



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

November 8, 2023

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

- ☎ Mark Anthony Rosales, DPM.....Licensee
- ☎ R.S.....Complainant
- ☎ Jeffrey McAlister DPM.....Licensee
- Bruce Crawford, Esq.....Attorney
- T.S.....Complainant
- Dedrie Polakof, 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 October 11, 2023, Board meeting

Dr. Campbell made a motion, seconded by Dr. Forman, to approve the October 11, 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					

Discussion and approval of the Executive Session Minutes, 8:55 a.m. – 9:03 a.m., from the October 11, 2023, Board meeting

Dr. Campbell made a motion, seconded by Dr. Forman, to approve the October 11, 2023, Executive Session Minutes, 8:55 a.m. – 9:03 a.m., 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, 10:07 a.m. – 10:18 a.m., from the October 11, 2023, Board meeting

Dr. Campbell made a motion, seconded by Dr. Forman, to approve the October 11, 2023, Executive Session Minutes, 10:07 a.m. – 10:18 a.m., 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. 23-08-C; Jeffrey McAlister, DPM

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

The Complainant, T.S., was present, requested to speak, made a statement and answered Board members’ questions.

Dr. McAlister was present telephonically and his attorney, Bruce Crawford, Esq. was present. Dr. McAlister and Mr. Crawford requested to speak, made statements and answered Board members’ questions. Mr. Crawford attested that Dr. McAlister’s care of the patient was within the standard of care. Dr. McAlister summarized his care of the patient.

Board members deliberated and determined that Dr. McAlister’s care of the patient was within the standard of care. Board members noted that the patient had a surgery performed by another licensed podiatrist, David Lee, DPM, prior to Dr. McAlister’s care of the patient. Board members discussed whether the surgery Dr. Lee performed on the patient was within the standard of care. After deliberation, Dr. Campbell made a motion, seconded by Dr. Forman, to dismiss Complaint No. 23-08-C, Jeffrey McAlister, DPM. The motion carried unanimously, 3-0.

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

Dr. Campbell made a motion, seconded by Dr. Forman, to open a Board complaint against David Lee, DPM, in regards to his care of the patient in Complaint No. 23-08-C, for possible failure to perform the appropriate surgery to address the patient’s podiatric needs and for possibly informing the patient that the surgery was successful and subsequently informing the patient that the surgery failed and a revision was necessary. The motion carried unanimously, 3-0.

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

Complaint No.23-12-C; Mark Anthony Rosales, DPM

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

Dr. Rosales was present telephonically, requested to speak, made a statement and answered Board members’ questions. Dr. Rosales summarized his care of the patient and his office/billing procedures.

The Complainant, R.S., was present telephonically, requested to speak and answered Board members’ questions. The Complainant indicated that Dr. Rosales’ attorney has sent letters to him threatening legal action if he does not submit payment for the services Dr. Rosales rendered.

At 8:20 a.m. Dr. Campbell made a motion, seconded by Dr. Forman, to go into Executive Session to obtain confidential legal advice from the Board’s attorney. Open session reconvened at 8:28 a.m.

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

In open session, Board members’ asked Dr. Rosales how many times billing procedures were explained to the patient. Dr. Rosales answered.

After deliberation, Dr. Forman made a motion, seconded by Dr. Eulano, to dismiss Complaint No. 23-12-C; Mark Anthony Rosales, DPM, as there were no violations of rule or statute. 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. Harries, Bill, DPM

Upon review of Dr. Harries’ 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. Harries’ 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					

BOARD TO REVIEW, DISCUSS AND TAKE POSSIBLE ACTION ON UPDATE OF THE OCTOBER 26, 2023, FEDERATION OF PODIATRIC MEDICAL BOARDS MEETING

- New student recruitment efforts by the American Association of Colleges of Podiatric Medicine
- Veterans Affairs national standards of practice in podiatry
- Update from the Council on Podiatric Medical Education
- Update on the American Podiatric Medical Licensing Examination Part II Clinical Skills Patient Encounter from the National Board of Podiatric Medical Examiners
- Disciplinary actions/procedures
- License portability for veterans and their spouses
- Board composition
- Rulemaking

EXECUTIVE DIRECTOR’S REPORT

Ms. Broaddus stated that the Board issued a non-disciplinary Order for continuing education (Order) to Hugh Hall, DPM in resolution of Complaint No. 22-22-C. On October 12, 2023, Dr. Hall completed the terms of the Order. In consultation with the Board Chair, Dr. Hall was released from the terms of the Order.

Ms. Broaddus provided an update on the Board’s rulemaking package stating that the Board received approval from the Governor’s Office on October 17, 2023, to proceed with the proposed rulemaking. On October 18, 2023, the docket opening and notice of proposed rulemaking was submitted to the Secretary of State’s Office.

Ms. Broaddus provided a brief update on fingerprint clearance cards stating that a meeting with policy advisors, and other individuals, from the Governor’s Office is potentially scheduled for the end of November 2023, to address fingerprint clearance cards.

Ms. Broaddus provided a summary of the current budget.

Ms. Broaddus provided a summary of the complaint log.

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

Dr. Forman requested that an item regarding the podiatric medical assistant radiology program be placed on a future agenda.

NEXT BOARD MEETING DATE

The Board's next meeting is scheduled for December 13, 2023.

ADJOURNMENT

A motion was made by Dr. Campbell, seconded by Dr. Forman, and passed unanimously, 3-0, to adjourn the meeting at 10:11 a.m. The motion carried unanimously, 3-0.

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