



Arizona Medical Board

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FINAL MINUTES FOR SPECIAL TELECONFERENCE MEETING

Held on Wednesday, March 4, 2026

1740 W. Adams St., 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.

GENERAL BUSINESS

A. CALL TO ORDER

Chair Figge called the meeting to order at: 5:08 p.m.

B. ROLL CALL

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

ALSO PRESENT

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

- Federation of State Medical Boards (FSMB) Request for Comment on Three Draft Reports:
 - Report of the FSMB Ethics and Professionalism Committee on Physician Collective Bargaining and Unionization
 - Guidance on Recent Trends in Prescribing and Dispensing
 - Report of the FSMB Workgroup on Oversight of Clinical Decision-Making

Ms. Rivera informed the Board that they can email her with any comments regarding the drafts.

- Review, Discussion and Consideration of Revised MA FAQs

Ms. Rivera reported that the JLRC directed her to revise the MA FAQs to clarify language regarding MA administration of anesthetic injections. The JLRC draft minutes were

attached for consideration of the Committee discussion. Ms. Rivera also provided some sample red-line wording for consideration.

Dr. Farmer noted that the dosage amount was not provided in the revision.

Ms. Rivera explained that the dosage was not included based on the Committee's discussion, but it can be added if the Board wishes.

Dr. Farmer explained that the intention of specifying the dosage was to clarify that MAs should only administer small doses of anesthetics.

Ms. Smith noted that there isn't a dosage limitation in statute, so one could not be imposed by the Board without engaging in the rule-making process. Ms. Smith also noted that the MA FAQs are meant to provide general clarification of procedures, not to amend rules or policies already put in place.

Dr. Farmer opined that there should be a dosage suggestion included in the revision and inquired what dosage amount was discussed previously.

Ms. Rivera noted the Committee previously discussed that the dosage should not exceed 3 ccs per injection, up to a maximum dose of 300 milligrams over a period of time.

Ms. Bain inquired about who qualifies as a supervisor for the injections.

Ms. Smith clarified that the statute allows direct supervision by a supervising physician, physician assistant, or nurse practitioner.

MOTION: Dr. Bethancourt moved to approve the MA FAQs with the recommended changes discussed in the dosing maximums.

SECOND: Dr. Gillard.

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

The following Board Member was absent: Dr. Farmer

VOTE: 7-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

- Update, Discussion, and Possible Action on Proposed Legislation, including but not limited to:
 - HB 2248 – medical interventions, prohibition

Ms. Rivera informed the Board that there had been multiple revisions to the bill since their last discussion. The newest amendment proposed a provisional licensure pathway. These individuals would work under indirect supervision with direct supervision immediately available. After four years, the license would automatically convert to an Arizona license if requirements were met. Ms. Rivera noted that after reviewing the bill, it would be the Board's responsibility to adopt rules for license and renewal fees like any other time a new license type is added. The Board would also have to create compliance procedures along with supervision, reporting, and malpractice coverage requirements. The Board will have the ability to discipline or revoke the license. The bill also gives the licensee's employer the ability to require them to undergo a competency test. Ms. Rivera opined that this still may be unnecessary as the Board does have an existing equivalency pathway that allows review of these individuals. The implementation of various administrative requirements could limit the effectiveness of this model if it's creating additional administrative and compliance burdens for those supervising positions.

Dr. Bethancourt asked if applicants would be required to pass the ECFMG.

Ms. Rivera explained they only have to meet ECFMG pathway one requirements, which does not assess English language skills.

Dr. Bethancourt opined that it does not make sense to grant a license if the individual can't pass the language competency test. Dr. Figge added it is typical practice for licensees applying for a foreign license to obtain ECFMG certification beforehand. However, this bill is geared towards individuals who were unable to obtain the ECFMG certification and will allow them to pass some sort of competency test. Dr. Figge opposed the bill noting that this would create unnecessary administrative burden.

The Board opposed this bill.

- HB 2435 - internationally trained physicians; licensure
Ms. Rivera noted that this bill would prohibit certain public health mandates but includes broad language that may unintentionally impair the Board's ability to protect the public in some cases. Specifically, it could restrict the ability to require participation in the PHP and other medical necessary interventions as a condition of licensure. Ms. Rivera provided the Board with a list of her concerns regarding the broad language of the bill and how it would affect the investigation process and the PHP program.

The Board opposed this bill.

E. CHAIR'S REPORT

No report was given.

F. LEGAL ADVISOR'S REPORT

- Update on *Atilla Mady, M.D., et al. v. Ramila De Souza Dias, et al.* Maricopa County Superior Court Case No. CV2025-032252
- Update on *Mady v. Arizona Medical Board*, LC2025-000219-001
- Update on *Dworkin v. Arizona Medical Board*, LC2024-000429
- Update on *Kelly v. Arizona Medical Board*, U.S. District Court No. CV25-00513-PHX-KML

Ms. Smith noted that the Board has updates on the JRA cases for Dr. Mady and Dr. Kelly's cases. For Dr. Mady's Superior Court case there may be a delay due to a change in the judge.

Ms. Smith informed the Board that they would need to go into executive session for the Dworkin update.

MOTION: Ms. Bain moved for the Board to enter into Executive Session pursuant to A.R.S. § 32-431.03(A)(2) and (3) to discuss confidential matters and obtain legal advice.

SECOND: Dr. Artz.

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

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

MOTION PASSED.

The Board entered into Executive Session at 9:18 p.m.

The Board returned to Open Session at 9:36 p.m.

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

G. DISCUSSION REGARDING DEBRIEFING ON BOARD PROCESSES

Dr. Figge inquired if the Board is allowed to require those scheduled for a settlement offer conference, to actually provide an offer. He noted that there have been multiple times where no offer is given.

Ms. Smith explained that it is difficult to require a formalized offer to be made if it isn't in statute or rule. Without some formalized directive from the Board, negotiating a case or consent agreement is a difficult ask.

Dr. Figge stated that this puts an undue burden on staff and Board members considering the time it takes away when the task can't be accomplished.

Mr. Hargraves noted that the notice letter informs individuals that the proposal has to be submitted within a certain timeframe.

Dr. Farmer opined that this is a strategy used by attorneys as they have observed it creates Board discussion, which provides helpful information to them. Dr. Farmer added that the Board should be selective with how they engage in these instances in order to see a different result.

Ms. Rivera reiterated the difficulty that it presents procedurally if staff were to review every proposal. Board staff should not be in a position where they're coaching physicians as to what the proposal should entail. Ms. Rivera opined that the onus should be on the attorneys and the licensees when they request a settlement. They are notified about the need to include the proposal, and it should come from the Board as to whether that proposal is adequate or not to even consider. If the Board finds the settlement inadequate, they can table it or proceed to formal hearing.

Ms. Bain agreed that the responsibility of providing a settlement offer needs to be on the licensee or their counsel, not on Board members or staff. Dr. Figge proposed that in the future, the Board rejects the proposal rather than guiding them through the process. Dr. Farmer stated that the proposal does need to specifically outline what the licensee wants and why they oppose the SIRC recommendation.

Dr. Figge inquired about late submissions for supplemental material and noted one case on this agenda that had material submitted late.

Ms. Rivera explained that the material was received within the appropriate timeframe for one of the cases, however Board staff was out sick when it was received and unable to process it until the following day. Board staff added that the Board had recently changed the deadline for supplemental material to two business days before the Board meeting. The deadline can be adjusted if the Board wishes.

Dr. Figge noted that this has been a discussion for some time and wanted to find a remedy that benefits Board members and staff, as well as the physician and complainant. Ms. Bain suggested that the deadline be moved to four or five business days before the Board meeting.

H. DISCUSSION REGARDING REQUEST FOR CONSULTATION FROM THE ARIZONA REGULATORY SANDBOX ON SANDBOX APPLICATION PURSUANT TO A.R.S. § 41-5604

MOTION: Dr. Farmer moved for the Board to enter into Executive Session pursuant to A.R.S. § 32-431.03(A)(2)(3) to discuss confidential matters and obtain legal advice.

SECOND: Dr. Gillard.

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

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

MOTION PASSED.

The Board entered into Executive Session at 5:09 p.m.

The Board returned to Open Session at 5:48 p.m.

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

I. APPROVAL OF MINUTES

- December 3, 2025 Regular Session Meeting
- January 9, 2026 Summary Action Meeting

MOTION: Dr. Beyer approve the December 3, 2025 Regular Session Meeting, and January 9, 2026 Summary Action Meeting minutes.

SECOND: Dr. Bethancourt.

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

The following Board Member was absent:

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

MOTION PASSED.

LEGAL MATTERS

J. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON SETTLEMENT OFFER IN LIEU OF FORMAL HEARING (Scheduled to begin at 5:45 p.m.)

1. MD-18-1183A, MD-20-0310A, MD-21-0358A, MD-22-0789A, IRFAN MIRZA, M.D., LIC. #28306

Dr. Mirza and counsel Ethan Minkin participated virtually. Seth Hargraves, AAG participated virtually on behalf of the State. Deanie Reh, AAG participated virtually as the Board's Independent Legal Advisor.

Mr. Minkin stated that Dr. Mirza passed the PACE class and has taken CME classes that cover any deficiencies noted by the PACE report. A 2025 neuropsychological evaluation concluded that Dr. Mirza did not have a diagnosis. They proposed that Dr. Mirza take a Board approved class to demonstrate he's fit to practice medicine, as well as a PRoBE class on ethics. Mr. Minkin argued that Dr. Mirza is competent to practice medicine. Furthermore, Mr. Minkin stated that Dr. Mirza has met five of the six mitigating factors for Board discipline. While Dr. Mirza has a private practice in Nevada, he is also subject to strict oversight at DVH. Mr. Minkin asked that all circumstances be considered.

Dr. Mirza stated that all complaints filed against him by Western Arizona Regional Medical Center were untrue. During a fair hearing it was found that he was targeted maliciously and found no deviations from the standard of care. In 2021, there was supposed to be a decision from Arizona Medical Board regarding the complaints, however his attorney at the time was notified that there was a recommendation to revoke his license. He then entered an Interim Practice Restriction and started a practice in Laughlin, Nevada. He noted that he lost all contracts in Arizona because of the Practice Restriction as he was unable to issue prescriptions.

Mr. Hargraves summarized that Dr. Mirza was first licensed in the state of Nevada in January of 2000 and still holds an active, unrestricted license there. The Board licensed him in May of 2000, and he has been under a Practice Restriction since February of 2023. Case MD-18-1183A was initiated in December of 2018 after receiving a complaint from his employer. The Board reviewed three patient files in which the Medical Consultant (MC) found deviations of care in all three. Case MD-20-0310A was initiated in April of 2020 after receiving a complaint alleging a failure to perform an electrical cardioversion, failure to adequately treat, premature discharge, and inadequate care and treatment of a 76-year-old patient. The MC found that the standard of care was not met in that case as well. Case MD-21-0358A was initiated in April 2021 after the Board received a complaint alleging that Dr. Mirza entered inaccurate medical information, refused to amend medical records, and charged a fee for services not rendered. This individual indicated that the billing was only corrected once the Board got involved. Case MD-22-0789A started due to a Consent Agreement for a Letter of Reprimand and two-year Probation in case MD-21-0308B. Dr. Mirza did not successfully complete the PRoBE course or enter into a chart review contract as agreed in the Consent Agreement. SIRC reviewed the matter in October 2022 and recommended revocation. Dr. Mirza's representatives asked to allow him to complete a PACE evaluation and consider that before they went further. As a result, he entered an Interim Consent Agreement (ICA) for a Practice Restriction in February of 2023 which

prohibited him from practicing medicine in Arizona pending the outcome of the cases, however, staff discovered that Dr. Mirza was still writing prescriptions using his Arizona credentials. SIRC still recommended Revocation. Mr. Hargraves stated that the State takes no position on the settlement offer.

Mr. Minkin noted that they did provide the Board with additional evidence and requested that the Board consider that when deliberating.

Dr. Mirza denied issuing prescriptions in Arizona as he stated pharmacies would not accept them since his license was revoked. He added that he was under strict review by the Nevada Board for three years and they found no issues.

Dr. Figge inquired about what the actual settlement offer was.

Ms. Reh agreed that the settlement proposal is not clear about what Mr. Minkin is requesting.

Mr. Minkin requested that the Board allow him to confer with his client.

Dr. Gillard commented that given the patient care violation he would consider a disciplinary proposal, including the recommended CME. Dr. Gillard opined that he wants to table this for the next meeting so that a clear proposal be submitted for consideration.

MOTION: Dr. Gillard moved to table the matter until the next Board meeting for the Licensee and his attorney to outline a disciplinary settlement agreement for Board review.

SECOND: Ms. Bain.

Dr. Farmer agreed that if the Board is going to discuss something it should be at a later date. Dr. Beyer commented that based on the new information and Dr. Mirza's extensive Board history, a higher level of discipline should be considered.

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

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

MOTION PASSED.

K. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING SUMMARY ACTION

1. MD-24-0021A, MD-25-0755A, ETHAN M. PHILPOTT, M.D., LIC. #51541
J.S. addressed the Board during the Public Statements portion of the meeting.

Dr. Figge noted that the physician had signed a consent agreement.

Ms. Smith confirmed that the physician signed an ICA for practice restriction and it will go through the Board's normal process.

2. MD-25-0588A, DARIO L. LIZARRAGA, M.D., LIC. #28322
Dr. Lizarraga participated virtually with counsel Cory Tyszka.

Board staff summarized that the case was initiated from a complaint regarding safety and polypharmacy concerns. The MC concluded that Dr. Lizarraga deviated from the standard of care by prescribing Fioricet and benzodiazepines without clinical rationale, failing to query the CSPMP prior to prescribing controlled substances, and failing to refer the patient to a neurologist. SIRC reviewed the case and determined additional education and monitoring are necessary to make sure Dr. Lizarraga is incorporating the education into his practice. SIRC recommended a Letter of Reprimand with Practice Restriction that prohibits the prescription of controlled substances until he has completed medical record keeping and controlled substance prescribing CME courses. SIRC also recommended Dr. Lizarraga be offered an ICA for a Practice Restriction prohibiting him from prescribing

controlled substances while the matter is pending Board review. Board staff offered the Interim Consent Agreement to Dr. Lizarraga, who expressed concerns regarding his solo practice setting, patient care, and his plan to retire later in the year. Dr. Lizarraga's counsel asked that the ICA for Practice Restriction be amended to allow Dr. Lizarraga to prescribe controlled substances to hospice patients only. Dr. Lizarraga provided proof of enrollment in medical record keeping and controlled substance prescribing CME, which will begin in April 2026. This case is before the Board now for consideration of summary action and the attorney's revision request regarding the ICA for Practice Restriction.

Ms. Tyszka stated that Dr. Lizarraga is open to an Interim Practice Restriction with the revision that was requested. Dr. Lizarraga is the medical director and primary provider at Agave Hospice, therefore, losing the ability to prescribe controlled substances would be harmful to his patients. He has since implemented changes to his practice and is in agreement with the rest of the terms of the ICA. Ms. Tyszka noted that the concerns raised during the investigation were isolated to this one patient, there were no other issues found. Dr. Lizarraga is asking the Board to allow him to enter into the ICA with the exception of allowing him to write controlled substance prescriptions to hospice patients in lieu of summary suspension.

Dr. Lizarraga reiterated the importance of his job as he treats hospice patients in rural areas. If he is unable to prescribe controlled substances, there will be a delay in care as patients will have to travel farther to receive treatment. Dr. Lizarraga confirmed that he is already enrolled in the required CME courses and asked the Board to grant his request.

Dr. Farmer noted the physician's willingness to enter the ICA with the requested hospice exception and inquired if there was concern from SIRC or Board Staff regarding potential results if Dr. Lizarraga's request was granted.

Board staff clarified there was no concern. This was the first time receiving a request like this and felt that it was the Board's decision to make.

Dr. Farmer opined that accepting Dr. Lizarraga's request would still protect public safety.

MOTION: Dr. Farmer moved to approve an ICA for a Practice Restriction from prescribing controlled substances excluding confirmed hospice patients while the case is pending adjudication.

SECOND: Dr. Bethancourt.

Dr. Gillard spoke against the motion and opined that an advisory letter with CME requirements and the practice restriction would have sufficed for this case. Ms. Bain spoke in favor of the motion since there are significant issues here and opined that it is thoughtful that the Board is considering it given the hospice situation. Dr. Farmer stated that he would like to see a more thorough, complete investigation before taking final action.

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

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

MOTION PASSED.

CONSENT AGENDA

L. CASES RECOMMENDED FOR ADVISORY LETTERS

MOTION: Dr. Gillard moved to issue an Advisory Letter in item numbers 1, 4-5, 7, 9, and 11.

SECOND: Dr. Artz.

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

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

MOTION PASSED.

1. MD-25-1030A, SHIBU D. SKARIA, M.D., LIC. #62755

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.

2. MD-25-0844A, ELIS Y. OLSON, M.D., LIC. #62023

Dr. Gillard inquired if the Board should terminate the suspension as well.

Board staff confirmed that SIRC's recommendation was for termination of the suspension and to issue an Advisory Letter.

Ms. Samaradellis clarified that the suspension was issued based on the IMLCC action, but Dr. Olson's license is in an expiration status, and he has chosen not to renew, so they haven't lifted the suspension.

Dr. Gillard opined that there is no reason not to terminate the suspension.

Ms. Smith informed the Board that once there is a final resolution on this case, the suspension will be lifted automatically, and Dr. Olson's license will expire.

MOTION: Dr. Gillard moved to issue an Advisory Letter for action taken by the Mississippi Board. 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.

Ms. Bain inquired if the Board still needs to close the case since the licensee elected to not renew.

Ms. Smith confirmed that the Board needs to resolve this case and then the license will expire.

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

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

MOTION PASSED.

3. MD-25-0011A, STEVEN D. JOHNSON, M.D., LIC. #59372

Counsel Samuel Stern addressed the Board during the Public Statements portion of the meeting on behalf of the physician.

Dr. Gillard noted that this incident occurred in 2015 and opined that the physician has since learned his lesson. Dr. Figge clarified that Wisconsin Medical Board took action against the licensee, and the Colorado Board withdrew the report to the NPDB.

MOTION: Dr. Gillard moved to dismiss.

SECOND: Dr. Bethancourt.

Ms. Smith clarified that the NPDB report was pulled since the action was not disciplinary and was not reportable. The underlying actions were still upheld.

Dr. Beyer spoke against the motion as there was action taken in Wisconsin and it warrants an Advisory Letter. Dr. Gillard noted that it has been more than ten years and there is no need for tracking. Dr. Gillard stated that the Board can consider mitigating factors as well.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Dr. Farmer and Dr. Gillard.

The following Board members voted against the motion: Dr. Beyer and Dr. Artz

The following Board member abstained: Ms. Bain.

VOTE: 5-yay, 2-nay, 1-abstain, 0-recuse, 0-absent.

MOTION PASSED.

4. MD-25-0533A, PATRICK L. MCCARTHY, M.D., LIC. #57767

RESOLUTION: Advisory Letter for failing to identify and report a large right hemothorax on a CT scan. 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.

5. MD-25-0675A, LAURA K. SCHROEDER, M.D., LIC. #41709

RESOLUTION: Advisory Letter for failing to address concerns of hearing loss and ringing in the ears from amikacin toxicity in a timely manner. 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.

6. MD-24-1229A, NEIL M. D'SOUZA, M.D., LIC. #67267

Dr. Beyer inquired if a report was made to the Bureau of Radiation Control and the Arizona DHS since radiation was provided to the wrong body part.

Board staff confirmed that there were two site checks conducted by Arizona Oncology and DHS looked at the medical dosimetrists, however, Board staff did not make a referral for DHS on this case.

Dr. Beyer opined that the dosimetrist had no fault in this case, and that there should be CME requirements attached to the Advisory Letter. Dr. Beyer noted that had the physician conducted a physical examination on the patient, he would have identified that the wrong breast was being treated. In addition, the consent form that was signed only said "breast" which is not up to standard since it did not specify which one was being treated. Dr. Beyer commented that this was an avoidable situation.

Dr. Deschamps noted that there are CME courses specific to wrong side procedures.

MOTION: Dr. Beyer moved to issue an Advisory Letter and Order for Non-Disciplinary CME for administering radiation therapy to the wrong site and inaccurate documentation. 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. Within six months, complete no less than 5 hours of Board staff pre-approved Category I CME in the prevention of wrong site misadministration of radiation therapy. The CME hours shall be in addition to the hours required for license renewal.

SECOND: Dr. Gillard.

Dr. Beyer noted that he found the physician's ability to take responsibility for this mistake mitigating which is why he moved for Non-Disciplinary CME.

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

The following Board member abstained: Ms. Bain

VOTE: 7-yay, 0-nay, 1-abstain, 0-recuse, 0-absent.

MOTION PASSED.

7. MD-25-0419A, EJOVI O. UGHWANOGHO, M.D., LIC. #46957

Counsel Leanne Hay addressed the Board during the Public Statements portion of the meeting on behalf of the physician.

RESOLUTION: Advisory Letter for failing to obtain previous relevant medical records prior to elective repeat spine surgery. 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.

8. MD-25-0147A, SHARON R. THOMPSON, M.D., LIC. #35615

Dr. Bethancourt inquired if the Board is asking that written consent always be signed when treatment is being given by a medical student. Dr. Artz noted that oral consent is standard when medical students, operating techs, and nursing students are involved in patient care. It is not a precedent or standard of care to require a separate consent for them.

MOTION: Dr. Artz moved to dismiss.

SECOND: Dr. Farmer.

Dr. Farmer commented that if the Board puts up more barricades, it will impede the system. Dr. Farmer opined that no one is being taken advantage of here.

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

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

MOTION PASSED.

9. MD-24-0416A, MARK A. VAN ANTWERP, M.D., LIC. #29376

RESOLUTION: Advisory Letter for failing to perform an adequate preoperative airway examination and obtain pre-operative vital signs prior to administering anesthesia. 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.

10. MD-24-0626A, MOIRA E. WRISTEN, M.D., LIC. #29188

Dr. Artz stated that she knows the physician but that it would not affect her ability to adjudicate the case.

Dr. Bethancourt noted that this was the patient's initial office visit and the physician did a breast exam. The complaint is that there wasn't written consent. Dr. Bethancourt stated that the physician was correct for doing the breast exam and it was appropriate care.

MOTION: Dr. Bethancourt moved to dismiss.

SECOND: Dr. Gillard.

Dr. Gillard noted that the physician was a female. Dr. Artz explained that there could still be breast tissue left behind after a double mastectomy, so it is very important to continue breast exams. Since this was the first time the physician saw the patient, the breast exam was thorough and appropriate. Dr. Artz noted that separate consents are done for procedures, not examinations. Dr. Beyer concurred and stated that he would have been highly critical had there not been a breast examination during the visit.

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

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

MOTION PASSED.

11. MD-25-0257A, RON K. HER, M.D., LIC. #71825

RESOLUTION: Advisory Letter for action taken by the Kentucky Board. 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.

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

1. MD-24-0881A, CAROL M. DEHASSE, M.D., LIC. #29765

Counsel Robert Stultz addressed the Board during the Public Statements portion of the meeting on behalf of the physician.

Dr. Bethancourt agreed with the argument that this was a process issue where the patient wasn't given the dismissal.

MOTION: Dr. Bethancourt moved to dismiss.

SECOND: Dr. Gillard.

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

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

MOTION PASSED.

2. MD-25-0526A, LAWRENCE J. DAMORE, M.D., LIC. #27501

Dr. Damore and counsel Cory Tyszka addressed the Board during the Public Statements portion of the meeting.

Dr. Gillard noted that he initially had some concern about this case until hearing the Chief Medical Consultant's opinion.

MOTION: Dr. Gillard moved to dismiss.

SECOND: Dr. Bethancourt.

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

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

MOTION PASSED.

3. MD-24-0435A, MICHELLE L. CABRET, M.D., LIC. #30196

Dr. Cabret and counsel Cory Tyszka addressed the Board during the Public Statements portion of the meeting. C.B. addressed the Board during the Public Statements portion of the meeting.

Dr. Beyer opined that he is unsure if the Advisory Letter or CME is indicated.

MOTION: Dr. Beyer moved to dismiss.

SECOND: Dr. Gillard.

Dr. Gillard acknowledged the complication of this case and concurred with the MC that the implants should have been removed. However, Dr. Gillard opined that the physician has learned from this.

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

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

MOTION PASSED.

N. REVIEW OF EXECUTIVE DIRECTOR DISMISSALS

MOTION: Dr. Gillard moved to uphold the Executive Director's dismissal in item numbers 2-4.

SECOND: Dr. Farmer.

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

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

MOTION PASSED.

1. MD-24-0586A, MICHAEL S. FRUCHTER, M.D., LIC. #40501

Dr. Gillard noted that he did not see any new information in the case file after the case was sent back for further investigation in a previous meeting.

Board staff clarified that the case was sent back because the incorrect appeal was uploaded and the correct appeal needed to be upload, not because further investigation was needed. There was no new information obtained and it was being brought back to the Board now that the correction had been made.

Dr. Deschamps confirmed that it is still his recommendation to uphold the Executive Director's dismissal.

MOTION: Dr. Gillard moved to dismiss.

SECOND: Dr. Bethancourt.

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

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

MOTION PASSED.

2. MD-25-1003A, USMA S. AHMAD, M.D., LIC. #44841

RESOLUTION: Dismissal upheld.

3. MD-25-0739A, PAUL M. MAGTIBAY, M.D., LIC. #23052

G.P. addressed the Board during the Public Statements portion of the meeting.

RESOLUTION: Dismissal upheld.

4. MD-24-1132A, JOSHUA S. SILVER, M.D., LIC. #55652

Counsel Jeffrey McLerran addressed the Board during the Public Statements portion of the meeting on behalf of the physician. K.O. addressed the Board during the Public Statements portion of the meeting.

RESOLUTION: Dismissal upheld.

O. PROPOSED CONSENT AGREEMENTS (Disciplinary)

MOTION: Dr. Gillard moved to accept the consent agreement in item numbers 1-3.

SECOND: Dr. Artz.

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

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

MOTION PASSED.

1. MD-23-0588A, MANINDER P. CHATHA, M.D., LIC. #31458

RESOLUTION: Consent Agreement for Surrender of License.

2. MD-24-0481A, MD-25-0635A, PARESH GOEL, M.D., LIC. #44344

RESOLUTION: Consent Agreement for Surrender of License.

3. MD-24-0508A, SAJAD ZALZALA, M.D., LIC. #53183

RESOLUTION: Consent Agreement for a Letter of Reprimand.

P. 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. Artz.

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

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

MOTION PASSED.

1. MD-25-0552A, GEORGE K. IBRAHIM, M.D., LIC. # N/A

Counsel Sara Stark addressed the Board during the Public Statements portion of the meeting on behalf of the physician.

RESOLUTION: License granted.

2. MD-26-0111A, KRISTEN R. CASTILLO, M.D., LIC. # N/A

RESOLUTION: License granted.

3. MD-25-1044A, LISA MERRILL, M.D., LIC. # N/A

RESOLUTION: License granted.

ii. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE OR DENY LICENSE APPLICATION, OR TAKE OTHER ACTION WITH STAFF RECOMMENDATION**

1. MD-25-0170A, DAVID L. GREENE, M.D., LIC. # N/A

Dr. Greene and counsel Sara Stark addressed the Board during the Public Statements portion of the meeting.

Dr. Gillard noted that this was a complicated case and inquired if the Board should table this to allow the physician to present a more detailed proposal. Dr. Figge noted that the physician stated wanting to perform non-surgical ortho procedures and administrative duties, and that he did go through CPEP. Dr. Farmer opined that there was an egregious history and expressed concerns about public safety if the license is granted. Dr. Figge added that it has been almost 20 years since the physician last practiced medicine. Dr. Bethancourt stated that he would like to see the physician complete at least 160 hours of CME courses given the 20-year practice gap. Dr. Figge opined that the completion of the courses is not equivalent to patient care. Dr. Beyer agreed that the two aren't the same, however CPEP is still a type of education that shows the physician is up to date given he hasn't practiced. Dr. Beyer opined that an unrestricted license would not be appropriate in this case. Dr. Gillard stated that he would be comfortable if the physician is restricted to administrative duties only. Dr. Farmer opined that the ethical concerns raised by SIRC are still not being addressed. Dr. Figge noted that Ms. Stark suggested a probationary license, but that the terms weren't definitive enough for consideration. Dr. Figge commented that a lot of the CME completed had nothing to do with patient care which does not alleviate his concern about the practice gap. Dr. Figge spoke against granting the license unless a more defined offer is presented.

MOTION: Dr. Gillard moved to table this matter to allow the physician to propose an offer.

SECOND: Dr. Bethancourt.

Dr. Beyer inquired if the new proposal was the Board's responsibility or the physician's. Dr. Gillard stated that it would be the physician's responsibility to propose a new offer that ensures the Board of patient safety. Dr. Beyer commented that the Board has issued probationary licenses in the past that prohibited intervention care.

Ms. Smith advised that if the Board would like to hear more, then the matter should be tabled until a more defined offer is presented.

Dr. Gillard noted that being allowed only administrative duties would not cause patient harm, therefore he is comfortable with allowing the physician to come back with that type of proposal. Dr. Farmer spoke against the motion and expressed that a denial of licensure would be more appropriate since the physician can still perform administrative duties without a license to practice medicine. Dr. Figge added that the physician currently oversees three different clinics and carries out their administrative duties.

VOTE: The following Board members voted in favor of the motion: Dr. Bethancourt, Ms. Dorrell, Dr. Artz, Ms. Bain, Dr. Beyer and Dr. Gillard.
The following Board members voted against the motion: Dr. Figge and Dr. Farmer.
VOTE: 6-yay, 2-nay, 0-abstain, 0-recuse, 0-absent.
MOTION PASSED.

Board members confirmed that the proposal should go to SIRC for consideration prior to coming before the Board.

iii. 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

MOTION: Dr. Gillard moved to grant licensure by endorsement in item numbers 1-4.
SECOND: Dr. Beyer
VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Bethancourt, Ms. Dorrell, Dr. Artz, Ms. Bain, Dr. Beyer, Dr. Farmer and Dr. Gillard
VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.
MOTION PASSED.

1. AMAN KUMAR, M.D., LIC. # N/A
Dr. Kumar addressed the Board during the Public Statements portion of the meeting.

RESOLUTION: License granted.

2. DANIEL D. CAVALCANTI, M.D., LIC. # N/A
Dr. Cavalcanti addressed the Board during the Public Statements portion of the meeting.

RESOLUTION: License granted.

3. ACHILLE MILETO M.D., LIC. # N/A

RESOLUTION: License granted.

4. KIRANKUMAR SAILA GUNDLA, M.D., LIC. # N/A

RESOLUTION: License granted.

iv. CONSIDERATION AND POSSIBLE ACTION TO APPROVE OR DENY LICENSE APPLICATION WITH PROPOSED CONSENT AGREEMENT

1. MD-25-0231A, STANLEY KAPLAN, M.D., LIC. # N/A
Dr. Gillard stated that the criminal conviction being considered in this case was not for patient harm.

MOTION: Dr. Gillard moved to grant the license and accept the proposed consent agreement for a Probationary License.

SECOND: Dr. Beyer.

Dr. Figge noted that the probationary license would last through June 2027, and the licensee would not be able to practice Medicare until 2033.

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

The following Board member abstained: Dr. Farmer

VOTE: 7-yay, 0-nay, 1-abstain, 0-recuse, 0-absent.

MOTION PASSED.

v. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING APPLICANT'S REQUEST FOR WAIVER OF DOCUMENTATION REQUIREMENT

1. BONNA ROGERS-NEUFELD, M.D., LIC. # N/A

Dr. Gillard noted that the waiver request was for a 1996 malpractice settlement that he is unable to obtain, and the physician had no actions taken against him by other certifying Board's.

MOTION: Dr. Gillard moved to grant the request for waiver and license.

SECOND: Dr. Bethancourt.

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

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

MOTION PASSED.

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

OTHER BUSINESS

Q. GENERAL CALL TO THE PUBLIC

JV addressed the Board during the general call to public regarding a complaint he filed with the Board.

R. ADJOURNMENT

MOTION: Dr. Farmer moved to adjourn the meeting.

SECOND: Dr. Bethancourt.

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

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

MOTION PASSED.

The meeting adjourned at 9:59 p.m.



Raquel Rivera

Raquel Rivera, Executive Director