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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 14, 2022

Members of the Arizona State Board of Podiatry Examiners (“Board”) held a meeting at 8:00 a.m. on Wednesday, December 14, 2022, 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
- Seamus Monaghan, Esq.....Assistant Attorney General

GUEST(S) PRESENT AND/OR PARTICIPATING

- Seth Clark, DPM.....Licensee
- Bruce Crawford, Esq.....Attorney
-  Shylaja Arya, DPM.....Licensee
- Joe Abate.....Public Member
- Daniel Saunders, DPM.....Investigator
- Kamran Farahani, DPM.....Investigator
-  Appeared telephonically

OPEN SESSION

Dr. Campbell called the meeting to order at 8:00 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.

REVIEW, DISCUSSION AND POSSIBLE ACTION ON BOARD MEETING MINUTES

Discussion and approval of the Open Session Minutes from the November 9, 2022, Board meeting

Dr. Campbell made a motion, seconded by Dr. Forman, to approve the November 9, 2022, Open Session Minutes with the correction as noted. The motion carried unanimously, 3-0.

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

Discussion and approval of the Executive Session Minutes (9:28 a.m. – 9:38 a.m.) from the November 9, 2022, Board meeting

Dr. Campbell made a motion, seconded by Dr. Forman, to approve the November 9, 2022, Executive 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					

Discussion and approval of the Executive Session Minutes (10:23 a.m. – 10:31 a.m.) from the November 9, 2022, Board meeting

Dr. Campbell made a motion, seconded by Dr. Forman, to approve the November 9, 2022, Executive 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

Investigations

22-02-C; Seth Clark, DPM

The Board’s Investigator, Dr. Saunders, was present and provided a summary to the Board. Dr. Saunders stated that this matter was previously scheduled to be heard by the Board. The Board did not hear the complaint. The Board tabled the complaint to obtain additional information and documentation. Dr. Saunders answered Board members’ questions.

Dr. Clark and his attorney, Bruce Crawford, Esq., were present, requested to speak, made statements and answered Board members’ questions. The Complainant, B.R., was not present. Mr. Crawford confirmed that Dr. Clark did not solicit Complainant to rescind the complaint. Dr. Clark provided a summary of his care of the Complainant. Dr. Clark provided his rationale for the use of amniotic fluid injections. Board members asked Dr. Clark why he did not include his rationale for the use of amniotic fluid injections in the patient record. Board members asked Dr. Clark why he did not document the patient’s refusal to wear a CAM boot in the patient record. Dr. Clark acknowledged that he did not include pertinent information in the patient record.

Board members deliberated. Board members expressed concern with Dr. Clark’s lack of documentation in the patient record. Board members determined that Dr. Clark’s record keeping meets the minimum standard of care.

Dr. Campbell made a motion, seconded by Dr. Forman, to issue a Letter of Concern to Dr. Clark for lack of documentation in the patient record. The motion carried unanimously, 3-0.

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

22-15-C; Shylaja Arya, DPM

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

Dr. Arya was present telephonically, requested to speak and made a statement. The Complainant was not present.

Dr. Campbell made a motion, seconded by Dr. Forman, to dismiss Complaint No. 22-15-C; Shylaja Arya, 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					

Issuance of Licenses

1. Banks, Jaminelli, DPM

Upon review of Dr. Bank’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. Banks’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. Modlin, Joshua, DPM

Upon review of Dr. Modlin’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. Modlin’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					

DISUCSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING TOPIC OF THE LEGISLATION PROPOSED BY THE ARIZONA FOOT AND ANKLE MEDICAL ASSOCIATION

The lobbyist for the Arizona Foot and Ankle Medical Association, Joe Abate, was present. Mr. Abate provided background information regarding x-rays, podiatric medical assistants and

summarized the proposed legislation to the Board. Mr. Abate stated that the Department of Health Services supports the legislation.

After deliberation, Dr. Campbell made a motion, seconded by Forman, to support the draft legislation proposed by the Arizona Foot and Ankle Medical Association and directed the Board’s Executive Director to indicate the Board’s support on the legislature’s website. The motion carried unanimously, 3-0.

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

EXECUTIVE DIRECTOR’S REPORT

Ms. Broaddus provided a summary of the current budget.

Ms. Broaddus provided a summary of the complaint log.

Ms. Broaddus stated that a legislative summary will be agendized for the Board’s February 2023, meeting.

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 items for future agendas.

NEXT BOARD MEETING DATE

The Board’s next meeting is scheduled for January 11, 2023.

ADJOURNMENT

A motion was made by Dr. Campbell, seconded by Dr. Forman, and passed unanimously, 3-0, to adjourn the meeting at 9:24 a.m. The motion carried unanimously, 3-0.

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