



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

January 8, 2025

Members of the Arizona State Board of Podiatry Examiners (“Board”) held a meeting at 8:00 a.m. on Wednesday, January 8, 2025, at 1740 West Adams St., Boardroom B, Phoenix, Arizona 85007. No Executive Sessions were held.

BOARD MEMBERS PRESENT:

- Barbara Campbell, DPM..... Board President and Practitioner Member
- ☎ Mark Forman, DPM.....Practitioner Member
- Vicki Broman (left the meeting at 11:29 a.m.).....Public Member
- ☎ Tawanda Johnson-Gray.....Public Member

STAFF AND ASSISTANT ATTORNEY GENERAL PRESENT:

- Heather Broaddus..... Executive Director
- Seamus Monaghan, Esq.....Assistant Attorney General

GUEST(S) PRESENT AND/OR PARTICIPATING

- ☎ Clara Rademacher, Esq.....Complainant
- Steven O’Bryant, DPM.....Licensee
- Cody M. Hall, Esq.....Attorney
- ☎ P.G.....Complainant
- Jeffrey Copoloff.....Licensee

- Dedrie Polakof, DPM.....Investigator
- Daniel Saunders, DPM.....Investigator

☎ Appeared telephonically

OPEN SESSION

Dr. Campbell called the meeting to order at 8:03 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 11, 2024, Board meeting

Dr. Campbell made a motion, seconded by Ms. Broman, to approve the December 11, 2024, Open Session Minutes as drafted. The motion carried unanimously, 4-0.

	Dr. Campbell	Dr. Forman	Ms. Broman	Ms. Johnson-Gray	VACANT
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

Discussion and approval of the Executive Session Minutes from the December 11, 2024, Board meeting

Dr. Campbell made a motion, seconded by Dr. Forman, to approve the December 11, 2024, Executive Session Minutes as drafted. The motion carried unanimously, 4-0.

	Dr. Campbell	Dr. Forman	Ms. Broman	Ms. Johnson-Gray	VACANT
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

Investigations

Complaint No. 24-11-C; Steven O’Bryant, DPM

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

The Complainant P.G. was present telephonically, requested to speak, made a statement and answered Board members’ questions. Board members asked P.G. to clarify her use of the prescribed pain medication. P.G. answered. Board members asked P.G. to clarify when she went to the emergency room. P.G. answered. Board members asked P.G. if she was in contact with her

pain doctor during her treatment with Dr. O’Bryant. P.G. answered. Board members asked P.G. to explain why she could not be dropped off at the front door of Dr. O’Bryant’s office. P.G. answered.

Dr. O’Bryant and his attorney, Cody M. Hall, Esq., were present, requested to speak, made statements and answered Board members’ questions. Board members’ asked Dr. O’Bryant to explain his office procedure for late or missed appointments. Dr. O’Bryant stated that if a patient is late to an appointment, and it is during normal business hours, the patient would be worked into the schedule. Dr. O’Bryant clarified that P.G. received an appointment that same day even though his schedule was full. P.G. was told that her appointment was at 11:45 a.m. and that the office closes at 12:00 p.m. for lunch. Dr. O’Bryant stated that P.G. was ten minutes late to the appointment and was told by the front office staff that she could wait in the building until the office re-opened at 1:00 p.m. and Dr. O’Bryant could see her at that time. Board members asked Dr. O’Bryant to explain why he told P.G. to double up on the prescribed pain medications. Dr. O’Bryant stated that he explained to P.G. that she could double up on the pain medication for break through pain only. Dr. O’Bryant stressed to P.G. that she needed to monitor how much pain medication she took to ensure that it would last her five days. Dr. O’Bryant told P.G. that he could not prescribe additional pain medication without an appointment.

Board members expressed concerns that Dr. O’Bryant’s does not have a staff policy requiring that he is alerted every time a patient arrives for an appointment, that Dr. O’Bryant did not adequately communicate with P.G. regarding her use of the prescribed pain medication, and that Dr. O’Bryant failed to bring P.G for a post-operative follow up appointment sooner than was scheduled. After deliberation, Ms. Broman made a motion, seconded by Ms. Johnson-Gray, to issue a non-disciplinary Letter of Concern to Steven O’Bryant, DPM for lack of a staff policy requiring that he is alerted every time a patient arrives for an appointment, that he failed to adequately communicate with P.G. regarding her use of the prescribed pain medication, and that Dr. O’Bryant failed to bring P.G in for a post-operative follow up appointment sooner than was scheduled. The motion carried unanimously, 4-0.

	Dr. Campbell	Dr. Forman	Ms. Broman	Ms. Johnson-Gray	VACANT
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

Complaint No. 24-15-C; Jeffrey Copoloff, DPM

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

The Complainant, B.S., was not present.

Dr. Copoloff was present, requested to speak, made a statement and answered Board members' questions. Dr. Copoloff reviewed his care of B.S. Board members asked Dr. Copoloff why he did not send the seroma fluid for pathology. Dr. Copoloff said the fluid looked normal, there was no drainage nor sign of infection. Board members asked Dr. Copoloff why he did not prescribe orthotics to B.S. Dr. Copoloff stated that he may have talked to B.S. about trying orthotics but his opinion is that B.S. would not have paid for orthotics. Board members asked why Dr. Copoloff administered a cortisone injection and why post-operative x-rays were not taken. Dr. Copoloff answered and stated that subsequent to the cortisone injection a MRI was ordered.

After deliberation, Ms. Broman made a motion, seconded by Ms. Johnson-Gray, to issue a non-disciplinary Letter of Concern to Jeffrey Copoloff, DPM for failure to adequately assess and diagnose the patient's drainage and the use of the cortisone injection under those circumstances. The motion carried unanimously, 4-0.

	Dr. Campbell	Dr. Forman	Ms. Broman	Ms. Johnson-Gray	VACANT
Yay	X	X	X	X	
Nay					
Recused					
Abstained					
Absent					

Issuance of Licenses

1. Kennedy, Tommy, DPM

Upon review of Dr. Kennedy'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. Kennedy's application upon payment of the license issuance fee. The motion carried unanimously, 4-0.

	Dr. Campbell	Dr. Forman	Ms. Broman	Ms. Johnson-Gray	VACANT
Yay	X	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 2025 and Ms. Johnson-Gray 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 2025 and Ms. Johnson-Gray seconded the nomination. Dr. Forman accepted the nomination and abstained from voting.

REVIEW, DISCUSSION AND POSSIBLE ACTION ON PROPOSED CONSENT AGREEMENTS IN THE FOLLOWING MATTERS LISTED BELOW. ACTION MAY INCLUDE, BUT IS NOT LIMITED TO ACCEPTANCE, REJECTION, OR MODIFICATION OF THE PROPOSED CONSENT AGREEMENT.

A. Complaint No. 24-14-C; Tosha Klotzbach-Larios, DPM

Ms. Broman recused from reviewing this agenda item.

Dr. Klotzbach-Larios was not present.

The Complainant, Clara Rademacher, Esq, with Seyfarth law group, was present telephonically.

Dr. Campbell provided a brief summary and indicated that the Board will not be discussing the complaint. The Board will only be discussing the proposed Consent Agreement and Order for voluntary surrender. Board members discussed the proposed Consent Agreement and Order. After deliberation, Dr. Campbell made a motion, seconded by Dr. Forman, to accept the proposed Consent agreement and Order. The motion carried unanimously, 3-0-1, with Ms. Broman recused.

	Dr. Campbell	Dr. Forman	Ms. Broman	Ms. Johnson-Gray	VACANT
Yay	X	X		X	
Nay					
Recused			X		
Abstained					
Absent					

REVIEW, DISCUSSION AND POSSIBLE ACTION ON UPDATE OF THE FEDERATION OF PODIATRIC MEDICAL BOARDS DECEMBER 18, 2024, MEETING

Dr. Campbell provided a summary regarding the following:

The Federation of Podiatric Medical Boards (FPMB) new Board members

The clinical skills examination (APMLE Part II)
The Federation of State Medical Boards (FSMB) annual meeting
The podiatry compact
Restructuring of Boards across the jurisdictions
Update on legislation and rulemaking in other jurisdictions
Maintaining membership with the FPMB

Ms. Broaddus clarified that she spoke with the Arizona Foot and Medical Association (Association) lobbyist, Joe Abate, several times regarding the podiatry compact. Mr. Abate indicated that the Association will have dialogue with the Board prior to legislation being introduced. The soonest legislation could be introduced is 2026. Ms. Broaddus stated that she would research whether funds are available for her to attend the FSMB annual meeting and whether there is a freeze on out of state travel.

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.

Ms. Broman left the meeting at 11:29 a.m.

EXECUTIVE DIRECTOR'S REPORT

Ms. Broaddus provided an update on Board member vacancies.

Ms. Broaddus stated that the Department of Administration recommends that all Board members complete an annual Disclosure of Conflict form.

Ms. Broaddus stated that the Board reviewed a draft Bill that Representative Contreras intends to sponsor in the 2025 legislative session. The draft Bill changes the time-frame in which health Boards are required to keep non-disciplinary and disciplinary Orders on their websites from 5 years to 25 years. The Board directed its Executive Director to attend the December 18, 2024, meeting that Representative Contreras hosted to discuss the draft Bill. Several Boards believe that the 25-year time-frame is excessive. Representative Contreras indicated that she would work

on the language and email the changes to health Boards. To date, no correspondence has been received from Representative Contreras.

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 were no calls to the public.

DISCUSSION AND POSSIBLE ACTION ITEMS FOR FUTURE MEETING AGENDAS

Ms. Broaddus stated that a representative from Gateway Recovery Institute will be making a presentation at the Board’s February 12, 2025, meeting in regards to the Physician’s Health Program.

NEXT BOARD MEETING DATE

The Board’s next meeting is scheduled for February 12, 2025.

ADJOURNMENT

A motion was made by Dr. Campbell, seconded by Dr. Forman, and passed unanimously, 3-0, to adjourn the meeting at 11:34 a.m.

	Dr. Campbell	Dr. Forman	Ms. Broman	Ms. Johnson-Gray	VACANT
Yay	X	X		X	
Nay					
Recused					
Abstained					
Absent			X		