



Douglas A. Ducey,
Governor

Arizona State Board of
Podiatry Examiners
“Protecting the Public’s Health”

1400 West Washington, Suite 230
Phoenix, Arizona 85007
P: (602)542-8151
F: (602)542-3093
W: www.podiatry.az.gov

OPEN SESSION MINUTES

October 12, 2016

Members of the Arizona State Board of Podiatry Examiners (“Board”) held a meeting at 8:31 a.m. on Wednesday, October 12, 2016 at the Board’s office in Suite B-1, 1400 West Washington Street, Phoenix, Arizona 85007. An executive session was held from 10:17 a.m. to 10:28 a.m.

BOARD MEMBERS:

- Barbara Campbell, D.P.M..... Board President and Practitioner Member
- John RhodesSecretary and Public Member
- × Barry Kaplan, D.P.M. Practitioner Member
- Joseph Leonetti, D.P.M..... Practitioner Member
- M. Elizabeth Miles.....Public Member

- × Absent

STAFF AND ASSISTANT ATTORNEYS GENERAL PRESENT:

- Ryan P. Edmonson..... Executive Director
- Frankie Shinn-Eckberg, Esq. Assistant Attorney General

GUESTS PRESENT AND/OR PARTICIPATING

- Joseph Knochel, DPMRespondent
- Bruce D. Crawford, Esq.....Respondent’s Attorney
- Dedrie Polakof, DPM.....Board Investigator

The meeting was called to order at 8:31 a.m. by Dr. Barbara Campbell. The following order of business was then considered:

OPEN SESSION

REVIEW, DISCUSSION AND POSSIBLE ACTION ON BOARD MEETING MINUTES

Discussion and approval of the Open Session Minutes from the September 14, 2016 board meeting

A motion was made by M. Elizabeth Miles, seconded by John Rhodes and passed unanimously to approve the Open Session Minutes from the September 14, 2016, board meeting.

Discussion and approval of the Executive Session Minutes from the September 14, 2016 board meeting

A motion was made by M. Elizabeth Miles, seconded by John Rhodes and passed unanimously to approve the Executive Session Minutes from the September 14, 2016, board meeting.

ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

Investigation Files

16-18-C; Knochel, Joseph, DPM

Dr. Joseph Knochel was present along with his legal counsel, Bruce D. Crawford. The complainant was not present. Dr. Dedrie Polakof was present and provided a summary of her investigation. Mr. Crawford provided a brochure regarding the procedure performed by Dr. Knochel and Dr. Knochel stated that he believed he performed the procedure according to the requirements.

After the Board discussed the doctor's decision to perform a double-osteotomy on the head and mid-shaft of the metatarsal, a motion was made by Dr. Joseph Leonetti, seconded by Dr. Barbara Campbell and passed unanimously to issue an Administrative Letter of Concern ("LOC"). The LOC is concerning Dr. Knochel's surgical planning and procedures, specifically, the decision to perform a double-osteotomy on the head and mid-shaft of the metatarsal, which increased the risk of avascular necrosis.

Application for Examination – A.R.S. § 32-822

Arrhenius, Daniel, DPM

Gifford, Michael, DPM

Hui-Seidenstricker, Eve, DPM

Udall, Craig, DPM

After review of the applications, a motion was made by M. Elizabeth Miles, seconded by John Rhodes and passed unanimously to approve of the applicants' applications to sit for the examination.

Cady, Joshua, DPM

Board staff provided a summary of Dr. Cady's qualifications. Board staff also provided errant information that Dr. Cady received from the Board's website prior to the updated application and instructions, which stated that he only need to be complete with one year of a residency to apply. This qualification conflicts with A.A.C. R4-25-301(A)(4), which requires a copy of the residency certificate, upon completion of residency, which Dr. Cady will not obtain for two more years.

After discussion, a motion was made by M. Elizabeth Miles, seconded by John Rhodes and passed unanimously to issue a refund of Dr. Cady's application/exam fee because he does not meet the

specific criteria necessary to be licensed and due to the errant information, he received from the Board's older office materials.

Review Compliance/Non-compliance with Consent Agreement

13-02-C; Evans, Robert, DPM

Frankie Shinn-Eckberg provided an update regarding the Board's 12-month audit, the probationary period and the Board's decision to offer an additional consent agreement. Dr. Joseph Leonetti also provided an update regarding his reviews and communications with Dr. Evans during the audit.

Case specific and in general, the Board discussed their frustrations with doctors deflecting responsibility of acquiring billing records onto the billing service agencies. The Board discussed sending an email blast to all licensed podiatrists regarding a request for records, especially when requested from the Board. The Board also discussed "not chasing" after documents, which may ultimately have a negative inference regarding the Board's decisions.

Request for Approval of Continuing Medical Education ("CME")

13-02-C; Evans, Robert, DPM

After the Board reviewed Dr. Evans' CME submission for pre-approval, a motion was made by M. Elizabeth Miles, seconded by Dr. Joseph Leonetti and passed unanimously to pre-approve of the courses submitted by Dr. Evans.

EXECUTIVE DIRECTOR'S REPORT

The Board reviewed the budget, agency operations and complaint log with Ryan P. Edmonson.

FEDERATION OF ASSOCIATIONS OF REGULATORY BOARDS ("FARB")

Frankie Shinn-Eckberg requested that the Board go into executive session to obtain legal advice.

EXECUTIVE SESSION

A motion was made by Dr. Barry Kaplan, seconded by Dr. Joseph Leonetti and passed unanimously to go into executive session at 10:17 a.m. to seek legal advice pursuant to A.R.S. § 38-431.03(A)(3) regarding the FARB conference.

After consideration in executive session, the Board reconvened in open session at 10:28 a.m.

OPEN SESSION

SUMMARY OF CURRENT EVENTS

Dr. Joseph Leonetti discussed an initiative by The CORE Institute and seeking to amend the Board's statutes regarding the scope of practice by Arizona podiatrists. Dr. Leonetti stated that it appears that there does not currently seem to be any opposition to the amendment.

DISCUSSION AND POSSIBLE ACTION ITEMS TO BE PLACED ON FUTURE MEETING AGENDAS

Based on the aforementioned current event, the Board requested to have an agenda item regarding the legislative initiative to change Arizona podiatry's scope of practice, to include amputation, on the November agenda.

NEXT BOARD MEETING DATE

Wednesday, November 9, 2016 at 8:30 a.m.

CALL TO THE PUBLIC

No one from the public was present.

DECLARATION OF CONFLICTS OF INTEREST – A.R.S. § 38-503

None were declared.

ADJOURNMENT

A motion was made by Dr. Barbara Campbell, seconded by M. Elizabeth Miles and passed unanimously to adjourn at 10:46 a.m.