



Douglas A. Ducey
Governor

State Of Arizona Board of Podiatry Examiners

"Protecting the Public's Health"

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Barry Kaplan, DPM; Joseph Leonetti, DPM; Barbara Campbell, DPM;
M. Elizabeth Miles, Public Member; John Rhodes, Public Member; Sarah Penttinen, Executive Director

Regular Session Meeting Minutes

April 8, 2015

1400 West Washington St., B1
Phoenix, AZ 85007

Board Members Present: Barbara Campbell, D.P.M., President
Joseph Leonetti, D.P.M., Member
Barry Kaplan, D.P.M., Member
John Rhodes, Secretary-Treasurer
M. Elizabeth Miles, Public Member

Board Members Absent: None

Assistant Attorney General: Frankie Shinn-Eckberg

Board Staff Sarah Penttinen, Executive Director

- I. Call to Order: The meeting was called to order at 8:33 am.
- II. Roll Call: All board members were present at roll call. Assistant Attorney General, Frankie Shinn-Eckberg and Sarah Penttinen, Executive Director were present.

III. Approval of Minutes

a. February 11, 2015 Regular Session Minutes

Motion: Dr. Kaplan moved to accept the regular session minutes of the February 11, 2015 meeting. The motion was seconded by Mr. Rhodes.

Discussion: There was no discussion on the motion.

Vote: The motion passed unanimously by voice vote.

b. February 11, 2015 Executive Session Minutes

Motion: Dr. Kaplan moved to accept the executive session minutes of the February 11, 2015 meeting. The motion was seconded by Ms. Miles.

Discussion: Ms. Miles offered a correction to the minutes which was accepted.

Vote: The motion passed unanimously by voice vote.

c. March 11, 2015 Regular Session Minutes

Ms. Penttinen noted that the minutes were not completed but will be available for the May 13, 2015 meeting. Review of minutes is tabled until the next meeting.

d. March 11, 2015 Executive Session Minutes

Ms. Penttinen noted that the minutes were not completed but will be available for the May 13, 2015 meeting. Review of minutes is tabled until the next meeting.

e. March 27, 2015 Special Meeting Regular Session Minutes

Ms. Penttinen noted that the minutes were not completed but will be available for the May 13, 2015 meeting. Review of minutes is tabled until the next meeting.

Motion: Ms. Miles moved to go into Executive Session for the purpose of receiving legal advice. The motion was seconded by Dr. Leonetti.

Discussion; There was no discussion on the motion.

Vote: The motion passed unanimously by voice vote.

The Board entered Executive Session at 8:34 am and returned to Regular session at 8:45 am.

f. March 27, 2015 Special Meeting Executive Session Minutes

Motion: Ms. Miles moved to accept the March 27, 2015 Special Meeting Executive Session Minutes. The motion was seconded by Dr. Leonetti.

Discussion: There was no discussion on the motion.

Vote: The motion passed unanimously by voice vote with Dr. Kaplan recused.

IV. Review, Discussion and Possible Action-Review of Complaints (NOTE: The presence of complaint

does not automatically indicated violation of Statute or Rule in connection with the practice of podiatry)

a. 14-02-C- Deo Rampertab, DPM.

Dr. Rampertab was present with his attorney, Mr. Bruce Crawford. Dr. Jerome Cohn was the investigator for the case and summarized his findings.

Motion: Dr. Kaplan moved to go into Executive Session for the purpose of receiving legal advice. The motion was seconded by Dr. Leonetti.

Discussion: There was no discussion on the motion.

Vote: The motion passed unanimously by voice vote.

The Board entered Executive Session at 9:33 a.m.and returned to Regular session at 9:36 a.m.

Motion: Dr. Campbell moved to pend case 14-02-C and ask Dr. Rampertab for a chart review in regards to codes 99245, 29580 and 99214 between September of 2013 and March of 2014.

The chart amount to be reviewed will be determined upon presentation by the Board staff and investigator at Dr. Rampertab's office. The motion was seconded by Dr. Kaplan.

Discussion: There was no discussion on the motion.

Vote: The motion passed unanimously by voice vote.

V. Review, Discussion and Possible Action-Probation/Disciplinary Matters

a. 09-02-C and 09-21-C- J. David Brown, DPM: Monthly update

Ms. Penttinen noted that no other materials had been received from Dr. Brown. Mr. Crawford, Dr. Brown's attorney indicated that materials had been sent. Mr. Crawford was instructed by the Board as to the necessary materials that are needed to be received by the Board.

b. 11-01-C- Kevin O'Brien, DPM: Monthly update

Ms. Penttinen reviewed the history of communication with Dr. O'Brien. Ms. Penttinen indicated that there had been no response since April 2, 2015. The Board reviewed the current requirements regarding CME for Dr. O'Brien.

Motion: Ms. Miles moved to open a board complaint for failure to comply with a stipulated board order. The motion was seconded by Dr. Leonetti.

Discussion: There was no discussion on the motion.

Vote: The vote passed unanimously by voice vote.

c. 14-09-B- Janna Kroleski, DPM; Monthly update

Ms. Penttinen indicated that Dr. Kroleski will be present at the May 13, 2015 meeting. Dr. Kroleski was not available for today's meeting.

d. 14-18-B- Mark Pipher, DPM; Monthly update:

Ms. Penttinen reported that the subpoena was sent to the Department of Motor Vehicles requesting information from the Interlock System. The information should be received in the board office by April 10, 2015 and can be reviewed at the May 13, 2015 meeting.

e. 14-25-B- Kelvin Creeze, DPM: Status update regarding formal hearing.

Frankie Shinn-Eckberg, AAG, reported that the formal hearing is scheduled for April 14, 2015 and that John Tellier, AG will be in attendance.

VI. Review, Discussion and Possible Action on Administrative Matters

a. Review of vetting process for Arizona podiatrists for student training at Midwestern University.

Ms. Penttinen noted that no further information had been received. The item is tabled until the May meeting.

b. Valerie Schade, DPM; Review of a self-report of adverse action taken by the U.S. Army

The material presented by Dr. Schade and her attorney, John P. Ager were reviewed and discussed by the Board members.

Motion: Ms. Miles moved to open a board complaint investigation based on the information reported by Dr. Schade and her attorney, Mr. Ager and to offer an immediate consent agreement with a decree of censure. The following statutes involved include 32-852.00 paragraph 6 and 32-854.01 paragraphs 18 and 20. An amendment was then presented by Ms. Miles indicating that consent agreement must be accepted within 30 days of being sent and if the consent agreement is refused the case would be moved to a formal hearing.

Discussion: There was no further discussion on the motion.

Vote: The motion passed unanimously by voice vote.

c. Joseph Knochel, DPM: Review of self-report of criminal conviction

Ms. Penttinen reviewed the case to date with the Board members. Dr. Knochel is already participating in court ordered programs. Discussion took place regarding the case and potential violations to be cited. Dr. Knochel will be invited to the next board for an investigational interview.

Motion: Dr. Kaplan moved to open a board complaint investigation based on the receipt of the self-report by Dr. Knochel regarding a DUI conviction as well as its untimely report to the Board.

d. 11-16-C- Aprajita Nakra, DPM: Update on status of civil proceedings.

A letter from Bruce Crawford, Dr. Nakra's attorney was reviewed. The case is currently in the post-verdict phase. Mr. Crawford will keep the Board apprised of further developments. The Board will request other related trial information from Mr. Crawford.

e. Review of new license applications for the following persons:

- i. Justin Hooker, DPM
- ii. Jared McPhie, DPM

Motion: Dr. Kaplan moved to approve both applicants to sit for the oral licensing exam and approve their licenses upon successful completion thereof. The motion was seconded by Dr. Leonetti.

Discussion: There was no discussion on the motion.

Vote: The motion passed by voice vote.

f. Malpractice case report. (None at this time)

VII. Executive Director's Report- Review, Discussion and Possible Action

- a. Open complaint status report
There was no report to review.

VIII. Call To The Public

There were no requests to speak during the Call to the Public.

IX. Review, Discussion and Possible Action

- a. Review of and follow up to, personnel action regarding the Executive Director.

This agenda item was tabled because the Executive Session criteria was not properly noticed. The item will be scheduled on another date.

X. Next Board Meeting Date;

- a. May 13, 2015 at 8:30 am

XI. Adjournment:

Motion: Leonetti moved to adjourn the meeting. Dr. Campbell seconded the motion.

Discussion: There was no discussion on the motion.

Vote: The motion passed unanimously by voice vote and the meeting was adjourned at 11:48 am.