



State Of Arizona Board of Podiatry Examiners
1400 W. Washington, Ste. 230
Phoenix, AZ 85007
(602) 542-3095
Fax: 542-3093

AGENDA FOR REGULAR SESSION MEETING
Scheduled to begin at 8:30 a.m. on July 9, 2008
1400 West Washington St., B1, Phoenix, AZ 85007

Notice is hereby given to the general public and to the members of the State of Arizona Board of Podiatry Examiners (Board), that the Board will hold a regular meeting open to the public at the Board's offices located at 1400 W. Washington, Phoenix, Arizona. A.R.S. § 38-431.02. The Board, upon a majority vote of a quorum of the members, may hold an *Executive Session* on any of the listed agenda items to discuss or consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law or to obtain legal advice. A.R.S. § 38-431.03(A) (2) and (3). Those wishing to address the Board need to request permission in advance; however, the Board may limit those persons speaking during the "Call to the Public" at three (3) per side on any one issue. A.R.S. § 38-431.01(G). The Board can only take action on matters listed on the agenda and other matters related thereto. A.R.S. § 38-431.02(H). If appropriate, actions on public comment matters that are not listed on the agenda will be limited to directing staff to study the matter or schedule the matter for further discussion at a later date. A.R.S. § 38-431.01(G).

The Board reserves the right to change the order of items on the agenda, except for matters set for a specific time. The investigative interviews are scheduled to be heard during specific time blocks. However, the President of the Board reserved the right to call cases in random order. Please note that the recommendations listed on the agenda are merely suggested Board actions. These recommendations do not become final until adopted by the Board. The Board has the authority to accept, reject or modify any recommendation listed in the agenda.

Americans with Disabilities Act: Persons with disabilities may request reasonable accommodations by contacting Dee Doyle at (602) 542-3095. Requests should be made as early as possible to allow time to arrange the accommodation.

THE BOARD WILL CONSIDER, DISCUSS AND MAY TAKE ACTION ON ANY AGENDA ITEM.

Board Members

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

Staff: Dee Doyle, Executive Director

Assistant Attorney General: Keely Verstegen

The Agenda for the meeting is as follows:

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF MINUTES

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. June 11, 2008 Regular Board Meeting Minutes
2. June 11, 2008 Executive Session Minutes
3. July 1, 2008 Teleconference Board Meeting Minutes

D. REVIEW, DISCUSSION AND POSSIBLE ACTION ON REGULATORY MATTERS.

Pursuant to A.R.S. § 32-852.01 the Board will conduct an Investigate The board on its own motion may investigate any evidence which appears to show that a podiatrist is or may be guilty of a violation of Section 32-852. 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. INFORMAL HEARING

- a) 08-17-B GEORGE N. THOMPSON – Non compliance of Board Order for Psychiatric evaluation and subpoena's response

2. INVESTIGATIVE INTERVIEW

- a) 08-01-C KELVIN CREZEE – **Requested a continuance until July 9, 2008-Investigative Interview 8:30 am - continued from June 11, 2008** –medical records received, CD of x-rays
- b) 08-08-C ROBERT ZOBEL – **Investigative Interview 8:30 am** – medical records received & x-rays
- c) 08-07-C CLARK FULLMER – **Investigative Interview 8:30 am-** medical records received & x-rays
- d) 08-03-C ELAINE SHAPIRO – Investigative Interview 8:30 am with two telephone interview with Stephen and Gilbert Shapiro separately
- e) 08-09-B MARY PETERS- **Investigative Interview 8:30 am** for possible violation according to A.R.S. §32-871(A) (2), 32- 854.01(11) (20), for prescription charting, treating outside scope of Practice and practices harmful to patient.
- f) 07-37-M BRANDON KIM - **Investigative Interview 8:30 am continued from April 9, 2008 till August 13, 2008 – Review proposed consent agreement**
- g) 07-38-M MARK GORMAN - **Investigative Interview, 8:30 am continued from March and April till August 13, 2008.**

3. INITIAL REVIEW

- a) 08-10-C MARY PETERS- Board review
- b) 08-11-C MICHAEL ESBER-Board review
- c) 08-16-C BRAD HAYMAN – Board review
- d) 08-18-C DAVID LAURINO- Board review
- e) 08-19-C JOSEPH DOBRUSIN- Board review

4. OPEN COMPLAINTS

- a) 05-27-M ELAINE J. SHAPIRO – litigation completed – Board review of case
- b) 06-03-C GEORGE N. THOMPSON – Board review of case
- c) 06-11-C GEORGE N. THOMPSON - Board review of case
- d) 06-28-C GEORGE N. THOMPSON - Board review of case
- e) 07-36-B GEORGE N. THOMPSON - Board review of case
- f) 08-13-C GEORGE N. THOMPSON – Board review of case
- g) 07-11-C J. DAVID BROWN – Review, discussion and possible action on status of investigation and decision regarding future handling.
- h) 08-12-C ELAINE SHAPIRO – review case
- i) 08-14-C H. WILLIAM REESE – Board review
- j) 08-15-C JEFFERY COPOLOFF – Board review

5. STATUS UPDATES – no board action information only

- a) 06-22-M ANDREW LOWY- in litigation,
- b) 07-28-C KENT PETERSON – monthly report update

6. PROBATIONARY STATUS REPORTS

- a) 07-32-B SERJIK NAZARIAN – monthly review of records for consent agreement and **Investigative Interview regarding audit of records – 8:30 am.**

- b) 06-04-C ALAN GAVECK – Decree of Censure and Order in place as of May 6, 2008– request for a stay pending the appeal outcome. Stay requested till after appeal process is completed.

7. RENEWAL APPLICATIONS

- 1. Re-review application received substantive request.
 -) Morten Krahn
 - b) Antonius Su
 - c) Chad Whestphal
 - d) Karen Smith

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

Allen, Brian	Jaffe, David	Shapiro, Gilbert
Axt, Steven	Jenkins, David	Shapiro, Paul
Barrett, Stephen	Jensen, Travis	Steck, Jerome
Birch, Douglas	Kaufman, Ira	Tassone, John
Black, Janet	Kluger, Barbara	Taxier, Wesley
Born, Steven	Kratzer, Duane	Tierney, Edward
Burns, Ana	Leonard, Ross	
Chaison-Kaye, Sandra	Levine, Robert	Wiebe Edward
Cohen, Stanton	McKay, Cameron	Young, Susan
Curtis, Donald	Moyer, Wayne	Zappa, Frank
Derose, Joseph	Myskiw, Peter	
DiMaggio, John	Newswander, Bradley	
Discount, Alan	Otero-Quintero, Sarah	
Dobrusin, Joseph	Peters, Mary	
Dolnick, Samuel	Pfitzer, Tawnya	
Erotas, John	Reese, Hewitt William	
Fiorino, John	Resnick, Jeffrey	
Fishco, William	Rosenthal, Martin	
Fridrich, Robert	Rowland, Roberta	
Gross, Arnold	Sangalang, Maria	
Haddad, Marisa	Schulman, Daniel	
Hollander, Corina	Sekosky, Timothy	
	Seulean, Myron	

F. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON CORRESPONDENCE -

- 1. Correspondence received from Janice Clark, DPM regarding a fellowship program and a provisional license.
- 2. Faxed correspondence received from Premier Foot & Ankle Surgeons regarding a called in prescription.

G. 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. Executive Director up date report –
 - a. Expenditure report
 - b. Miscellaneous
 - i. Staff instruction on how complaints are to be handled, allegation, documentation to request.

- ii. Proposed legislation on fee sweeps

H. 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.

I. FUTURE AGENDA ITEMS.

Vacant

ADJORNMENT

NOTE: Next Meeting Date: August 13, 2008