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Douglas A. Ducey,
Governor

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



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OPEN SESSION MINUTES


December 8, 2021

Members of the Arizona State Board of Podiatry Examiners (“Board”) held a meeting at 8:32 a.m. on Wednesday, December 8, 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
-  Albert Eulano, DPM. Practitioner Member
-  Mark Forman, DPM.....Practitioner Member
- Vacancy.....Public Member
- Vacancy.....Public Member

STAFF AND ASSISTANT ATTORNEY GENERAL PRESENT:

-  Heather Broaddus..... Executive Director
- Justin Larson, Esq.....Assistant Attorney General

GUEST(S) PRESENT AND/OR PARTICIPATING

- Suzanne Abraham, DPM.....Licensee
- Kenneth Moskow, Esq.....Attorney
- Kamran Farahani, DPM.....Investigator
-  Daniel Saunders, DPM.....Investigator
-  Boyd Andrews, DPM.....Licensee
-  Alan Discont, DPM.....Licensee
-  Brett Roeder, DPM.....Licensee
-  Appeared telephonically

OPEN SESSION

Dr. Campbell called the meeting to order at 8:32 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

21-18-C; Suzanne Abraham, DPM

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

Dr. Abraham and her attorney, Kenneth Moskow, Esq, were present and indicated that they were available to answer questions. The Complainant was not present. After deliberation, Dr. Campbell made a motion, seconded by Dr. Forman, to dismiss Complaint No. 21-18-C, Suzanne Abraham, DPM as there were no violations of statute or rule. The motion carried unanimously, 3-0.

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

21-11-C; Jean Kroyn, DPM

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

Neither Dr. Kroyn nor the Complainant were present. After deliberation, Dr. Forman made a motion, seconded by Dr. Eulano, to dismiss Complaint No. 21-11-C, Jean Kroyn, DPM as there were no violations of statute or rule. The motion carried unanimously, 3-0.

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

21-17-C; Mark Olsen, DPM

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

Neither Dr. Olsen nor the Complainant were present. After deliberation, Dr. Campbell made a motion, seconded by Dr. Forman, to dismiss Complaint No. 21-17-C, Mark Olsen, DPM as there were no violations of statute or rule. The motion carried unanimously, 3-0.

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

21-20-C; Mark Gorman, DPM

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

Neither Dr. Gorman nor the Complainant were present. After deliberation, Dr. Campbell made a motion, seconded by Dr. Forman, to dismiss Complaint No. 21-20-C, Mark Gorman, DPM as there were no violations of statute or rule. The motion carried unanimously, 3-0.

	Dr. Campbell	Dr. Eulano	Dr. Forman	VACANCY	VACANCY
Yay	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 November 10, 2021, Board meeting

After review, Dr. Campbell made a motion, seconded by Dr. Forman, to approve the November 10, 2021, Open Session Minutes as drafted. The motion carried unanimously, 3-0.

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

ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

Issuance of Licenses

1. Murray, Kristen, DPM

Upon review of Dr. Murray’s application, the Board noted that her application meets requirements of statute and rule. After review, Dr. Campbell made a motion, seconded by Dr. Forman, to approve Dr. Murray’s application upon payment of the license issuance fee. The motion carried unanimously, 3-0.

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

2. Wright, Daniel, DPM

Upon review of Dr. Wright’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. Wright’s application upon payment of the license issuance fee. The motion carried unanimously, 3-0.

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

Application(s) for Registration to Dispense Drugs/Devices

1. Harris, Amelia, DPM

Upon review of Dr. Harris’ application, the Board noted that the application meets the requirements of statute and rule. After review, Dr. Campbell made a motion, seconded by Dr. Forman, to approve Dr. Harris’ application. The motion carried unanimously, 3-0.

	Dr. Campbell	Dr. Eulano	Dr. Forman	VACANCY	VACANCY
Yay	X	X	X		
Nay					
Recused					

Abstained					
Absent					

REVIEW, DISCUSSION AND POSSIBLE ACTION RELATING TO DOCUMENTATION RECEIVED PERTAINING TO SETH FELICE, DPM

Ms. Broaddus provided a brief summary stating that the Board office received documentation relating to a 2002 disorderly conduct charge and a recent injunction against harassment. The documentation is before the Board for consideration. Dr. Campbell reviewed the documents and indicated that the Board does not have jurisdiction in this matter. After deliberation, it was the consensus of the Board to take no action in this matter.

REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING REGARDING MOCK QUESTIONS FOR PODIATRIC MEDICAL ASSISTANT RADIOLOGY CERTIFICATION

President of the Arizona Foot and Ankle Medical Association, Boyd Andrews, DPM, was present telephonically. Past President of the Arizona Foot and Ankle Medical Association, Alan Discont, DPM, was present telephonically. Drs. Andrews and Discont provided a brief summary indicating that the mock questions provide the required knowledge for a podiatric medical assistant to perform x-rays. Dr. Andrews stated that the mock questions were emailed to the podiatric community for consideration. Dr. Andrews indicated that the responses from the podiatric community affirmed that the mock questions are acceptable for a podiatric medical assistant to take x-rays. Board members concurred with Drs. Andrews and Boyd.

EXECUTIVE DIRECTOR’S REPORT

Ms. Broaddus summarized that Alan Shih, DPM, completed the terms of the non-disciplinary Order for continuing education in Complaint No. 21-06-C.

Ms. Broaddus summarized that Jared Hall, DPM, completed the terms of the non-disciplinary Order for continuing education in Complaint No. 21-01-C.

Ms. Broaddus summarized that the draft rules the Board approved at its November 10, 2021, meeting were sent to the Governor’s Office requesting an exemption from the rule-making moratorium.

Ms. Broaddus summarized that at its September 8, 2021, meeting, the Board forwarded Complaint No. 21-03-C to an Informal Hearing. Subsequent to the meeting, Board staff was notified through Dr. Clark’s attorney, Bruce Crawford, Esq., that Dr. Clark is requesting to move Complaint No. 21-03-C to a Formal Hearing at the Office of Administrative Hearings. The Board’s Assistant Attorney General, Seamus Monaghan, has been in contact with Mr. Crawford to negotiate a settlement in lieu of a Formal Hearing.

Ms. Broaddus provided a summary of the complaint log.

Ms. Broaddus provided a summary of the budget.

SUMMARY OF CURRENT EVENTS

There were no current events.

CALL TO THE PUBLIC

There was no call to the public.

DISCUSSION AND POSSIBLE ACTION ITEMS FOR FUTURE MEETING AGENDAS

There were no future agenda items.

NEXT BOARD MEETING DATE

Board members' expressed concern that there is a conflict with the January 12, 2022, Board meeting date. It was the consensus of the Board to have Board members contact the Executive Director regarding alternate meeting dates in January 2022.

REVIEW, DISCUSSION AND POSSIBLE ACTION RELATING TO CORRESPONDENCE RECEIVED FROM BRETT ROEDER, DPM, REGARDING SUPERVISION OF HYPERBARIC OXYGEN THERAPY

Dr. Campbell provided a summary stating that the Board office received correspondence from Dr. Roeder requesting that the Board amend its Substantive Policy Statement to allow podiatrists to supervise hyperbaric oxygen therapy. Board members noted that the certification program to supervise hyperbaric oxygen therapy only certifies MD's and DO's. There is no certification program for podiatrists to supervise hyperbaric oxygen therapy.

Dr. Roeder was present telephonically and indicated that the hospital he is employed with approached him and asked that he supervise hyperbaric oxygen therapy. Dr. Roeder indicated that a team would be on call in the event complications occurred during the hyperbaric oxygen therapy. Dr. Roeder stated that podiatrists are authorized to bill for hyperbaric oxygen therapy. Additionally, Dr. Roeder stated that some other jurisdictions allows podiatrists to supervise hyperbaric oxygen therapy. Dr. Roeder asked for clarification regarding the Board's Substantive Policy Statement on supervision of hyperbaric oxygen therapy. The Board's Assistant Attorney General, Justin Larson, provided clarification.

After deliberation, it was the consensus of the Board to request that Dr. Roeder consult his hospital and request that the hospital provide a letter to the Board clarifying the procedures in place regarding supervision of hyperbaric oxygen therapy. Additionally, the Board directed its Executive Director to contact the Federation of Podiatric Medical Boards to request a Call for Comment regarding other jurisdictions policies/procedures regarding podiatrists supervising hyperbaric oxygen therapy.

ADJOURNMENT

A motion was made by Dr. Campbell, seconded by Dr. Forman, and passed unanimously, 3-0, to adjourn the meeting at 9:52 a.m.

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