



Katie Hobbs,
Governor

Arizona State Board of Podiatry Examiners

“Protecting the Public’s Health”



1740 West Adams St., Suite 3004
Phoenix, Arizona 85007
P: (602)542-8151
W: <https://podiatry.az.gov>

OPEN SESSION MINUTES

September 13, 2023

Members of the Arizona State Board of Podiatry Examiners (“Board”) held a meeting at 8:00 a.m. on Wednesday, September 13, 2023, 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

-  Jason Harrill, DPM.....Licensee
- Bruce Crawford, Esq.....Attorney
- D.C.....Complainant
-  W. Kreig Lewis, DPM.....Licensee
-  A.O.....Complainant
- Daniel Saunders, 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 August 9, 2023, Board meeting

Dr. Campbell made a motion, seconded by Dr. Forman, to approve the August 9, 2023, 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

Investigations

Complaint No. 23-07-C; Jason Harrill, DPM

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

Dr. Harrill and his attorney, Bruce Crawford, Esq. were present. Dr. Harrill and Mr. Crawford requested to speak, made statements and answered Board members’ questions. Mr. Crawford referenced the x-rays that were taken of patient and affirmed that Dr. Harrill practiced within the standard of care. Dr. Harrill summarized his care of the patient. Board members asked when he recommended that patient wear tennis shoes. Dr. Harrill answered. Dr. Harrill affirmed that he did not discharge the patient from his care but did offer the patient to consult with a different health care provider for a second opinion.

The Complainant was present, requested to speak, made a statement and answered Board members’ questions.

After deliberation, Board members determined that Dr. Harrill’s care of the patient was within the standard of care and there was no violation of statute or rule. Board members expressed concern that there may have been lack of communication regarding Dr. Harrill’s offer of a second opinion to patient which resulted in the patient feeling as though they were abandoned. Dr. Campbell made a motion, seconded by Dr. Forman, to issue a non-disciplinary Letter of Concern to Jason Harrill, DPM, for lack of communication to the patient. The motion carried unanimously, 3-0.

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

Complaint No.23-09-C; Mark Anthony Rosales, DPM

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

The Complainant was present telephonically, requested to speak, made a statement and answered Board members’ questions.

Dr. Rosales was not present.

After deliberation, Board members determined it cannot adjudicate this complaint without hearing testimony from Dr. Rosales. Dr. Campbell made a motion, seconded by Dr. Eulano, to continue Complaint No. 23-09-C; Mark Anthony Rosales, DPM, to a future Board meeting and to request Dr. Rosales’ presence at the meeting. The Board directed its Executive Director to subpoena Dr. Rosales’ presence at the meeting, if necessary. 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. Elisha, Chrestin, DPM

Upon review of Dr. Elisha’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. Elisha’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. Lehmann, Sean, DPM

Upon review of Dr. Lehmann’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. Lehmann’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					

Initial Analysis

1. Lewis, W. Kreig, DPM

Dr. Campbell provided a brief summary indicating that the Board office received a National Practitioners Data Bank report indicating that Dr. Lewis was involved in a malpractice matter. Dr. Campbell noted that the lawsuit involved multiple health professionals and that it is indicated in the record that Dr. Lewis saw the patient one time.

Dr. Lewis was present telephonically. Dr. Lewis provided a brief summary of the court matter.

After review, Dr. Campbell made a motion, seconded by Dr. Forman, to take no action in this matter. 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 brief summary of the 2023 renewal cycle.

Ms. Broaddus stated that the American Podiatric Medical Association (APMA) is inviting podiatrists to apply to serve on an APMA committee.

Ms. Broaddus provided a summary of the current budget.

Ms. Broaddus provided a summary of the complaint log.

Ms. Broaddus updated the Board regarding central services bureau (CSB) fee structure. Ms. Broaddus stated that CSB provides accounting services to state agencies. Ms. Broaddus stated that CSB is proposing to increase the Board's interagency service agreement (ISA) rate by 65%. Ms. Broaddus stated that, to date, CSB has not provided an ISA with the proposed rate increase. Ms. Broaddus stated that she is looking to decrease costs in other areas in the event CSB does not reduce its rates. Board members' asked if it should raise license fees. Ms. Broaddus stated that the Board can go through the rulemaking process to raise fees. Ms. Broaddus stated that there is no guarantee that the Governor's Office or the Governor's Regulatory Review Council will approve raising license fees therefore, due to the uncertainty, she will continue to work on reducing costs to the Board.

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

Board members requested that an agenda item regarding raising license fees and going through the rulemaking process be placed on a future agenda.

NEXT BOARD MEETING DATE

The Board's next meeting is scheduled for October 11, 2023.

ADJOURNMENT

A motion was made by Dr. Campbell, seconded by Dr. Forman, and passed unanimously, 3-0, to adjourn the meeting at 9:30 a.m. The motion carried unanimously, 3-0.

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