



Janet Napolitano
Governor

State Of Arizona Board of Podiatry Examiners
"Protecting the Public's Health"

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Barry Kaplan, DPM; Joseph Leonetti, DPM; Dedrie Polakof, DPM; Paula Hollins, Public Member;
Jeanne Reagan, Public Member, Dee Doyle, Executive Director

REGULAR SESSION MINUTES
Board Meeting

August 26, 2008 2:00 p.m.
1400 West Washington St., B2
Phoenix, AZ 85007

Board Members: Dedrie Polakof, D.P.M., Board President
Joseph Leonetti, D.P.M., Member
Barry Kaplan, D.P.M., Member
Paula Hollins, Secretary-Treasurer
Jeanne Reagan, Public Representative

Assistant Attorney General: Keely Verstegen

Staff: Dee Doyle, Executive Director

The Agenda for the meeting is as follows:

A. CALL TO ORDER

The scheduled meeting of the Arizona State Board of Podiatry Examiners was called to order at 2:05 P.M., Dr. Polakof presiding.

B. ROLL CALL

Dr. Polakof, President called the roll. Dr. Leonetti arrived at 2:40 pm and Ms. Reagan arrived at 2:15 pm.

C. DISCUSSION AND CONSIDERATION AND POSSIBLE ACTION ON ADMINISTRATIVE MATTERS

The Board may vote to go into Executive Session pursuant to A.R.S. § 38-431.03(A) (2) (to discuss confidential information), A.R.S. § 38-431.03(A) (3) (to receive legal advice).

1. Discussion on proposed consolidation meeting at the state capitol September 4, 2008 at 8:00 am

Dr. Polakof summarized her attempts to contact Bill Bell, Director of Arizona Department of Administration on August 18, 2008 regarding the critical need to fill the executive director position for the Podiatry board.

At a meeting on August 21, 2008 Tracy Hannah told the directors the consolidation of the eleven boards is going to happen.

On August 25th Dr. Polakof again called Bill Bell, he was very short and rude with his answers, he informed Dr. Polakof that he works for the governor, that he would confer with Tracy Hannah and he would make a decision and that is how it would be.

Dr. Polakof told Bill Bell she wanted to give him the Boards concerns if he does not allow this position to be filled. Mr. Bell stated it doesn't make any difference that what ever he decides will be it.

The Board has the statutory authority to hire a permanat employee for this position, it is very critical to the Board especially with the ongoing sunset audit.

None of the Board members will be able to attend this meeting. The Board is still opposed to the consolidation of the Podiatry Board with other State Medical Boards as proposed by Tracy Hannah into a Modern Health Board.

2. Personal employee position

This matter was discussed along with number 1.

D. REVIEW, DISCUSSION AND POSSIBLE ACTION ON AUDITOR GENERAL'S PRELIMINARY REPORT AND BOARD'S RESPONSE.

The Board may vote to go into Executive Session pursuant to A.R.S. § 38-431.03(A) (2) (to discuss confidential information), A.R.S. § 38-431.03(A) (3) (to receive legal advice).

MOTION: Dr. Polakof moved to go into Executive Session pursuant to A.R.S. § 38-431.03(A) (2) (to discuss confidential information), A.R.S. § 38-431.03(A) (3) (to receive legal advice). Dr. Kaplan seconded the motion.

VOTE: The motion passed unanimously 4 yes, 0 no and 1 absent

The Board convened executive session at 2:20 pm.
The Board convened regular session at 2:50 pm

Dr. Leonetti arrived at the meeting at 2:40 pm

Discussion was made regarding the Boards legal right to hire an executive director.

3. Performance Audit Review/Update

The Board will adjourn to Executive Session to consider records exempt from public inspection pursuant to ARS 32-41.03(A) (2)

MOTION: Dr. Polakof moved to go into Executive Session pursuant to A.R.S. § 38-431.03(A) (2) (to discuss confidential information), A.R.S. § 38-431.03(A) (3) (to receive legal advice). Dr. Kaplan seconded the motion.

VOTE: The motion passed unanimously 5 yes, 0 no

The Board convened executive session at 2:59 pm.
The Board convened regular session at 3:42 pm

MOTION: Dr. Polakof moved to adopt the following policy and procedure for handling of previous disciplinary cases as stated below:

- When any physician is called before the Board, the executive director will bring the licensee's file to the meeting. The executive director will retain that file until the Board determines whether or not to take action against a licensee. Only after and if the Board determines to issue discipline to the licensee will the Executive Director use the file to provide information to the Board regarding a licensee's past disciplinary history. This information will be shared for the Board's use in determining discipline for a licensee.

Ms. Reagan seconded the motion.

VOTE: The motion passed unanimously 5 yes, 0 no.

MOTION: Dr. Kaplan moved to adopt the following policy and procedure for requesting documentation from a doctor when a complaint has been received. Ms. Reagan seconded the motion.

- The Board will use subpoenas as a means of initially requesting information from the licensees when a complaint is received. The subpoena will request that documentation be sent within 20 days.

VOTE: The motion passed unanimously 5 yes, 0 no

E. CONSENT AGENDA

(Any item under this consent agenda may be removed for independent discussion and action by a Board Member.) (These items can be voted on with one motion and one vote). The Board may vote to go into Executive Session pursuant to A.R.S. § 38-431.03(A) (2) (to discuss confidential information), A.R.S. § 38-431.03(A) (3) (to receive legal advice).

1. **RENEWAL APPLICATION FOR 2008**

Bowen, Jason
Dershowitz, Michael
Flake, Robert
Lawson, Bjorn
Ranta, Terry
Reed, Trena
Weiss, Jeffrey
Wyant, Scott
Wilson, James P
Montes, Eduardo
Barinque, Mark

MOTION: Dr. Polakof moved to approve the renewal application for 2008 listed above with the exception of James Wilson, Eduardo Montes and Mark Barinque; their application is approved upon receipt of proof of citizenship. Ms. Reagan seconded the motion.

VOTE: The motion passed unanimously 5 yes, 0 no

F. CALL TO THE PUBLIC

Citizens who want to address the Board do not need to request permission in advance, but they do need to complete a "Citizen's Request to Speak to the Board" form so that the Board is aware that they are here and that they want to speak to the Board. Each person who wants to address the Board will be given five (5) minutes to do so. However, the Board may limit the number of persons speaking on each issue to a reasonable number of persons. Pursuant to A.R.S. § 38-431.02(H), the Board can discuss or take action ONLY on matters that are listed on the Agenda. Board action on issues that are not listed on the Agenda is limited to directing staff to study the matter or to schedule the matter for further discussion at a future Board Meeting.

No public was present to address the board.

Dr. Polakof instructed staff to agenzized to post the September 10, 2008 board meeting to go over all of the pending administrative issues; no cases will be heard at this meeting.

NOTE: Next Meeting Date: September 10, 2008

ADJORNMENT

There being no further business before the Board, the meeting was adjourned at 4:00 p.m.

Respectfully submitted,

Dee Doyle
Executive Director

APPROVED:
Dedrie Polakof, DPM
Board President