



Arizona Medical Board

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FINAL MINUTES FOR REGULAR SESSION MEETING Held on Wednesday, June 4, 2025 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
Laura Dorrell, M.S.N., R.N., 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.
James M. Gillard, M.D., M.S., F.A.C.E.P., F.A.A.E.M.
Gail Guerrero-Tucker, M.D., M.P.H., F.A.A.F.P., D.A.B.F.M.
Lois E. Krahn, M.D.
Jessyca Leach

GENERAL BUSINESS

A. CALL TO ORDER

Chair Figge called the meeting to order at: 8:06 a.m.

B. ROLL CALL

The following Board members were present: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Ms. Bain, Dr. Beyer, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach.

The following Board member was absent: Dr. Artz.

ALSO PRESENT

The following Board staff participated in the meeting: Raquel Rivera, Interim Executive 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.

D. EXECUTIVE DIRECTOR'S REPORT

- Review, Discussion and Possible Action Regarding Notice of Proposed Rulemaking – Article 7 – Office Based Surgery using Sedation

Ms. Rivera reported that the JLRC in early May to discuss the various Articles for rulemaking due this year. Specific to Article 7 changes were proposed within the last year. The Agency Certificate of Notice of Proposed Rulemaking was signed April 28, 2025 and is now posted to the Arizona Administrative Register. The next step is for the Board to obtain Public Comment for Proposed Rulemaking. It is scheduled for June 26, 2025;

however, comments can be accepted prior to the meeting date, but the record will close after the meeting. This information has also been included in our newsletter and on our website, which can be found under the Laws and Rules section of our website then Proposed Rulemaking. The JLRC will meet on June 27, 2025 to consider any public comments sent to the Board. At that time, the JLRC may make technical and non-substantial amendments before submitting to the Board's policy advisor for approval. Subsequently, we will have 120 days from the close of the record to submit to GRRC. GRRC will then review the rules and if approved the Board would file a Notice of Final Rulemaking with the SOS. Currently, there remains a question regarding whether the proposed language change in R4-16-708 would make it inconsistent with the rest of the rules in Article 7. Ms. Rivera explained that there are a few options at this time. Ms. Rivera noted that she would require some input for how this change will affect public health and safety since the proposed amendment can be considered significant.

Dr. Figge noted that there was a request by a licensee regarding the prohibitions in these rules in the context of the office-based sedation commonly used in dental offices.

Dr. Farmer commented that if you use any medications or agents that are known to trigger malignant hyperthermia, then you must take a certain list of precautions. That's the key to have in the language and we want that line to be very clear. Dr. Farmer opined that the people who proposed wording that had anesthetics or sedatives realized they were getting caught in that question of definitions and semantics.

Ms. Bain commented that GRRC is going to require an explanation on the change, including context and background, and how the Arizona Medical Board was put on notice that a change may need to be made.

Dr. Farmer clarified that it was brought to the Board's attention by a practicing anesthesiologist who goes to dental offices, and there was a different standard for people with other anesthesia training backgrounds than for physicians, and it was pointed out that the statute hadn't kept up with the changes in community practice.

- Review, Discussion and Possible Action Regarding 5YRR Article 3 – Dispensing of Drugs – Due June 2025

Ms. Rivera noted that the JLRC briefly considered Article 3 5YRR relating to dispensing of drugs, which is due on June 28, 2025. No changes have been proposed by the public or staff. The JLRC is meeting on June 27, 2025 and may consider approving this draft at that time. However, if the Board is in approval with no proposed changes for rulemaking for this section, I can submit in advance of the June 28, 2025 deadline.

Dr. Figge stated that he has no issue with it staying as is and to go ahead with the response.

Ms. Rivera noted that she plans to highlight dispensing regulations in the Board's next newsletter. Ms. Rivera noted that there are currently 31,992 licensed physicians in Arizona. Of these, 523 are registered to dispense drugs and subject to the reviewed rules, which is about 1.6% of our total number of licensees.

- Review, Discussion and Possible Action Regarding 5YRR Article 2 – Due August 2025

Ms. Rivera noted that Article 2 was due on August 31, 2025 and the AMB received GRRC's 90 day reminder letter. Ms. Rivera requested an extension, which was approved by GRRC to December 2025. Ms. Rivera explained that she requested the extension since the Licensure rules are significant and will require the Board to address any statutory changes within licensing since 2020. This week she will be meeting with the Licensing and Licensing Investigations managers to discuss any proposed changes.

- This item has been removed from the agenda.

- Review and Discussion of the Board's Schedule and Concerns Regarding Quorum and Appointments

Ms. Rivera provided a friendly reminder about the AMB's appointment status and concerns for quorum. Ms. Rivera requested that Board member start to review the agenda at the four week mark and advise staff of any concerns with conflicts, recusals or absences at that time so that staff may amend the agenda, if needed.

Ms. Rivera stated that there is no update with Board appointments. However, she did have a positive discussion with the Health Policy Advisor, and they discussed the possibility of involving the Board in the process to see if it makes it more efficient. Ms. Rivera confirmed that she is working on the draft letter directed by Dr. Figge and will bring that to the Board for review and approval at the August meeting. A section has been added to the AMB website to capture individuals interested in being a board member which if clicked will take them to the Board and Commissions site so they can apply to be a board member.

- Review, Discussion and Consideration of Adding Item to Future In-Person Agendas Allowing the Board to Answer Questions from Medical Students

Ms. Rivera informed the Board that at the FSMB, the DO Board presented their process of allowing the Board to interact with medical students who attend their Board meetings. The DO ED explained that they have found this to be a valuable and educational experience for the Board and students. Ms. Rivera explained that she brought this before the Board for discussion to gauge interest. It would be good outreach and a great opportunity for students to interact with the Board members and for the Board to advise of education and resources.

Dr. Krahn recommended that the Board look at different models to interact with students and further recommended a seminar with board staff to answer questions in a different setting given how time consuming the board's meetings can be. Ms. Bain agreed that it sounds like an amazing opportunity and suggested a meet and greet prior to a public meeting. Dr. Beyer opined that this as an agenda item may not take as much time as one might think. Dr. Beyer stated that it is not unreasonable to see the response and that it can be a short trial to see how it works. Dr. Krahn commented that in an educational setting it may be intimidating for a student to speak up at a board meeting but may feel more comfortable in a seminar setting.

Board staff noted that at the DO meetings it took about 15 minutes at the end of the meeting.

Dr. Figge suggested that to alleviate some of the intimidation students can submit questions prior to the meeting. Dr. Gillard noted that staff does a presentation at medical schools.

Dr. Deschamps confirmed that he and Dr. McClain do speak once a year at a medical school regarding the medical practice act.

Dr. Figge noted that this targets one school, however, staff can see who would be interested in this and get back to the Board.

Ms. Rivera stated that she would be happy to bring this back to the JLRC after obtaining more information.

- Review, Discussion and Consideration of Dual Educational Meeting with the Board of Osteopathic Examiners in Medicine and Surgery

Ms. Rivera explained that Dr. Figge had inquired about the Board's ability to hold a dual education meeting with the DO Board. Ms. Rivera reported that she has started preliminary discussions with the DO Executive Director and they are looking to add a meeting in the

fall of this year. We plan to discuss the composition of our boards, staff make-up, and general investigation process. Special topic discussions relating to Supervision of PAs, IV hydration/med spas, and AIs incorporation into clinical practice and what that looks like for regulators. After the meeting, Ms. Rivera reported that she plans to collaborate with the DO Board and create a visual aid or resource document for PA supervision in Arizona to provide to licensees and/or make available on our websites.

Dr. Figge explained that the ED for the Osteopathic Board and the current chair were at the FSMB meeting last year and this year. Since both Boards deal with a lot of similar issues that they are interested in maybe once a year or so getting together and having education and discussion.

- Discussion of AMB Partnerships and Collaborations

Ms. Rivera informed the Board of her collaboration with Maricopa County Medical Society in an effort to provide resources and information to licensees. MCMS is a professional organization for MDs and DOs; therefore, this is a great opportunity to work together to pool our resources and audiences to increase outreach and stakeholder engagement. This is also in the very beginning stages but we are currently discussing plans to create a visual aid resource for licensing requirements and to aid in the understanding of the application process. We have also discussed working together to create an Arizona specific CME outlining supervision requirements for PAs in Arizona. MCMS has worked with Creighton University to obtain CME accreditation in the past. Ms. Rivera noted that she met with ARMA and their new CEO Doug Laher to introduce herself and they offered their availability with the goal of continuing a positive working relationship going forward. She also met with The Wellbeing Collaborative Organization whose focus is to build a wellbeing centered health ecosystem in Arizona by empowering health leaders, professionals, and key stakeholders to collaborate and transform healthcare workplaces and systems through a culture of wellbeing and equity. The Board has been invited to the 2025 Wellbeing Summit in October, which is free of charge. The Summit plans to address key challenges in health organizations, workforce wellbeing, and leadership. Additional information will also be included in the Fall newsletter. The parties discussed how we could work together to meet the needs of licensees and discussed the possibility of having a link to assessments where licensees can be directed to resources based on their responses in the future.

E. CHAIR'S REPORT

No report was given.

F. LEGAL ADVISOR'S REPORT

- Update on *Dworkin v. Arizona Medical Board*, LC2024-000429

Mr. Hargraves provided an update on the case to the Board. In November of last year, the Board issued, after an administrative hearing, a final order revoking Dr. Dworkin's medical license. He subsequently appealed that matter to the Superior Court. He requested a stay of the Board's order and a trial de novo. The Court has ruled on the motion to stay and has denied it. His license is revoked, and we are currently proceeding with the De novo process. There is an oral argument or hearing next week, where Mr. Hargrave's stated that he anticipates we're going to be discussing kind of scheduling and processes going forward.

Ms. Bain inquired about the licensee's counsel.

Mr. Hargraves informed the Board that it is Melissa Cuddington.

G. DISCUSSION REGARDING DEBRIEFING ON BOARD PROCESSES

Dr. Figge questioned the late submission of materials and requested that it be prevented in the future.

H. APPROVAL OF MINUTES

- February 26, 2025 Summary Action Meeting
- March 5, 2025 Summary Action Meeting; including Executive Session

Board members noted that they did not receive the March 5, 2025 Executive Session minutes and it needs to be scheduled for a further meeting.

MOTION: Dr. Farmer moved to approve the February 26, 2025 Summary Action meeting minutes and the March 5, 2025 Summary Action meeting minutes.

SECOND: Dr. Gillard.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Ms. Bain, Dr. Beyer, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Dr. Krahn. The following Board member abstained: Ms. Leach. The following Board member was absent: Dr. Artz.

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

MOTION PASSED.

LEGAL MATTERS

I. REVIEW, CONSIDERATION AND POSSIBLE ACTION ON PROPOSED BOARD ORDER ARISING FROM ADMINISTRATIVE LAW JUDGE'S RECOMMENDED DECISION

1. MD-22-1166A, ATTILA MADY, M.D., LIC. #24825

Dr. Mady was not present. Carrie Smith, AAG on behalf of the State was present. Lynette Evans, AAG was present as the Board's Independent Legal Advisor.

Ms. Smith argued that the Board should adopt the ALJ's recommended Order. She stated that the Board received a complaint that the physician conducted a suture in a hotel room. Respondent was requested to provide a narrative regarding his care, and any medical records related to that care, he did not. Instead, almost two years after the initiation of the investigation no narrative has been provided to this agency, and no medical records have been produced. The only reason the Board has some version of what happened is because of respondent's testimony in another forum that was provided to us by the complainant. Respondent stated that in that other forum that the procedure actually occurred in an urgent care. Ms. Smith stated that no medical records are available because Respondent has not provided the name or location where this allegedly happened. Instead, the Board and its agents have been provided with various reasons about why Respondent should not be required to do what every other licensee who has been investigated by this Board has been asked to do. An explanation of his care and medical records would allow the Board to make a review and determination about whether or not Respondent's care was appropriate. If by his own statements and conduct Respondent has proven that he believes that this Board's statutes, rules, and procedures should not apply to him the Board cannot regulate someone who believes they are not bound by the same rules as everyone else. If the Respondent refuses to engage in the regulatory process, revocation is warranted. Ms. Smith addressed the May 27th filing that the Respondent provided regarding the ALJ's recommended decision. Dr. Mady has repeatedly argued that the complainant is biased and lacks credibility. This agency receives complaints from biased sources every day. When appropriately conducted, the Board's investigation process is designed to allow the Board to the best of its ability to separate fact from fiction and assess witness bias, and to make the most accurate assessment of the case as possible. That's what due process allows, and that's what can be achieved with a collaborative exchange of information. However, this cannot be achieved when the licensee himself injects false and misleading information into the investigation, and refuses to comply with Staff's basic requests for information. The ALJ noted that the complainant's testimony was not a determining factor

in this case. Ms. Smith noted that the ALJ stated that complainant's testimony was only considered where it was otherwise corroborated. Ms. Smith addressed the repeated assertions that Respondent has not been provided with due process. Due process is the right to have notice and opportunity to be heard in a reasonable time and in a reasonable manner. It is not a guarantee of a preferred outcome. The ALJ in this case provided deliberative consideration of every single one of Respondent's filings in this case and heard evidence and testimony from both parties over the course of a three-day hearing. After due consideration of the facts and circumstances of this case, including weighing the credibility of the witnesses who testified at the hearing, the ALJ rendered his proposed order, which is thorough and well-reasoned. Ms. Smith, on behalf of the State, requested that the Board adopt this Order. Dr. Mady is requesting that the Board disregard these well-reasoned recommendations for a series of proposed findings that amount to nothing more than speculation, hyperbole, and more invective. The Respondent fails to cite any sound basis to disregard the ALJ's recommendation. Dr. Mady's submission and his words only prove why revocation is the only appropriate action. For these reasons the State respectfully requested that the Board adopt the ALJ's proposed findings of fact, conclusions of law and order and revoke Respondent's license and order reimbursement of the cost of the hearing. Ms. Smith argued that Dr. Mady's actions have unnecessarily complicated this case, requiring significant time and effort in obtaining this result, warranting an award of costs. Ms. Smith noted that there will be an invoice provided by OAH within the next few days. The request is to modify the recommended decision to award costs in an amount to be provided when OAH provides the final invoice.

MOTION: Dr. Krahn moved to accept the Findings of Facts, paragraphs 1 to 25 in full.

SECOND: Dr. Bethancourt.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Ms. Bain, Dr. Beyer, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach. The following Board member was absent: Dr. Artz.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

MOTION: Dr. Krahn moved to accept the Conclusions of Law, paragraphs 1 – 20 in full.

SECOND: Dr. Beyer.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Ms. Bain, Dr. Beyer, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach. The following Board member was absent: Dr. Artz.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

MOTION: Dr. Krahn moved to adopt the ALJ's recommended Order affirming the Board's summary suspension and revoking Respondent's medical license, to include the formal hearing costs incurred by the Board in this matter pursuant to A.R.S. § 32-1451(M). The formal hearing costs are (1) \$2710.25.00 for the services of the court reporter, and (2) the costs for the services of the Office of Administrative Hearings. See Invoices, attached as Exhibit 1. The State has not yet received a finalized invoice that includes services rendered in May. That amount will be supplemented for the Board's review as soon as practicable.

SECOND: Dr. Beyer.

Dr. Beyer expressed concern about voting on costs that have not been determined. Board members discussed setting a limit.

Ms. Evans informed the Board of their options.

Board members discussed determining what the final amount could be based on the previous month's invoice.

Ms. Smith and Board staff noted that Dr. Mady submitted quite a few filings for the month of May.

Board staff confirmed that all invoices are kept and that they can be referred to if there are questions about the total amount of costs for OAH.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Dr. Beyer, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach. The following Board member abstained: Ms. Bain. The following Board member was absent: Dr. Artz.

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

MOTION PASSED.

J. MOTION FOR REHEARING/REVIEW (Formal Interview)

1. MD-20-0664A, JEFFREY B. MONASH, M.D., LIC. #37196

Dr. Monash was present with counsel Chris Smith. Dr. Figge and Dr. Farmer were recused.

Mr. Smith stated that this is not about new evidence but regarding fairness and evidence-based medicine. Mr. Smith requested that the Board reconsider the Letter of Reprimand. Ms. Smith noted that in the Board's order in paragraph 16 of the Conclusions of Law, state that Dr. Monash should have returned to the hospital earlier personally to evaluate the patient rather than relying on the hospital staff, who are not as familiar with JP. If respondent was present he could have played a more active role in JP's case. Mr. Smith argued that Dr. Monash was making an evidence-based and data-driven decision, and the question boiled down to this. When could this patient be returned to surgery? When was she going to be stable enough to return to surgery, so that with induction of anesthesia she would not die on the table. That is evidence that Dr. Monash knew when he was at home, trying to sleep between calls, because he knew he was going to be going back to surgery. Mr. Smith questioned how was Dr. Monash evaluating these data remotely any different from evaluating it in the patient's room. Mr. Smith further argued that the Board doesn't say when earlier and how would that have changed the data-based decision in terms of when this patient was ready.

Dr. Monash stated that looking back on this case he would not do anything different as he has the ability to do the same things remotely and believed that he made the correct decisions at the correct time.

Mr. Smith requested that the case be dismissed.

MOTION: Ms. Bain moved for the Board to enter into Executive Session pursuant to A.R.S. § 32-431.03(A)(3) to obtain legal advice.

SECOND: Dr. Beyer.

VOTE: The following Board members voted in favor of the motion: Dr. Bethancourt, Ms. Dorrell, Ms. Bain, Dr. Beyer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach. The following Board members were recused: Dr. Figge and Dr. Farmer. The following Board member was absent: Dr. Artz.

VOTE: 8-yay, 0-nay, 0-abstain, 2-recuse, 1-absent.

MOTION PASSED.

The Board entered into Executive Session at: 8:58 a.m.

The Board returned to Open Session at: 9:23 a.m.

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

MOTION: Ms. Bain move to grant a review to revise Findings of Fact 5 and 10 based on A.A.C. R4-16-103(d)(8).

SECOND: Dr. Beyer.

Dr. Beyer opined that there is not cause to rehear the case and that the Board heard all the evidence and stands by it. Dr. Beyer noted that there are some errors in the order that need to be corrected.

VOTE: The following Board members voted in favor of the motion: Dr. Bethancourt, Ms. Dorrell, Ms. Bain, Dr. Beyer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach. The following Board members recused: Dr. Figge and Dr. Farmer. The following Board member was absent: Dr. Artz.

VOTE: 8-yay, 0-nay, 0-abstain, 2-recuse, 1-absent.

MOTION PASSED.

MOTION: Ms. Bain moved to modify Finding of Fact 5 to strike “and they decided” from the first sentence, and replace it with “and the Hospitalist recommended” and to modify Finding of Fact 10 to strike “during JP’s autopsy” from the second sentence and replace it with “postoperatively”.

SECOND: Dr. Beyer.

VOTE: The following Board members voted in favor of the motion: Dr. Bethancourt, Ms. Dorrell, Ms. Bain, Dr. Beyer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach. The following Board members recused: Dr. Figge and Dr. Farmer. The following Board member was absent: Dr. Artz.

VOTE: 8-yay, 0-nay, 0-abstain, 2-recuse, 1-absent.

MOTION PASSED.

CONSENT AGENDA

K. CASES RECOMMENDED FOR DISMISSAL

MOTION: Dr. Beyer moved to dismiss item numbers 1-4.

SECOND: Dr. Bethancourt.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Ms. Bain, Dr. Beyer, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach. The following Board member was absent: Dr. Artz.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

1. MD-24-0285A, HERMAN C. HEIKKENEN, M.D., LIC. #32037

RESOLUTION: Dismissed.

2. MD-24-0375A, BRIAN S. DONOVAN, M.D., LIC. #53448

RESOLUTION: Dismissed.

3. MD-24-0706A, LAURI B. CAMPAGNA, M.D., LIC. #23457

Dr. Campagna addressed the Board during the Public Statements portion of the meeting.

RESOLUTION: Dismissed.

4. MD-23-0482A, JEREMY P. FELDMAN, M.D., LIC. #32825

RESOLUTION: Dismissed.

L. CASES RECOMMENDED FOR ADVISORY LETTERS

MOTION: Dr. Gillard moved to issue an Advisory Letting in item numbers 1 and 3.

SECOND: Dr. Krahn.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Ms. Bain, Dr. Beyer, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach. The following Board member was absent: Dr. Artz.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

1. MD-24-0971A, JAMES M. KIELY, M.D., LIC. #46648

RESOLUTION: Advisory Letter for failing to timely diagnose and treat a stroke. 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.

2. MD-21-0156A, DAVID A. CAMARATA, M.D., LIC. #28451

Dr. Gillard inquired about the complaint being filed in 2021 and how come it took so long to come before the Board.

Board staff explained that the case was on hold pending a companion case which will be on a future agenda.

MOTION: Dr. Gillard moved to issue an Advisory Letter for failing to address a patient's post-operative complications of continued pain and knee instability, failing to perform an adequate postoperative knee examination, 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.

SECOND: Dr. Bethancourt

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Dr. Beyer, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach. The following Board member voted against the motion: Ms. Bain. The following Board member was absent: Dr. Artz.

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

MOTION PASSED.

3. MD-24-1274A, STUART J. KAPLAN, M.D., LIC. #63154

RESOLUTION: Advisory Letter for failing to timely report a misdemeanor charge. 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.

M. CASES RECOMMENDED FOR ADVISORY LETTERS WITH NON-DISCIPLINARY CONTINUING MEDICAL EDUCATION ORDERS

1. MD-24-0070A, LAURI KALER, M.D., LIC. #58183

Dr. Gillard summarized that this was a self-report malpractice case and opined that after litigation CME is not helpful. Dr. Beyer agreed that CME is not necessary.

MOTION: Dr. Gillard moved to issue an Advisory Letter for failing to identify and report a cholecystoduodenal fistula and gallstones on an MRI. 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. Beyer.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Dr. Beyer, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach. The following Board member voted against the motion: Ms. Bain. The following Board member was absent: Dr. Artz.

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

MOTION PASSED.

N. REVIEW OF EXECUTIVE DIRECTOR DISMISSALS

MOTION: Dr. Krahn moved to uphold the Executive Director dismissal in item numbers 1 and 2.

SECOND: Dr. Gillard.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Ms. Bain, Dr. Beyer, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach. The following Board member was absent: Dr. Artz.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

1. MD-24-0810A, DUSTIN G. MORRIS, M.D., LIC. #30224

RESOLUTION: Dismissal upheld.

2. MD-24-0310A, SETH L. STUDER, M.D., LIC. #49291

RESOLUTION: Dismissal upheld.

O. PROPOSED CONSENT AGREEMENTS (Disciplinary)

MOTION: Dr. Gillard moved to accept the consent agreement in item numbers 1-5.

SECOND: Dr. Farmer.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Ms. Bain, Dr. Beyer, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach. The following Board member was absent: Dr. Artz.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

1. MD-22-1008A, VIVIAN CASTILLO, M.D., LIC. #34689

RESOLUTION: Consent agreement for a Letter of Reprimand and Two Year Probation. Within six months, complete no less than 10 hours of Board staff pre-approved Category I CME in an intensive, virtual course regarding medical recordkeeping, and complete no less than the 15 hour of Board staff pre-approved Category I CME in an intensive, virtual course regarding controlled substance prescribing. The CME hours shall be in addition to the hours required for license renewal. Within thirty days of completing the Board ordered CME, Dr. Castillo shall enter into a contract with a Board approved monitoring company to perform periodic chart reviews, at the physician's expense. After three consecutive favorable chart reviews, Dr. Castillo may petition the Board to terminate the Probation. Dr. Castillo shall not request early termination of Probation without having completed the chart review process. The Probation shall not terminate except upon affirmative request of the physician and approval by the Board.

2. MD-25-0278A, JEFF C. HOEHNER, M.D., LIC. #46508

Dr. Gillard inquired if the physician was informed of the consequences of a Surrender.

Board staff explained that the physician was issued a CME order and the physician did not want to take the CME and requested surrender of his license. Staff confirmed that he was informed of the consequence for reporting.

RESOLUTION: Consent agreement for Surrender of License.

3. MD-22-0644A, BRIAN C. ANDREWS, M.D., LIC. #27675

RESOLUTION: Consent agreement for a Letter of Reprimand and Two Year Probation. Within six months, complete no less than 10 hours of Board staff pre-approved Category I CME in an intensive, in-person/virtual course regarding medical recordkeeping, and complete no less than the 15 hour of Board staff pre-approved Category I CME in an intensive, in-person/virtual course regarding controlled substance prescribing. The CME hours shall be in addition to the hours required for license renewal. Within thirty days of completing the Board ordered CME, Dr. Andrews shall enter into a contract with a Board approved monitoring company to perform periodic chart reviews, at the physician's expense. After three consecutive favorable chart reviews, Dr. Andrews may petition the Board to terminate the Probation. Dr. Andrews shall not request early termination of Probation without

having completed the chart review process. The Probation shall not terminate except upon affirmative request of the physician and approval by the Board.

4. MD-24-0048C, VINIT MANUEL, M.D., LIC. #41151

RESOLUTION: Consent agreement for a Letter of Reprimand.

5. MD-23-0562A, MD-23-0862A, MARTIN H. NEWMAN, M.D., LIC. #36546

RESOLUTION: Consent agreement for a Letter of Reprimand and Two Year Probation. Within six months, complete no less than 10 hours of Board staff pre-approved Category I CME in an intensive, in-person/virtual course regarding medical recordkeeping, and complete no less than the 15 hour of Board staff pre-approved Category I CME in an intensive, in person/virtual course regarding controlled substance prescribing. The CME hours shall be in addition to the hours required for license renewal. Within thirty days of completing the Board ordered CME, Dr. Newman shall enter into a contract with a Board approved monitoring company to perform periodic chart reviews, at the physician's expense. After three consecutive favorable chart reviews, Dr. Newman may petition the Board to terminate the Probation. Dr. Newman shall not request early termination of Probation without having completed the chart review process. The Probation shall not terminate except upon affirmative request of the physician and approval by the Board.

P. APPROVAL OF DRAFT FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

MOTION: Dr. Beyer moved to approve the draft Findings of Fact, Conclusions of Law and Order in item numbers 1 and 2.

SECOND: Dr. Guerrero-Tucker

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Ms. Bain, Dr. Beyer, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach. The following Board member was absent: Dr. Artz.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

1. MD-23-0524A, HEKMAT HAKIMAN, M.D., LIC. #49709

RESOLUTION: Findings of Fact, Conclusions of Law and Order for a Letter of Reprimand and Probation. Within six months, complete no less than 10 hours of Board staff pre-approved Category I CME in an intensive, in-person/virtual course regarding medical recordkeeping. The licensee shall obtain an unconditional or conditionally passing grade. The CME hours shall be in addition to the hours required for license renewal. The Probation shall not terminate except upon affirmative request of the physician and approval by the Board.

2. MD-18-0884B, OMAR ABDUL-HADI, M.D., LIC. #49298

RESOLUTION: Findings of Fact, Conclusions of Law and Order for a Letter of Reprimand.

Q. LICENSE APPLICATIONS

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

MOTION: Dr. Gillard moved to grant the license in item numbers 1-3.

SECOND: Dr. Beyer.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Ms. Bain, Dr. Beyer, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach. The following Board member was absent: Dr. Artz.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

1. MD-25-0438A, SAMUEL R. M. OGLE, M.D., LIC. # N/A

Dr. Gillard noted that the physician reported that he isn't board certified but he definitely is board certified in surgery.

RESOLUTION: License granted.

2. MD-24-1214A, ROBERT K. ERICKSON, M.D., LIC. # N/A

RESOLUTION: License granted.

3. MD-24-0569A, DARREN M. BUONO, M.D., LIC. # N/A

RESOLUTION: License granted.

ii. 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. JEFFREY I. BARKE, M.D., LIC. # N/A

Ms. Bain inquired about the reason this case came before the Board.

Board staff explained that the requirement is to be ABMD certified. If he had recently taken the SPEX this would not have come before the Board.

Dr. Gillard noted that he is practicing in CA and has two other state licenses.

MOTION: Dr. Gillard moved to grant licensure by endorsement.

SECOND: Dr. Krahn.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Ms. Bain, Dr. Beyer, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach. The following Board member was absent: Dr. Artz.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

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

OTHER BUSINESS

R. REQUEST FOR TERMINATION OF BOARD ORDER

1. MD-20-0249A, MD-20-0955A, MD-21-0110A, RAGHAB MOHINDRA, M.D., LIC. #41238
Dr. Mohindra and counsel Lauren Weinzweig addressed the Board during the Public Statements portion of the meeting.

Dr. Gillard noted that his monitor stated that the physician has been compliant.

MOTION: Dr. Gillard moved to grant the request for termination of the January 4, 2023 Board Order.

SECOND: Ms. Leach.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Dr. Beyer, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach. The following Board member voted against the motion: Ms. Bain. The following Board member was absent: Dr. Artz.

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

MOTION PASSED.

2. MD-22-0284A, EDWARD T. CHAPPELL, M.D., LIC. #37339

Dr. Gillard noted that this was a mirror of a CA probation which he has completed.

MOTION: Dr. Gillard moved to grant the request for termination of the December 1, 2022 Board Order.

SECOND: Dr. Guerrero-Tucker.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Ms. Bain, Dr. Beyer, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach. The following Board member was absent: Dr. Artz.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

3. MD-21-1131A, PRITI R. PATEL, M.D., LIC. #58079

Counsel Ashley William addressed the Board during the Public Statements portion of the meeting on behalf of the physician.

MOTION: Dr. Gillard moved to grant the request for termination of the March 2, 2023 Board Order.

SECOND: Ms. Dorrell.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Ms. Bain, Dr. Beyer, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach. The following Board member was absent: Dr. Artz.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

4. MD-23-1199A, JOHN R. HEINRICK, M.D., LIC. #49279

Dr. Krahn supported early termination given the supporting materials.

MOTION: Dr. Krahn moved to grant the request for termination of the April 23, 2024 Board Order.

SECOND: Dr. Gillard.

Dr. Beyer expressed concern since it is only one year into the two-year probationary period. Dr. Gillard noted that there has been 18 months of sobriety and Dr. Lott is in full compliance with early termination. Dr. Figge noted that both psychiatrists overseeing his care are in support. Dr. Krahn agreed that although it is early the physician has the responsibility to continue his compliance.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Ms. Bain, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Dr. Krahn. The following Board member voted against the motion: Dr. Beyer. The following Board member abstained: Ms. Leach. The following Board member was absent: Dr. Artz.

VOTE: 8-yay, 1-nay, 1-abstain, 0-recuse, 1-absent.

MOTION PASSED.

S. GENERAL CALL TO THE PUBLIC

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

T. ADJOURNMENT

MOTION: Dr. Krahn moved for adjournment.

SECOND: Dr. Bethancourt.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Ms. Bain, Dr. Beyer, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker, Dr. Krahn and Ms. Leach. The following Board member was absent: Dr. Artz.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

The meeting adjourned at 9:59 a.m.



Raquel Rivera

Raquel Rivera, Executive Director