



Douglas A. Ducey,
Governor

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

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OPEN SESSION MINUTES

May 10, 2017

Members of the Arizona State Board of Podiatry Examiners (“Board”) held a meeting at 8:30 a.m. on Wednesday, May 10, 2017 at the Board’s office in Suite B-1, 1400 West Washington Street, Phoenix, Arizona 85007. Executive sessions were held from 9:12 a.m. to 9:26 a.m. and from 11:02 a.m. to 11:10 a.m.

BOARD MEMBERS:

Barbara Campbell, DPM.....	Board President and Practitioner Member
John Rhodes	Secretary and Public Member
Barry Kaplan, DPM.	Practitioner Member
Joseph Leonetti, DPM.....	Practitioner Member
M. Elizabeth Miles.....	Public Member

STAFF AND ASSISTANT ATTORNEY GENERAL PRESENT:

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

GUEST(S) PRESENT AND/OR PARTICIPATING

Jerome A. Cohn, DPM.....	Board’s Investigator
Dedrie M. Polakof, CPM	Board’s Investigator
Janna L. Kroleski, DPM.....	Respondent
Charles S. Hover, III, Esq.	Respondent’s Attorney
Blair J. Sandall, DPM	Respondent
William S. Sowders, Esq.	Respondent’s Attorney
Complainant.....	Investigative Case 14-33-C
Complainant.....	Investigative Case 17-01-C
Complainant.....	Investigative Case 17-08-C
Complainant.....	Investigative Case 17-12-C
Fai Wong, DPM	Applicant

OPEN SESSION

The meeting was called to order at 8:32 a.m. by Dr. Barbara Campbell. The following order of business was then considered:

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

Dr. Joseph Leonetti reaffirmed his conflict of interest with file no. 14-33-C; Kroleski, Janna.

ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

Investigation File(s)

14-33-C; Kroleski, Janna, DPM

Dr. Janna Kroleski was present along with her legal counsel Charles S. Hover, III. Dr. Jerome Cohn was present and summarized his investigator's report. The complainant was present and described her treatment and the care she received. She also described the aftercare she received from two successor podiatrists. Dr. Kroleski described the procedure she did and the decisions she made regarding the patient's treatment and whether or not to fix the fibula. Dr. Kroleski stated that her research supports her decisions. Dr. Kroleski stated that she felt that her decision not to fix the fibula was also supported by the fact that the orthopedic doctor who eventually fixed the patient's fibula stated that the patient had a very lengthy recovery.

The Board discussed the procedure amongst themselves and questioned both Dr. Kroleski and Dr. Cohn regarding the fixation.

The Board discussed going into executive session to seek legal advice.

Dr. Joseph Leonetti declared a conflict and did not participate.

EXECUTIVE SESSION

A motion was made by Dr. Barry Kaplan, seconded by M. Elizabeth Miles and passed unanimously to go into executive session at 9:12 a.m. to seek legal advice pursuant to A.R.S. § 38-431.03(A)(3) regarding file no. 14-33-C.

After consideration in executive session, the Board reconvened in open session at 9:26 a.m.

OPEN SESSION

ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

Investigation File(s)

14-33-C; Kroleski, Janna, DPM

The Board asked the complainant about the timing of the prescribed physical therapy and whether or not she was in pain. The complainant recalled being in discomfort, but not in real pain. The Board discussed the pre-operative plan and the operation itself and what appears to be poor post-operative care that occurred after Dr. Kroleski left the practice. The Board believed that there was a failure to recognize what was going on post-operatively and that the successor doctors failed to discuss the matter with the patient and prescribe physical therapy too soon.

After discussion, a motion was made by M. Elizabeth Miles, seconded by John Rhodes and passed unanimously to dismiss the case due to no violations of Board Statutes and Rules.

Dr. Joseph Leonetti declared a conflict and did not participate.

A subsequent motion was made by Dr. Barbara Campbell, seconded by M. Elizabeth Miles and passed unanimously to open new complaints against the successor doctors Horvath and Askari regarding their post-operative management.

Dr. Joseph Leonetti declared a conflict and did not participate.

17-01-C; Sandall, Blair, DPM

Dr. Blair Sandall was present along with his legal counsel William S. Sowders. Dr. Jerome Cohn was present and summarized his investigator's report. The complainant was present and described what she felt as abandonment of the doctor for not being present when she arrived early for a 5:00 pm appointment. Dr. Sandall described that his office was only opening at 5:00 pm to see two different patients and that his office would have been closed when the complainant arrived due to his community schedule that day.

After discussion, a motion was made by John Rhodes, seconded by M. Elizabeth Miles and passed unanimously to dismiss the case due to no violations of Board Statutes and Rules.

The Board took a break from 10:19 a.m. to 10:29 a.m.

17-02-C; Loo, Gregory, DPM

Dr. Gregory Loo was not present. Dr. Jerome Cohn was present and summarized his investigator's report. The complainant was not present.

After the Board asked the investigator some questions and the Board had some discussion time, a motion was made by Dr. Joseph Leonetti, seconded by Dr. Barbara Campbell and passed unanimously to direct staff to invite Dr. Loo to the Board's June board meeting.

17-08-C; Crezee, Kelvin, DPM

Dr. Kelvin Crezee was not present, nor was his legal counsel. Dr. Jerome Cohn was present and summarized his investigator's report. The complainant was present and described what his daughter's treatment from Dr. Crezee. The complainant also described his frustration with Dr. Crezee's no return policy regarding the two ankle braces that his daughter received. His daughter did not like the braces and the family wished to return the one unopened brace and were told they could not by the doctor's office staff.

The Board discussed going into executive session to seek legal advice.

EXECUTIVE SESSION

A motion was made by Dr. Barry Kaplan, seconded by M. Elizabeth Miles and passed unanimously to go into executive session at 11:02 a.m. to seek legal advice pursuant to A.R.S. § 38-431.03(A)(3) regarding file no. 17-08-C.

After consideration in executive session, the Board reconvened in open session at 11:10 a.m.

OPEN SESSION

ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

Investigation File(s)

17-08-C; Crezee, Kelvin, DPM

Dr. Kelvin Crezee was again not present, nor was his legal counsel.

The Board wished to question the doctor regarding a couple of billing codes and his use of ultrasounds for every visit.

Due to the doctor's absence, a motion was made by M. Elizabeth Miles, seconded by Dr. Joseph Leonetti and passed unanimously to table any action pending further investigation regarding some unanswered questions. The motion included that once the investigation is complete to direct staff to place the matter on a future agenda for review.

17-12-C; Schulman, Daniel, DPM

Dr. Daniel Schulman was not present. Dr. Dedrie Polakof was present and summarized her investigator's report. The complainant was present and described the treatment she received from Dr. Schulman, her cardiologist and her primary physician. The complainant believed that she had a cellulitis infection and that Dr. Schulman should have recognized it. The complainant stated that Dr. Schulman referred her to another doctor. The Board discussed that the issue is not with Dr. Schulman, but rather with Dr. Figueroa, who is an MD and is the doctor who prescribed a medication prior to examining the patient.

A motion was made by M. Elizabeth Miles, seconded by John Rhodes and passed unanimously to dismiss the case due to no violations of Board Statutes and Rules.

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

Wong, Fai, DPM

Dr. Fai Wong was present. The Board asked questions about Dr. Wong's answers on his application, including the suspension of his surgical practice privilege with his previous employer. Dr. Wong stated that he believed that the suspension was not well justified. Dr. Wong described the two cases that the Boston VA peer reviewed and clarified that the suspension was not due to any of his actions, but was actually an administrative suspension during the peer review process.

After discussion, a motion was made by Dr. Barbara Campbell, seconded by M. Elizabeth Miles and passed unanimously to approve for Dr. Wong to sit for the examination.

Abrebaya, Alberto, DPM

Butcher, Jamila, DPM

After review of the applications, a motion was made by Dr. Barbara Campbell, seconded by Dr. Joseph Leonetti and passed unanimously to approve for the applicants to sit for the examination.

Investigation File(s)

17-13-C; Brekke, Mark, DPM

Dr. Mark Brekke was not present. Dr. Dedrie Polakof was present and summarized her investigator's report. The complainant was not present.

After discussion, a motion was made by Dr. Joseph Leonetti, seconded by Dr. Barry Kaplan and passed unanimously to dismiss the case due to no violations of Board Statutes and Rules.

Investigation File(s)

17-15-C; Aung, Barbara, DPM

Dr. Barbara Aung was not present. Dr. Dedrie Polakof was present and summarized her investigator's report. The complainant was not present.

After discussion, a motion was made by Dr. Barbara Campbell, seconded by John Rhodes and passed unanimously to dismiss the case due to no violations of Board Statutes and Rules.

Application(s) for Registration to Dispense Drugs/Devices – A.A.C. R4-25-602

Seidenstricker, Chad, DPM

Udall, Craig, DPM

After review of the applications, a motion was made by Dr. Barbara Campbell, seconded by M. Elizabeth Miles and passed unanimously to grant the applicants a registration to dispense drugs/devices.

REVIEW, DISCUSSION AND POSSIBLE ACTION ON BOARD MEETING MINUTES

Discussion and approval of the Open Session Minutes from the April 12, 2017 board meeting

A motion was made by Dr. Barry Kaplan, seconded by John Rhodes and passed unanimously to approve the Open Session Minutes from the April 12, 2017, board meeting.

M. Elizabeth Miles abstained.

Discussion and approval of the Executive Session Minutes from the April 12, 2017 board meeting

A motion was made by Dr. Barry Kaplan, seconded by John Rhodes and passed unanimously to approve the Executive Session Minutes from the April 12, 2017, board meeting.

M. Elizabeth Miles abstained.

CONSENT AGENDA

Renewal Applications for Arizona Podiatric License and Dispensing Registration

A motion was made by M. Elizabeth Mils, seconded by Dr. Joseph Leonetti and passed unanimously to approve of the following doctors' renewal applications and dispensing registrations, if applicable:

1. Armstrong, David, DPM
2. Charski, John, DPM
3. Dershowitz, Michael, DPM
4. Forman, Mark, DPM
5. Freeman, Denise, DPM
6. Fridrich, Robert, DPM
7. Heath, Laura, DPM
8. Howansky, Petrusia, DPM
9. Jong, Annie, DPM
10. Klebe, Lester, DPM
11. Kluger, Barbara, DPM

12. Knochel, Joseph, DPM
13. Peters, Mary, DPM
14. Withrow, Margaret, DPM

EXECUTIVE DIRECTOR'S REPORT

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

ASSISTANT ATTORNEY'S GENERAL REPORT

Frankie Shinn-Eckberg provided an update regarding current Arizona legislation and legal opinions.

SUMMARY OF CURRENT EVENTS

Ryan P. Edmonson provided an update on file no. 15-06-C; Peterson, Kent.

CALL TO THE PUBLIC

No one was present from the public.

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

None were discussed.

NEXT BOARD MEETING DATE

Wednesday, June 14, 2017 at 8:30 a.m.

ADJOURNMENT

A motion was made by Dr. Barbara Campbell, seconded by Dr. Joseph Leonetti and passed unanimously to adjourn at 12:42 p.m.