOMMENDATIONS REGARDING AMB FY25 BUDGET

Ms. Rivera presented the Committee with the budget along with Support Services Manager Michelle Butler. Ms. Rivera reported that the Board currently has 48.75 staff ETEs. Although the Board is allotted 63.5 ETEs. Ms. Rivera explained that there would be insufficient funding to pursue filling all allotted ETE positions since the Board would incur the costs of an additional 14.75 ETE employee related expenses, which includes fringe benefits and costs associated with retirement, health insurance, unemployment and/or worker's compensation expenses. Ms. Rivera noted that IT and Personnel continue to be the Board's largest expenditures. Ms. Rivera explained that the budgetary funds are given to the Board in a lump sum amount rather than position specific funding. This allows the Board with flexibility in how the funds are allocated depending on our needs of the Agency. Ms. Bain noted that the Board is revenue neutral.

Regarding Contractors, Ms. Rivera noted that there were 4 current Contracted staff under the Investigations department. Ms. Butler explained the process for engaging contractors prior to offering employment. Ms. Rivera explained that the contractor process has been working for the Board as it allows the employee to try out the position and see if they are a good fit, if so, they can be offered

employment. Dr. Figge questioned whether the higher salary listed for contractors included the fees paid to the contracting service, which Ms. Rivera and Ms. Butler confirmed was accurate. If the contractor is not a good fit, then the contract won't be renewed, eliminating the need to engage in the difficult process of termination. Dr. Bethancourt commented that this is how the private sector utilizes contractors. Ms. Bain inquired about the salary range difference among investigators. Ms. Rivera explained that higher salary positions are due to experience and the category of cases investigated including case complexity and volume.

Dr. Bethancourt inquired about the variance for the Assistant Attorney General. Ms. Rivera explained that this is for costs associated with the Board's legal advisors. Ms. Buttler explained that the AAG variance is the difference between fiscal year 24 and 25, which came in a bit cheaper this year. AAG Smith commented that this could be attributed to staffing changes over the year.

Ms. Bain questioned when the FY 26 budget would be available. Ms. Bain requested when a FY26 proposed budget in time for the second week of June. Ms. Buttler confirmed staff should be able to provide the budget by the middle of June.

E. REVIEW, DISCUSSION AND POSSIBLE RECOMMENDATIONS REGARDING RULEMAKING CALENDAR

Ms. Rivera provided an updated calendar and noted that the next two rules due this year are Articles 2 and 3.

F. REVIEW, DISCUSSION AND POSSIBLE RECOMMENDATIONS REGARDING RULEMAKING STATUS OF ARTICLES 6 AND 7

Ms. Rivera provided a status update on Article 6 rulemaking related to Disciplinary Actions. Ms. Rivera explained that there were no changes proposed and Pat submitted the rules to GRRC on 4/28/25. Article 6 is scheduled for the GRRC study session on 6/25/24 and the 7/1/25 GRRC agenda.

Ms. Bain requested that in the future Article 6 and 7 be separated.

Ms. Rivera provided a status update on Article 7 rulemaking related to Office Based Surgery Using Sedation. Ms. Rivera explained that the changes proposed were previously considered by the Committee. Ms. Rivera noted the Agency Certificate of Notice of Proposed Rulemaking signed on 4/28/25. Ms. Rivera explained that the next step is Public Comment for Proposed Rulemaking, which is scheduled for 6/26/25. Ms. Rivera noted that this process for oral proceeding was last conducted with regard to the rule changes to MAs. Ms. Rivera stated that the notice for oral proceeding meeting related to Article 7 would be included in the Board's newsletter, on the website, and noted at Board meetings prior to June 26th. Ms. Rivera confirmed that the notice for oral proceeding and proposed rule changes were sent to the Maricopa County Medical Society, Arizona Medical Association, and Arizona Society of Anesthesiologists. Ms. Bain inquired whether Pima County or Coconino County were informed. Ms. Rivera reported that they had not, but she would send them the information. Ms. Rivera provided the draft AMB Newsletter and highlighted new sections related to laws, rules, proposed legislation, and rulemaking.

Ms. Bain noted that there were concerns related to timely submission of prior 5YRRs. Ms. Rivera noted that use of GRRC's process flowsheet to understand the 5YRR process and steps involved. Ms. Bain requested copies of the flowsheets, which Ms. Rivera confirmed would be emailed to Committee members.

Ms. Bain requested that the Committee be provided with future agenda 1-2 weeks in advance.

G. REVIEW, DISCUSSION AND POSSIBLE RECOMMENDATIONS REGARDING RULEMAKING CONSIDERATIONS FOR ARTICLES 2 AND 3

Ms. Rivera stated that Article 2 related to licensure is due August 31, 2025. Article 3 is related to dispensing, which is due in June 28, 2025. Ms. Rivera was unaware of changes needed to Article 3 but opened it up to the Committee's suggested changes. No suggestions to the rule were proposed. Ms. Bain requested that comments be sent to Ms. Rivera by May 25th for review.

The AAG confirmed there were no legal recommendations for Article 3 but noted additional review of Article 2 was needed. Ms. Bain requested a draft by early June for Article 3.

H. REVIEW, DISCUSSION AND POSSIBLE RECOMMENDATIONS REGARDING NEED FOR ADDITIONAL JLRC MEETINGS

Ms. Rivera inquired about the interest in an additional JLRC meeting in June. Ms. Bain requested a meeting in June to review the budget.

I. DISCUSSION OF FUTURE TOPICS

Ms. Rivera noted that Committee's prior request for the IT department to come to a meeting and discuss their budgetary needs and confirmed this could be completed in June. Ms. Rivera informed the Committee that the Board has applied for grant funding through the FSMB under three different categories. Ms. Rivera also informed the Committee of the availability of funding requests through the AIM Foundation.

Ms. Bain inquired if the draft audit report is ready. Ms. Rivera stated that the MD Audit has begun but was still in the beginning stages. Therefore, no report is available.

Ms. Rivera provided the Committee with a preview of the new Zoom backgrounds, which included the AMB new logo design.

J. ADJOURNMENT

MOTION: Dr. Bethancourt moved for adjournment.

SECOND: Dr. Figge.

VOTE: The following Committee members voted in favor of the motion: Ms. Bain, Ms. Dorrell, Dr. Bethancourt and Dr. Figge.

The following Committee members were absent: Dr. Farmer and Dr. Krahn.

VOTE: 4-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

The meeting adjourned at 4:52 p.m.



Raquel Rivera

Raquel Rivera, Interim Executive
Director