



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

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Douglas A. Ducey,  
Governor

OPEN SESSION MINUTES

March 10, 2021

Members of the Arizona State Board of Podiatry Examiners ("Board") held a meeting at 8:30 a.m. on Wednesday, March 10, 2021, at 1740 West Adams St., Boardroom C, Phoenix, Arizona 85007. No Executive Sessions were held.






BOARD MEMBERS PRESENT:

- Barbara Campbell, DPM..... Board President and Practitioner Member
- John Rhodes ..... Secretary and Public Member
-  Albert Eulano, DPM. .... Practitioner Member
-  Mark Forman, DPM.....Practitioner Member
- Vacancy.....Public Member

STAFF AND ASSISTANT ATTORNEY GENERAL PRESENT:

- Heather Broaddus..... Executive Director
- Seamus Monaghan, Esq.....Assistant Attorney General

GUEST(S) PRESENT AND/OR PARTICIPATING

-  Mikkel Jarman, DPM.....Licensee
- T.H.....Complainant
-  Kris Di Nucci, DPM.....Licensee
-  Bruce Crawford, Esq.....Attorney
-  Kenneth Moskow, Esq.....Attorney
-  S.W.....Complainant
-  Jerome Steck, DPM.....Investigator
-  Daniel Saunders, DPM.....Investigator
-  Dedrie Polakof, DPM.....Investigator
-  Appeared telephonically

OPEN SESSION

Dr. Campbell called the meeting to order at 8:31 a.m. The Board considered the following order of business.

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

There were no declarations of conflicts of interest.

**The Americans with Disabilities Act:** Persons with disabilities may request reasonable accommodations, such as sign language interpreters. Requests should be made as early as possible to allow time to arrange the accommodation. This document is available in alternative format upon request.

**ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION**

Investigations

20-28-C; Sina Safar, DPM

The Board’s Investigator, Dr. Steck, was present telephonically and provided a summary to the Board.

Neither the Complainant nor the licensee were present. Board members deliberated. After deliberation, Dr. Campbell made a motion, seconded by Mr. Rhodes, to dismiss Complaint No. 20-28-C, Sina Safar, DPM as there were no violations of statute or rule. The motion carried unanimously, 4-0.

	Dr. Campbell	Dr. Eulano	Dr. Forman	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

20-25-C; Mikkell Jarman, DPM

The Board’s Investigator, Dr. Saunders, was present telephonically and provided a summary to the Board.

Dr. Jarman was present telephonically, requested to speak and made a statement. The Complainant, T.H., was present, requested to speak, made a statement and answered Board members’ questions.

The Board deliberated. After deliberation, Mr. Rhodes made a motion, seconded by Dr. Eulano, to dismiss Complaint No. 20-25-C, Mikkell Jarman, DPM as there were no violations of statute or rule. The motion carried unanimously, 4-0 on a roll call vote.

	Dr. Campbell	Dr. Eulano	Dr. Forman	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

20-24-C; Kris Di Nucci, DPM

The Board’s Investigator, Dr. Saunders, was present telephonically, provided a summary to the Board and answered Board members’ questions.

Dr. Di Nucci and his attorney, Bruce Crawford, Esq., were present telephonically, requested to speak and made a statement. The Complainant was not present.

The Board deliberated. After deliberation, Dr. Campbell made a motion, seconded by Mr. Rhodes, to dismiss Complaint No. 20-24-C, Kris Di Nucci, DPM as there were no violations of statute or rule. The motion carried unanimously, 4-0 on a roll call vote.

	Dr. Campbell	Dr. Eulano	Dr. Forman	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

20-18-C; Daniel Bangart, DPM

Dr. Campbell noted that Complaint No. 20-18-C was continued from a previous Board meeting. She also noted that Dr. Bangart was not present. Dr. Campbell explained that Complaint No. 20-18-C may rise to violations of statute. Dr. Campbell made a motion, seconded by Mr. Rhodes, to forward Complaint No. 20-18-C; Daniel Bangart, DPM to an Informal Hearing for possible violations of A.R.S. 32-854-01(11)(21)(25)(26). Mr. Rhodes seconded the motion. The motion carried unanimously, 4-0 on a roll call vote.

	Dr. Campbell	Dr. Eulano	Dr. Forman	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

Dr. Campbell recognized that Dr. Bangart’s attorney, Kenneth Moskow, Esq., the Board’s Investigator, Dr. Polakof and the Complainant, S.W., were present telephonically. Dr. Campbell explained that Complaint No. 20-18-C has been forwarded to an Informal Hearing therefore it is not necessary to hear testimony from Dr. Polakof or the Complainant.

Dr. Campbell explained Informal Hearing procedures to Mr. Moskow and asked Mr. Moskow about the underlying litigation. Mr. Moskow provided a timeline of the underlying litigation and explained that Dr. Bangart has been served. Mr. Moskow requested that the Board Stay Complaint No. 20-18-C until the underlying litigation is resolved. After deliberation, Dr.

Campbell made a motion, seconded by Dr. Forman, to Stay Complaint No. 20-18-C until the underlying litigation is resolved. The motion carried unanimously, 4-0 on a roll call vote.

	Dr. Campbell	Dr. Eulano	Dr. Forman	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

**REVIEW, DISCUSSION AND POSSIBLE ACTION ON BOARD MEETING MINUTES**

Discussion and approval of the Open Session Minutes from the February 10, 2021, Board meeting

After review, Dr. Campbell made a motion, seconded by Dr. Forman, to approve the February 10, 2021, Open Session Minutes as drafted. The motion carried unanimously, 4-0.

	Dr. Campbell	Dr. Eulano	Dr. Forman	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

**ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION**

Issuance of Licenses

1. Bouton, Cassi, DPM

Upon review of Dr. Bouton’s application, the Board noted that she will not complete her residency requirement until June 2021 otherwise her application meets requirements of statute and rule. After review, Dr. Campbell made a motion, seconded by Dr. Forman, to approve Dr. Bouton’s application upon successful completion of her residency and payment of the license issuance fee. The motion carried unanimously, 4-0.

	Dr. Campbell	Dr. Eulano	Dr. Forman	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

2. Lewis, Petrina, DPM

Upon review of Dr. Lewis’ application, the Board noted that her application meets requirements of statute and rule. After review, Dr. Campbell made a motion, seconded by Mr. Rhodes, to approve Dr. Lewis’ application upon payment of the license issuance fee. The motion carried unanimously, 4-0.

	Dr. Campbell	Dr. Eulano	Dr. Forman	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

3. Richardson, Phillip, DPM

Upon review of Dr. Richardson’s application, the Board noted that his application meets requirements of statute and rule. After review, Dr. Campbell made a motion, seconded by Dr. Forman, to approve Dr. Richardson’s application upon payment of the license issuance fee. The motion carried unanimously, 4-0.

	Dr. Campbell	Dr. Eulano	Dr. Forman	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

Registration to Dispense Drugs/Devices

1. Ibanez, Maria, DPM

Upon review of Dr. Ibanez’s application, the Board noted that her application meets requirements of statute and rule. After review, Dr. Campbell made a motion, seconded by Mr. Rhodes, to approve Dr. Ibanez’s application. The motion carried unanimously, 4-0.

	Dr. Campbell	Dr. Eulano	Dr. Forman	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

Compliance Update

1. Patrick Farrell, DPM

Dr. Campbell summarized stating that Dr. Farrell has not performed any nerve decompression procedures in December 2020 or January and February of 2021. The Board took no action on this item.

Renewal Applications for Arizona Podiatric License and Dispensing Registration

1. Wagner, Leonard, DPM

Ms. Broaddus summarized stating that the Board previously granted Dr. Wagner a sixty-day extension to complete the 2020 continuing medical education (CME) requirements. Dr. Wagner’s deadline to complete the CME was November 9, 2020. Subsequently, the Board office received correspondence from Dr. Wagner indicating that he was unable to meet the November 9, 2020, deadline due to health issues. Board members noted that Dr. Wagner attended the Podiatry Institute conference on November 19-22, 2020. On February 1, 2021, Dr. Wagner submitted correspondence indicating that he has not been able to obtain the two hours of opioid continuing education. After review, Dr. Campbell made a motion, seconded by Mr. Rhodes, to continue this matter to a future meeting to allow the Board’s Assistant Attorney General to research the Board’s options. The motion carried unanimously, 4-0

	Dr. Campbell	Dr. Eulano	Dr. Forman	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

Board Elections

1. Nomination and Election of Board President

Dr. Forman made a motion, seconded by Mr. Rhodes, to nominate Dr. Campbell for Board President. The motion passed 3-0-1, with Dr. Campbell abstained.

	Dr. Campbell	Dr. Eulano	Dr. Forman	Mr. Rhodes	VACANCY
Yay		X	X	X	
Nay					
Recused					
Abstained	X				
Absent					

2. Nomination and Election of Board Secretary

Dr. Campbell made a motion, seconded by Dr. Forman, to nominate Mr. Rhodes as Board Secretary. The motion carried 3-0-1 with Mr. Rhodes abstained.

	Dr. Campbell	Dr. Eulano	Dr. Forman	Mr. Rhodes	VACANCY
Yay	X	X	X		
Nay					
Recused					
Abstained				X	
Absent					

**EXECUTIVE DIRECTOR’S REPORT**

Ms. Broaddus summarized stating that the Podiatry Board Bill’s, SB1283 & SB1284, were heard by the Senate Health and Human Services Committee on February 10, 2021. Both Bills passed the Senate unanimously. On February 18, 2021, both Bills were transmitted to the House.

Ms. Broaddus summarized Board member payroll stating that Board members were not compensated for the January 2021, Board meeting. Central Services Bureau (CSB) was notified and there was an oversight on CSB’s part. CSB indicated that Board members will be compensated for the January 2021 Board meeting on March 11, 2021.

Ms. Broaddus summarized stating that Governor Ducey issued Executive Order 21-02 (EO 21-02). EO 21-02 changes the approval process of the rule making moratorium. Boards are now required to receive final approval of rules from the Governor’s Office before submitting final rules to the Governor’s Regulatory Review Council. EO 21-02 requires Boards to post information on its website regarding information relating to initial licensing for active military members, military spouses and veterans. EO 21-02 requires Boards to track applications submitted by military members, military spouses and veterans.

Ms. Broaddus summarized stating that at its September 9, 2020 meeting the Board issued a non-disciplinary Order for continuing education to Kamran Farahani, DPM, in Complaint No. 20-09-C. On March 1, 2021, Dr. Farahani submitted evidence of completion of the required continuing education. Dr. Farahani has been released from the terms of the Order as he met the requirements.

**SUMMARY OF CURRENT EVENTS**

There were no current events.

**LEGISLATIVE UPDATE AND DISCUSSION**

Ms. Broaddus briefly summarized HB2014, HB2029, HB2128, HB2234, HB2242, HB2243, HB2267, HB2433, HB2454, HB2471, SB1063 and SB1149.

**CALL TO THE PUBLIC**

There was no call to the public.

**DISCUSSION AND POSSIBLE ACTION ITEMS FOR FUTURE MEETING AGENDAS**

There were no items for future meetings

**NEXT BOARD MEETING DATE**

Wednesday, April 7, 2021 at 8:30 a.m.

**ADJOURNMENT**

A motion was made by Dr. Campbell, seconded by Mr. Rhodes, and passed unanimously, 4-0, to adjourn the meeting at 9:52 a.m.

	Dr. Campbell	Dr. Eulano	Dr. Forman	Mr. Rhodes	VACANCY
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					