



Katie Hobbs,
Governor

Arizona State Board of Podiatry Examiners

“Protecting the Public’s Health”

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OPEN SESSION MINUTES

January 10, 2024

Members of the Arizona State Board of Podiatry Examiners (“Board”) held a meeting at 8:00 a.m. on Wednesday, January 10, 2024, 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

- Daniel Saunders, DPM.....Licensee
- A.P.....Complainant/Son of Patient
- ☎ C.P.....Public Member/Son of Patient
- J.P.....Public Member/Patient
- ☎ Serjik Nazarian, DPM.....Licensee
- ☎ Zachary Flynn, DPM.....Licensee
- Daniel Saunders, DPM.....Investigator
- ☎ Dedrie Polakof, 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 December 13, 2023, Board meeting

Dr. Campbell made a motion, seconded by Dr. Forman, to approve the December 13, 2023, Open Session Minutes with the corrections as noted. 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. 23-14-C; Daniel Saunders, DPM

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

The Complainant, A.P., was present. The Complainant is the son of the patient, J.P. Another son of the patient, C.P., was present telephonically. C.P. was present with patient, J.P., when the incident occurred. C.P. requested to speak and made a statement. A.P. was present, requested to speak, made a statement and answered Board members’ questions. The patient, J.P., was present and did not wish to speak.

Dr. Saunders was present, requested to speak and made a statement. Dr. Saunders clarified the incident regarding the altercation. Dr. Saunders reviewed his care of patient, J.P.

At 8:16 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. The motion carried unanimously, 3-0.

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

Open session reconvened at 8:21 a.m.

Board members discussed its lack of jurisdiction regarding a physician’s bedside manners. Board members noted that the investigative report did not address the patient care allegation. Additionally, the Board determined that in order to conduct a thorough investigation, it requires the patient records from Indian Health Services. After deliberation, Dr. Campbell made a motion, seconded by Dr. Forman, to continue Complaint No. 23-14-C, Daniel Saunders, DPM to subpoena records from the Indian Health Services for patient, J.P. The motion carried unanimously, 3-0.

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

Complaint No. 23-15-C; Zachary Flynn, DPM

The Board’s Investigator, Dr. Polakof, was present and provided a summary to the Board. Dr. Polakof stated that this complaint was initiated by the Board due to correspondence received from the Arizona State Board of Pharmacy regarding Dr. Flynn’s non-compliance with Arizona’s controlled substance prescription monitoring program (CSPMP).

Dr. Flynn was present telephonically, requested to speak, made a statement and answered Board members’ questions. Dr. Flynn explained his non-compliance in querying the CSPMP. Board members noted that Dr. Flynn has implemented new protocols for complying with the CSPMP. After deliberation, Dr. Campbell made a motion, seconded by Dr. Forman, to issue Dr. Flynn a non-disciplinary Letter of Concern for non-compliance with the CSPMP querying requirements. The motion carried unanimously, 3-0.

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

Complaint No. 23-16-C; Serjik Nazarian, DPM

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

The Complainant was not present. Dr. Nazarian was present telephonically, requested to speak and made a statement. Dr. Nazarian reviewed his care of the patient. After deliberation, Dr. Forman made a motion, seconded by Dr. Eulano, to dismiss Complaint No. 23-16-C; Serjik Nazarian, DPM as there was no violation 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. Bishop, Paul, DPM

Upon review of Dr. Bishop’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. Bishop’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					

Board Elections

1. Nomination and Election of Board President

Dr. Forman nominated Dr. Campbell to serve as Board President for 2024 and Dr. Eulano seconded the nomination. Dr. Campbell accepted the nomination and abstained from voting.

2. Nomination and Election of Board Secretary

Dr. Campbell nominated Dr. Forman to serve as Board Secretary for 2024 and Dr. Eulano seconded the nomination. Dr. Forman accepted the nomination and abstained from voting.

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 REGARDING TRAINING AND OVERVIEW OF ADJUDICATION OF COMPLAINTS, PRESENTED BY THE ATTORNEY GENERAL’S OFFICE

The Board’s Assistant Attorney General, Seamus Monaghan, reviewed the adjudication of complaints as follows:

- Board options in resolving complaints
- Board review of prior history in resolving complaints
- Board discussion of complaints
- Board Motions
- Board voting procedures
- Board abstentions and recusals

Mr. Monaghan answered Board members’ questions.

REVIEW, DISCUSSION AND POSSIBLE ACTION AUTHORIZING THE BOARD’S EXECUTIVE DIRECTOR TO AMEND THE BOARD’S RULE PACKAGE IF NECESSARY

Dr. Campbell provided a brief summary stating that Ms. Broaddus is requesting that the Board authorize her to negotiate the increase in the annual renewal fee if necessary. Board members determined that the Board’s Executive Director can negotiate a \$50.00 increase.

Dr. Forman made a motion, seconded by Dr. Eulano, to authorize the Board’s Executive Director to negotiate the increase in the annual renewal fee if necessary. 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 THE
PODIATRIC MEDICAL ASSISTANT RADIOLOGY CERTIFICATION PROGRAM
OFFERED BY THE AMERICAN SOCIETY OF PODIATRIC MEDICAL ASSISTANTS**

Dr. Campbell stated that this item is in follow up to the Board's December 13, 2023, discussion regarding the radiology certification exam offered by the American Society of Podiatric Medical Assistants. Dr. Forman stated that the radiology exam is 135 questions and a podiatric medical assistant is given approximately one hour to take the radiology exam. A podiatric medical assistant can take the radiology exam two times after completing the radiology course. If the podiatric medical assistant does not pass the exam twice, the podiatric medical assistant is required to go through the radiology course again prior to taking the radiology exam for a third time.

EXECUTIVE DIRECTOR'S REPORT

Ms. Broaddus stated that the Board issued Thares Udupa, DPM a non-disciplinary Letter of Concern in resolution of Complaint No. 22-21-C at its November 9, 2022, meeting. On December 27, 2023, the Board office received correspondence from Dr. Udupa's attorney, Flynn Carey, Esq., which indicated that the court case was dismissed with prejudice.

Ms. Broaddus stated that the legislative session has begun. Ms. Broaddus stated that a summary of the introduced legislation will be on the Board's February 14, 2024, agenda.

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. Campbell stated that there will be an update of the Federation of Podiatric Medical Boards January 18, 2024, meeting at the Board's February meeting.

NEXT BOARD MEETING DATE

The Board's next meeting is scheduled for February 14, 2024.

ADJOURNMENT

A motion was made by Dr. Campbell, seconded by Dr. Forman, and passed unanimously, 3-0, to adjourn the meeting at 10:14 a.m. The motion carried unanimously, 3-0.

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