



Douglas A. Ducey,
Governor

Arizona State Board of
Podiatry Examiners
“Protecting the Public’s Health”

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OPEN SESSION MINUTES

November 14, 2018

Members of the Arizona State Board of Podiatry Examiners (“Board”) held a meeting at 9:12 a.m. on Wednesday, November 14, 2018 at the Board’s office in Boardroom C, 1740 West Adams St., Phoenix, Arizona 85007. An executive session was not held.

BOARD MEMBERS:

Barbara Campbell, DPM..... Board President and Practitioner Member
John Rhodes Secretary and Public Member
Barry Kaplan, DPM. Practitioner Member
Joseph Leonetti, DPM.....Practitioner Member
Vacancy..... Public Member

STAFF AND ASSISTANT ATTORNEY GENERAL PRESENT:

Kristina C. Gomez Executive Director
Frankie Shinn-Eckberg, Esq..... Assistant Attorney General

GUEST(S) PRESENT AND/OR PARTICIPATING

Hugh Hall, DPM.....Respondent
☎ Jerome Steck, DPM.....Respondent
T. Scott King, Esq.....Respondent’s Attorney
☎ Complainant.....Investigative Case19-02-C

OPEN SESSION

The meeting was called to order at 9:12 a.m. by Dr. Barbara Campbell. The following order of business was then considered:

DECLARATION OF CONFLICTS OF INTEREST – A.R.S. § 38-503

No new conflicts were declared.

ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

Investigation File(s)

18-11-B; Hall, Hugh, DPM

Dr. Hall participated by phone. The investigator, Dr. Dedrie Polakof was not present. Dr. Barbara Campbell summarized the complaint and the investigation, and the Board discussed the file. Dr. Hall made brief remarks and answered the Board’s questions regarding the matter.

After discussion, a motion was made by Dr. Barbara Campbell, seconded by Mr. John Rhodes and passed 4 – 0 to dismiss the case due to no violations of Board Statutes and Rules.

	Dr. Campbell	Dr. Leonetti	Dr. Kaplan	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

18-25-C: Clark, Seth, DPM

This matter was moved to the December 12, 2018 board meeting.

19-02-C: Steck, Jerome, DPM

Dr. Jerome Steck participated by phone and his legal counsel was present, T. Scott King. The investigator, Dr. Dedrie Polakof was not present. The complainant participated by phone. Dr. Barbara Campbell summarized the complaint and the investigation, and the Board discussed the file. The complainant summarized the care he received from Dr. Steck and responded to the Board’s questions. Dr. Steck provided an explanation of the patient’s care and the Board asked Dr. Steck several questions. The Board continued to discuss the matter further with additional questions for Dr. Steck.

A motion was made by Dr. Campbell, seconded by Mr. John Rhodes, and passed 4 – 0 to table the matter until next month, December 12, 2018 to allow the Board time to review additional information per the motion. In the motion, the Board requested MRIs, CTs, any other images, intraoperative fluoroscopy, consent forms, progress notes, and op report.

	Dr. Campbell	Dr. Leonetti	Dr. Kaplan	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

The Board took a break from 11:01 a.m. to 11:10 a.m.

OPEN SESSION

REVIEW, DISCUSSION AND POSSIBLE ACTION ON BOARD MEETING MINUTES

Discussion and approval of the Open Session Minutes from the October 10, 2018 board meeting
After the Board made an amendment, a motion was made by Dr. Joseph Leonetti, seconded by Mr. John Rhodes, and passed 3 – 0 – 1 to approve the Open Session Minutes from the October 10, 2018 Board meeting as written. Dr. Barbara Campbell abstained from the vote.

	Dr. Campbell	Dr. Leonetti	Dr. Kaplan	Mr. Rhodes	VACANCY
Yay		X	X	X	
Nay					
Recused					
Abstained	X				
Absent					

Discussion and approval of the Executive Session Minutes from the October 10, 2018 board meeting

A motion was made by Dr. Barry Kaplan, seconded by Mr. John Rhodes, and passed 3 – 0 – 1 to approve the Executive Session Minutes from the October 10, 2018 Board meeting as written. Dr. Barbara Campbell abstained from the vote.

	Dr. Campbell	Dr. Leonetti	Dr. Kaplan	Mr. Rhodes	VACANCY
Yay		X	X	X	
Nay					
Recused					
Abstained	X				
Absent					

ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

Issuance of Licenses – A.R.S. § 32-826

After a review of the application, a motion was made by Dr. Barbara Campbell, seconded by Dr. Barry Kaplan and passed 4 – 0 to issue licenses to the following applicants to practice podiatry, to be issued on the condition that the required license issuance fee shall be paid within 12 months from the date of Board approval:

	Dr. Campbell	Dr. Leonetti	Dr. Kaplan	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

1. Alghuraibi, Ohoud, DPM
3. Fairbanks, Steven, DPM
4. Yetter, Marcus, DPM

Application(s) for Registration to Dispense Drugs/Devices – A.A.C. R4-25-602

After review of the applications, a motion was made by Dr. Barry Kaplan, seconded by Mr. John Rhodes and passed 4 – 0 to grant the applicants a registration to dispense drugs/devices contingent upon receipt of a copy of the applicants’ DEA certificate.

1. Carranza, Leobardo, DPM
2. Barnes, Demetrius, DPM
3. Park, Sarah, DPM
4. Richey, Johanna, DPM
5. Yetter, Marcus, DPM

	Dr. Campbell	Dr. Leonetti	Dr. Kaplan	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

Update of Consent Agreement and Order

15-06-C; Peterson, Kent, DPM

The Board discussed Dr. Kent Petersons’ consent agreement due to medical matter. Dr. Peterson communicated with the Board his situation and his inability to comply with the probation issue pursuant to the consent agreement. The Board discussed the matter further with the Assistant Attorney General.

After the Board discussed the matter, a motion was made by Dr. Barry Kaplan, seconded by Dr. Joseph Leonetti and passed 4 – 0 to grant the Assistant Attorney General permission to draft an addendum asking Dr. Peterson not to practice while he is medically unable and suspend the probation until he is able to return. Dr. Peterson is still required under the terms to continue paying the civil penalty and complete the required continuing medical education hours.

	Dr. Campbell	Dr. Leonetti	Dr. Kaplan	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

15-06-C; Hayman, Brad, DPM

The Board requested for staff to offer Dr. Brad Hayman an addendum to the consent agreement due to his personal situation. The proposed addendum would freeze the terms in place and would resume once he returns to practice. The Executive Director will call Dr. Hayman and discuss the matter further.

Request for Approval of Continuing Medical Education (CME)

A motion was made by Dr. Barbara Campbell, seconded by Mr. John Rhodes and passed 4 – 0 to approve of the course submitted by Dr. Dahukey.

	Dr. Campbell	Dr. Leonetti	Dr. Kaplan	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

BOARD PRESIDENT’S REPORT

Dr. Barbara Campbell attended the Arizona Department of Health Services (ADHS) seminar developed because of the Governor’s Opioid Epidemic Act. The program is intended for continuing educational purposes for students, residents and clinicians. ADHS developed a curriculum to teach in all school and Arizona is the only state that has implemented this type of program. The goal is for prescribers to be comfortable prescribing opioids for people who deal with chronic pain. There is also a website for individuals to access to obtain the required three hours of opioid education, which can be found at www.vlh.com. The information contains five out of six hours of opioid education pertaining to podiatry.

EXECUTIVE DIRECTOR’S REPORT

The Board reviewed the budget, agency operations, and complaint log with Executive Director Gomez. A sunset review is due on the Arizona State Board of Podiatry Examiners by October 1, 2020.

Review and discuss 2019 board meeting schedule. A motion was made by Dr. Barbara Campbell and seconded by Dr. Joseph Leonetti and passed 4 – 0 to approve of the proposed 2019 meeting schedule.

	Dr. Campbell	Dr. Leonetti	Dr. Kaplan	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

The Board discussed the option to obtain services from cebroker. A company that has reached out to the Board to help with recording of continuing medical education hours. After discussing the matter, the Board decided not to pursue implementing a new program. The Board just implemented elicensing, which continues to have problems. Staff had intended on requesting a temporary worker for more than two weeks, however, the temporary worker took a permanent position with a state agency. No discussion took place regarding temporary services.

STATE BOARD MEMBER PER DIEM COMPENSATION AND EXPENSE REIMBURSEMENT

The Board discussed policies and procedures to help ensure boards pay per diem compensation appropriately per the Arizona Auditor General report.

A motion was made by Dr. Barry Kaplan and seconded by Mr. John Rhodes and passed 4 – 0 to approve of the policy and procedure for paying board members for the Arizona State Board of Podiatry Examiners.

	Dr. Campbell	Dr. Leonetti	Dr. Kaplan	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

FIVE-YEAR-REVIEW REPORT FOR A.A.C. TITLE 4, CHAPTER 25

After the Board discussed, a motion was made by Dr. Joseph Leonetti and seconded by Mr. John Rhodes and passed 4 – 0 to grant Dr. Barbara Campbell the authority to approve a final report on the Board’s behalf.

FEDERATION OF ASSOCIATIONS OF REGULATORY BOARDS (“FARB”)

The Executive Director decided not to attend due to the upcoming Legislative 2019 session. No Board discussion took place.

SUMMARY OF CURRENT EVENTS

Discussion regarding the upcoming Legislative 2019 session. The Board requested a review with investigators regarding what they are reviewing and how the information is communicated with staff and the Board.

CALL TO THE PUBLIC

No one was present from the public.

DISCUSSION AND POSSIBLE ACTION ITEMS TO BE PLACED ON FUTURE MEETING AGENDAS

None were discussed.

NEXT BOARD MEETING DATE

Wednesday, December 12, 2018 at 8:30 a.m.

ADJOURNMENT

A motion was made by Dr. Barbara Campbell, seconded by Mr. John Rhodes, and passed unanimously to adjourn at 11:52 a.m.

	Dr. Campbell	Dr. Leonetti	Dr. Kaplan	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					