



Douglas A. Ducey
Governor

State Of Arizona Board of Podiatry Examiners

“Protecting the Public’s Health”

1400 W. Washington, Ste. 230, Phoenix, AZ 85007; (602) 542-3095; Fax: 542-3093

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

Final Regular Meeting Minutes

July 22, 2015

8:30 a.m.

1400 West Washington St., B-2
Phoenix, AZ 85007

Board Members present: Barbara Campbell, D.P.M, President
Barry Kaplan, D.P.M., Member
Joseph Leonetti, D.P.M., Member
John Rhodes, Public Member, Secretary-Treasurer
M. Elizabeth Miles, Public Member-left meeting at 12:51 p.m.

Board Members absent: None

Staff: (Acting) Margaret Whelan, Executive Director, State Board of Optometry

Assistant Attorneys General: Frankie Shinn-Eckberg

Solicitor General: Christopher Munns

A. CALL TO ORDER

Dr. Campbell called the meeting to order at 8:34 a.m.

B. ROLL CALL

All members of the Board were present, Ms. Shinn-Eckberg, Mr. Munns and acting staff Ms. Whelan were present.

C. PRESIDENT’S REPORT

None

D. REVIEW, DISCUSSION AND UPDATE ON PERSONNEL MATTERS:

The Board, upon a majority vote of a quorum of the members, may also hold an Executive Session on items to interview, discuss, consider, and take possible action on personnel matters

1. Update from Human Resources
 - i. Kristen Maves, Human Resources Officer, Arizona Dept. of Administration
 - ii. Vicky Rokkos, Human Resources Officer, Arizona Dept. of Administration

Ms. Rokkos was present to address the Board, informing them that Ms. Penttinen’s FMLA ended July 20, 2015 and that she had met with Ms. Penttinen on July 17, 2015 to inform her as such. Ms. Rokkos stated she rejected a letter from Ms. Penttinen’s chiropractor as supporting

documentation to continue her FMLA. Documentation from a surgeon was subsequently received from Ms. Penttinen and ADOA approved continued leave through July 20, 2015. Ms. Penttinen informed Ms. Rokkos that she would need to be out from July 21, 2015 through July 31, 2015. Ms. Rokkos recommended the Board approve the additional ten days of leave as Leave Without Pay (“LWOP”) and discuss further options at that time.

MOTION: Ms. Miles moved to approve the request for Leave Without Pay until July 31, 2015. Dr. Kaplan seconded the motion.

VOTE: Motion passed 5-0

Ms. Miles moved to go into executive session for legal advice at 11:07 a.m. Mr. Rhodes seconded the motion.

The Board reconvened regular session at 11:10 a.m.

Ms. Shinn-Eckberg asked Ms. Rokkos to appear at the next meeting in August to discuss options with the Board regarding Ms. Penttinen’s employment status.

E. REVIEW AND CONSIDERATION OF CANDIDATES; INTERVIEWS FOR TEMPORARY STAFF:

The Board will conduct interviews for applicants to double-fill the position of executive director, as indicated below. The Board may also discuss the candidates and take additional actions, such as scheduling further interviews. The Board may go into executive session, which will not be open to the public, A.R.S. §38-431.03(A)(1).

1. Evelyn Estrella-Admin.
2. Trent Marsh-Admin.
3. Stephen Harris Rogers-Admin.
4. Timothy Saffles-Admin
5. Isaac Wells-Admin.
6. Sherry Morris-Executive Director

Dr. Campbell moved to go into executive session to conduct interviews for the above named candidates. Dr. Kaplan seconded the motion.

The board entered into executive session at 11:15 a.m. and reconvened regular session at 11:55 a.m.

F. REVIEW, DISCUSSION AND VOTE ON INVESTIGATIVE REVIEWS/COMPLAINTS:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. §38-431.03(A)(2). In addition, the board may hold an executive session to discuss or consult with its attorney and to receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

7. 13-21-C Lewis Freed, D.P.M.

Dr. William Leonetti, investigator for the Board summarized the case as patient had a large bunion and an overlapping toe with a severely unstable rear foot. Dr. Freed received diagnostic MRI which showed tendinopathy. Dr. Freed advised patient this was major surgery however, patient came back five months later asking for surgery. Dr. Freed recommended more conservative treatments prior to performing surgery however the patient refused the recommendation. Patient was referred to Dr. Freed’s partner Dr. Haddon for follow-up treatment. Patient saw Dr. Bruce Werber for second opinion. His opinion was that surgeries performed by Dr. freed were correct. Dr. Leonetti noted that Dr. Freed was

forward and cooperative with the investigation. There was an allegation of billing for services not rendered. Dr. Freed stated he bills off the surgery schedule and that when he went to do surgery; that the portion was not necessary. Dr. William Leonetti tried to contact the patient on several occasions without success. He finds no violation of the podiatric practice act recommended dismissal. Dr. Kaplan asked Dr. William Leonetti if he felt Dr. Freed fell below the standard of care; Dr. Leonetti stated he did not.

MOTION: Ms. Miles moved to dismiss due to lack of violation of the podiatric practice that. Dr. Kaplan seconded the motion.

VOTE: Motion passed 5-0

8. 13-22-C Wayne Moyer, D.P.M.

Dr. Jerome Cohn, investigator for the Board summarized the case as Dr. Moyer performed bunion surgery where the drillbit subsequently broke off in the foot and could not be retrieved. Patient initially seen on April 11, 2011 and received an anti-inflammatory. X-rays were taken; no fracture shown. Dr. Moyer ordered an MRI to see if there was planned fasciitis however the x-ray showed osseous deformities only. The patient requested surgeries on both issues at the same time on the right foot. On May 18, 2011 initial surgery was performed. Dr. Moyer used the drillbit instead of a pin. The drillbit broke off but was not sticking out of the foot. There were postoperative issues such as the patient was noncompliant and not wearing a boot. Patient did physical therapy and was given orthotics. Patient had concerns with the amount of medications prescribed. Charges were reviewed and deemed correct. V-type osteotomy was performed; drillbit was has not moved or migrated. Dr. Cohn feels allegations are unsubstantiated and within the standard of care. Dr. Leonetti asked about heel surgery performed by the second surgeon and whether or not Dr. Moyer had documented it. Dr. Leonetti asked about broken drillbit and why Dr. Moyer didn't "try everything" to get it out. Patient is having problems due to subsequent surgeries which were aggressive and not performed by Dr. Moyer.

MOTION: Dr. Campbell moved to dismiss the case due to lack of violation of the podiatric practice act. Dr. Leonetti seconded the motion.

VOTE: Motion passed 5-0.

9. 14-02-C Deo Rampertab, D.P.M.

Ms. Miles moved to into executive session for legal advice at 8:40 a.m. Mr. Rhodes seconded the motion.

The Board reconvened regular session at 8:56 a.m.

This is a case continued from previous Board meetings. The Board discussed its options regarding the consent agreement offered by Mr. Crawford, counsel to Dr. Rampertab. The Board was not amenable to the terms of the agreement offered and wished to continue case to informal interview as voted on at the June 10, 2015 Board meeting. There are numerous violations which the Board was unhappy with and wished to address those issues with Dr. Rampertab directly. Based on the discussion, Ms. Whelan asked the Board if they are amenable to having Board counsel converse with Mr. Crawford to potentially come to an agreement prior to continuing with an informal interview. The Board was in agreement and

directed Ms. Shinn-Eckberg to get with Mr. Crawford to try and come to agreement in this case prior to moving prior to holding informal interview.

10. 14-20-C Viedra Alison, D.P.M.

Dr. Jerome Cohn, investigator for the Board summarized the case as Dr. Alison treated the patient for removal of a toenail however the patient didn't think she was told everything about the procedure and the postoperative care. A signed consent by the patient was noted in the file and no standard of care issues were present.

MOTION: Dr. Kaplan moved to dismiss due to lack of violation of the podiatric practice act. Ms. Miles seconded the motion.

VOTE: Motion passed 5-0

11. 14-23-C Ronald Killian, D.P.M.

Dr. Jerome Cohn, investigator for the Board summarized the case as on November 27, 2012 an initial evaluation of an ankle injury from a fall from a ladder was performed by Dr. Killian. Patient had a history of cancer, hypothyroidism and tobacco use. Treatment at that time was a Cam Walker and ice. An A1C test was performed but was not a major factor in the events that occurred. On September 14, 2012, surgery was performed and went technically well. A blood blister was later seen and the patient developed complications in which tissues became necrotic. Charges were correct and appropriate for procedure performed; chart notes corresponded with the charges.

On July 26, 2013, Dr. Killian saw the patient for the last time as the patient went to another doctor after that. Dr. Cohn spoke to the patient and asked about conservative care prior to surgery. The patient stated she was not offered that by Dr. Killian and that "surgery was the only option". Dr. Cohn felt not offering conservative measures prior to surgery fell below the standard of care. He also felt the patient was not a candidate for the procedure performed.

Dr. Killian was present to address the Board with counsel Mr. Scott King. Mr. King addressed the Board stating the treatment options were discussed with patient and patient elected to have surgery. The patient was type II non-insulin-dependent diabetic and two consents were signed by the patient. Patient history is relevant to this case based on health issues that affect her condition. Dr. Leonetti asked Dr. Cohn about a complete tear suggestive that a tear does not mean complete rupture. Dr. Leonetti stated he doesn't think two weeks between surgeries is long enough to determine if prior surgery was successful. Dr. Killian addressed the Board regarding this issue, stating the patient insisted on surgery as previous physical therapy had not helped. Dr. Kaplan asked Dr. Killian about what unprofessional behavior was as noted in the complaint. Dr. Killian stated he didn't know what the patient was talking about. Dr. Campbell asked Dr. Killian if he always allows patients to dictate their care. Dr. Leonetti asked Dr. Cohn if during the investigation the patient sounded like she forced the surgery issue. Dr. Cohn stated no; it did not appear that the patient told Dr. Killian she wants surgery and nothing else. Mr. King stated contemporaneous notes showed Dr. Killian offered other treatments. Dr. Leonetti felt that if the patient had more time before surgeries it may have remedied itself.

MOTION: Dr. Leonetti moved to issue a letter of concern Dr. Killian for failing to pursue additional conservative care prior to performing surgery.
Mr. Rhodes seconded the motion.

VOTE: Motion passed 5-0.

12. 15-06-C Kent Peterson, D.P.M.

Dr. Mark Foreman, investigator for the Board summarized the case as this was an “at risk nail care” patient. The patient saw Dr. Peterson on several occasions and claims “all he did was clip her nails”. Notes in the chart say Dr. Peterson used a scalpel but the patient disagrees; complaint was charging for services not rendered. Billing codes 11055 and 11056 were billed when should have been 11057. Patient came back two months later for orthotics. The patient was subsequently seen for ulcers but no documentation of ulcers was in notes however billing code 99213 was used but no documentation to support billing code was in the notes. Dr. Kaplan stated he didn't understand billing two separate feet for two separate procedures. Dr. Kaplan asked about the nail procedure on October 7th. Patient was charged for ulceration of the toe when there appeared to be none according to the notes. Dr. Leonetti asked Dr. Forman if he thought patient qualified under “at risk nail care”. Dr. Peterson based at risk decision on blood flow.

Dr. Kaplan moved to go into executive session for legal advice at 9:23 a.m. Mr. Rhodes seconded the motion.

The Board reconvened regular session at 9:28 a.m.

The Board continued to discuss its concerns about documentation and services regarding code 11055, 11056, and 99213. Dr. Kaplan asked about billing code 11057 for four or more lesions and was Dr. Peterson billing twice when he should have billed once. Ms. Whelan asked the Board if they wanted to continue case for further investigation of the billing codes.

Dr. Kaplan moved to go into executive session for legal advice at 9:35 a.m. Dr. Leonetti seconded the motion.

The Board reconvened regular session at 9:40 a.m.

Dr. Leonetti recommended an audit regarding the billing concerns to include six months of 20 to 30 patient charts from January through March 2014 and January through March 2015 with a review to include all EOBs, patient billing, ancillary records, and Medicare billing. The Board continued the case for further investigation on the use of billing codes 11720, 99213, 11055, 11056, 11721, and 11719.

13. 15-14-C Serrina Yozsa, D.P.M.

Prior to the discussion, Ms. Shinn-Eckberg informed the Board that she is abstaining from giving legal advice in this case due to conflict of interest. Dr. Jerome Cohn, investigator for the Board presented the case as patient was seen for ingrown toenail which became infected. Dr. Yozsa did not perform surgery. The patient got MRSA which was antibiotic resistant. Wound was incised and drained; performed correctly. Cultures were performed; debridement was correctly performed- patient refused IV antibiotics to assist with the infection. Patient had a co-pay but paid out-of-pocket for antibiotic as it was not covered

by insurance. Dr. Forman did not see any violation of the podiatric practice act and recommended dismissal.

MOTION: Dr. Kaplan moved to dismiss due to lack of violation of the podiatric practice act. Mr. Rhodes seconded the motion.

VOTE: Motion passed 5-0.

14. 15-17-M Frank Zappa, D.P.M.

The Board tabled this complaint until the investigation from the state of Illinois regarding malpractice is completed.

15. 15-21-B Joseph Knochel, D.P.M.

This is a continuation of discussion for previous Board meeting. Dr. Knochel has a DUI and the Board inquired as to what court programs Dr. Knochel has participated in regarding this DUI; also why the doctor had not reported the arrest within 10 days pursuant to A.R.S. §32-3208. Dr. Knochel was present to address the Board stating he pled guilty to a DUI in February of 2015, however no records have been received by the Board and there has been no communication from Dr. Knochel's attorney. Dr. Knochel stated he has an interlock system on his car for 6-12 months. Ms. Miles asked Dr. Knochel how many patients he sees per day to which he stated; 10. She then asked how many patients he sees for surgery per week to which he stated; 10. Dr. Knochel informed the Board he had personal issues that affected his well-being which led him to this DUI. He attends AA meetings of his own free will on a regular basis. Dr. Campbell asked the Board about how they felt about requiring random blood and urine screens.

Ms. Miles moved to go into executive session for legal advice at 12:08 p.m. Dr. Leonetti seconded the motion.

The Board reconvened regular session at 12:18 p.m.

The Board discussed its concerns regarding Dr. Knochel's safety and/or fitness to practice and would like to consider a professional evaluation regarding this issue.

MOTION: Ms. Miles moved to require an evaluation within 60 days by an addiction specialist, approved by the board and to obtain a copy of the final disposition of the criminal case regarding the DUI. Dr. Kaplan seconded the motion.

VOTE: Motion passed 5-0.

16. 15-22-C Loren Wessel, D.P.M.

Dr. Jerome Cohn, investigator for the Board reported that Dr. Roma replaced Dr. Wessel and felt that Dr. Wessel was impersonating her; a police report was filed. Allegations in the complaint were that patients were uncomfortable with how Dr. Wessel came in and would find an excuse to use their bathroom. Several patients were interviewed by Dr. Cohn. Dr. Wessel denies all allegations. He states he was never asked by the facility to not use the bathroom in the patient's rooms. Mr. Dan Peterson from Caremore states that he terminated Dr. Wessel's contract. Dr. Leonetti asked if pills or bottles are missing as is it possible an

assistant was stealing them. The Board directed staff to further investigate asking for a list of other care facilities in which Dr. Wessel practices.

17. 15-24-C Joseph Knochel, D.P.M.

This case was tabled until next meeting in order for the doctor to be properly noticed for response as Dr. Knochel had not yet completed his response to the case. The Board directed staff to assign to an investigator and present an upcoming meeting.

G. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING SUBPOENA OF EXECUTIVE DIRECTOR:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. §38-431.03(A)(2). In addition, the board may hold an executive session to discuss or consult with its attorney and to receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

18. Subpoena of Ms. Sarah Penttinen, Executive Director, for Deposition in Arizona Superior Court case number CV2011-008923

Ms. Shinn-Eckberg informed the Board that she wasn't quite sure why the executive director was subpoenaed in this case as the executive director of the Board is not a party to the case; and that she would contact the issuing party to determine what their intent was in subpoenaing the executive director.

H. REVIEW, DISCUSSION AND VOTE ON FORMAL ADMINISTRATIVE HEARING AND ADMINISTRATIVE LAW JUDGE DECISION:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. §38-431.03(A)(2). In addition, the board may hold an executive session to discuss or consult with its attorney and to receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

19. Kelvin Crezee, D.P.M., Hearing on Decree of Censure in Board Case# 11-09-M and 14-25-B, Docket No. 14A-1425B-POD

The Board reviewed the decision by the Administrative Law Judge (“ALJ”). Ms. Shinn-Eckberg was present representing the State and Mr. Christopher Munns was present representing the Board. Ms. Shinn-Eckberg stated that the State is in agreement with the ALJ and would support the recommendation to issue a Letter of Concern. Counsel for Dr. Crezee, Mr. Bruce Crawford was present to address the Board stating he agrees with the ALJ decision as well. Dr. Leonetti stated that he is in agreement with the decision by the Administrative Law Judge and feels that the Board should accept the decision.

MOTION: Ms. Miles moved to accept the Administrative Law Judge’s findings and issue a letter of concern and the above named cases. Dr. Kaplan seconded the motion.

<u>Vote</u>		Barbara Campbell, D.P.M. President	Joseph Leonetti, D.P.M.	Barry Kaplan, D.P.M.	M. Elizabeth Miles Public Member	John Rhodes Public Member
YES	5	X	X	X	X	X
NO	0					
ABSTAIN	0					
ABSENT	0					

VOTE: Motion passed 5-0.

I. REVIEW, DISCUSSION AND POSSIBLE ACTION AND UPDATE ON PROBATION:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. §38-431.03(A)(2). In addition, the board may hold an executive session to discuss or consult with its attorney and to receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

20. 14-09-B Janna Kroleski, DPM

No report was given at this time as the Board has not received updates and Dr. Kroleski did not appear before the Board. The Board will expect to hear from Dr. Kroleski at the October Board meeting.

J. REVIEW, DISCUSSION, APPROVAL AND POSSIBLE ACTION ON RENEWAL OF LICENSE TO PRACTICE:

Licensee	Disp.	Licensee	Disp	Licensee	Disp.	Licensee	Disp.
Ahmed, Raziuddin	No	Andersen, Robert	Yes	Beabes, Justin	No	Brewer, Michael	Yes
Berkey, Rodney	Yes	Borreggine, Joseph	No	Bock, Erich	No	Burke, William	Yes
Brekke, Mark	Yes	Carlson, Alan	Yes	Botte, Raymond	Yes	Coffey, Jamie	Yes
Cappiello, Zina	No	Couch, Heather	Yes	Cheney, Allison	No	DeLaCruz, Eugene	No
Crezee, Kelvin	Yes	Cox Jr, Samuel	Yes	Cox, John	Yes	Dolnick, Samuel	No
DeRose, Joseph	No	Dahukey, Amram	Yes	DiMaggio, John	No	Eulano, Albert	Yes
Dershowitz, Michael	Yes	Daulat, Rajesh	Yes	Evans, Robert	No	Freeman, Denise	Yes
Donela, Richard	No	Doyle, Dustin	Yes	Ferguson, John	Yes	Harlan, John	Yes
Ellsworth, David	No	Freestone, Darick	Yes	Fisher, Timothy	No	Hsu, Daniel	No
Evans, Scott	Yes	Gorman, Ike	Yes	Forman, Mark	Yes	Jacoby, Richard	Yes
Fink, Barton	Yes	Gorman, Mark	Yes	Funk, Christopher	Yes	Jaffe, David	Yes
Friedlander, Gary	Yes	Griffin, Douglas	Yes	Galli, Melissa	Yes	Jeppensen, Nathan	Yes
Gross, Arnold	No	Haddad, Marisa	Yes	Hall, Jared	No	Jones, Noland	Yes
Harrill, Jason	Yes	Hale, Thomas	Yes	Hayman, Brad	Yes	Kayce, Jason	No
Hess, Carrie	Yes	Jenkins, David	Yes	Kenrich, Robert	Yes	Kruczay, Adam	No
Holgado, Ronald	No	Keller, Paul	No	Kosak, Ruth	Yes	Niemann, Spencer	Yes
Hollander, Steven	Yes	Kessel, Nicole	Yes	Lardizabal, Marisse	No	Reed, Trena	No
Huston, Erika	Yes	Kluger, Barbara	Yes	Larson, Jay	Yes	Roth, Bryan	No
Jong, Annie	No	Kravitz, Alan	Yes	Lawson, Bjorn	No	Saunders, Daniel	Yes
Joseph, Warren	No	Krell, Bruce	Yes	Lowy, Andrew E	Yes	Scott, Ryan	Yes
Kabala, Teisha	Yes	Kuchar, Ladislav	Yes	Marshall, Verlan	Yes	Seidner, Arthur	Yes
Ko, Edalyn	No	Laurino Jr, David	Yes	Merrill, Peter	Yes	Simonson, Evan	Yes
Krahn, Morten	Yes	Losi, Therese	Yes	Miltchin, Hartley	No	Tang, Selena	No
Lee, David	Yes	Lu, Adam - RETIRED LICENSE		Mott, Richard	Yes	Tassone, John	Yes
Limanowski, John	No	Maben, Frank	Yes	Murad, Craig	No	Thompson, Chad	Yes
Page, Jeffrey	No	Peterson, Raymond	Yes	Sherman, Allen	No	Vella, Joseph	Yes
Pattengill, Matthew	No	Powers, John	Yes	Tallis, Arthur	Yes	Violand, Melanie	Yes
Pirozzi, Kelly	No	Rabin, Ralph	Yes	Taylor, Robet	No	Wagner, Leonard	No
Loo, Gregory	Yes	Maling, Scott	Yes	Palacios, Isaac	No	Westphal, Chad	No
Myskiw, Peter	Yes	Otero-Quintero, Sara	Yes	Rheauame, Gordon	No	Yamada, Wesley	No
Lubeck, Stanley	No	McAlister, Jeffrey	Yes	Quint, Richard	Yes	Yozsa, Serrina	Yes
Price, Scott	Yes	Sekosky, Timothy	Yes	Thaler, George	No	Zachow, Robert	Yes
Roemer, Andrea	No	Shapiro, Gilbert	Yes	Weiss, Jeffrey	Yes	Zang, Todd	No
Moore, Steven	Yes	Nelson, Glenn	Yes	Rand, Richard	Yes	Zappa, Frank	No
Sana, Nima	Yes	Short, Timothy	Yes	Whitaker, Bradley	Yes	Zarkou, David	Yes
Natcher, Anna	No	Peterson, Kent	Yes	Richer, Lee	Yes	Zonis, Larry	Yes
Sekosky, Michael	Yes	Smith, Karen	No	Wilde, Troy	No		
Stone, Kathleen	Yes	Suykerbuyk, Christopher	No	Withrow, Margaret	Yes		
Trattner, Eric	No	Vaughn, Kyle	Yes	Young, Susan	Yes		

MOTION: Dr. Campbell moved to approve the renewals submitted and address the eight renewals that had deficiencies and open complaints, if applicable. Mr. Rhodes seconded the motion.

VOTE: Motion passed 5-0

K. REVIEW, DISCUSSION AND POSSIBLE ACTION ON CONTINUING EDUCATION PURSUANT TO R4-25-502:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. §38-431.03(A)(2). In addition, the board may hold an executive session to discuss or consult with its attorney and to receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

21. APMA “2015 Annual Scientific Meeting”

MOTION: Dr. Kaplan moved to approve item 21 as submitted. Dr. Campbell second the motion.

VOTE: Motion passed 5-0.

22. Dept. of Veterans Affairs “Weekly Seminar in Current concepts Podiatric Medicine & Surgery”

MOTION: Dr. Kaplan moved to approve item 22 estimated. Dr. Leonetti seconded the motion.

VOTE: Motion passed 5-0.

L. EXECUTIVE DIRECTOR’S REPORT:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. §38-431.03(A)(2). In addition, the board may hold an executive session to discuss or consult with its attorney and to receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

- 23. Budget
- 24. Rules
- 25. Board Office Administrative/Complaint Status Update
- 26. Fiscal Year End Reports/Update
- 27. Future Agenda Items

Ms. Whelan informed the Board that their budget was healthy with a beginning cash balance of \$142,006 and an ending cash balance of \$189,736. The Board’s spending is at 84.96% at the end of the Fiscal Year with some outstanding bills.

At the June board meeting, Ms. Whelan had noted that there was an issue with two rules that had expired but no explanation as to why. After researching the issue, Ms. Whelan found that the last five-year rules review was due July 2008 with an extension granted to September 2008. The next report was due July 2013 with an extension request to November 27, 2013. In March 2014, the report was submitted to the Governors Regulatory Review Council (“GRRC”) and a cover letter was found dated September 25, 2013 where all the rules had been reviewed except for R4-25-303 and R4-25-305 and that the Board was aware that they were allowing those two rules to expire.

Since the last Board meeting, interim Board staff has fielded approximately 100 phone calls, received and responded to 1015 e-mails, opened ten new complaints and sent subpoenas for records. Dr. Cohn has triaged and assigned 29 complaints to investigators.

The fiscal year ended June 30, 2015. All year-end reports have been submitted except for the budget which is due September 1, 2015.

Future agenda items requested were an update on the mandatory Board member training; specifically where the board is on that and how and when the training will be conducted for this Board.

M. CALL TO THE PUBLIC:

Dr. Campbell made call to the public at 1:40 p.m. No one was present to address the board.

N. NEXT BOARD MEETING DATE:

28. August 12, 2015 at 8:30 a.m.

The Board confirmed its next Board meeting date of Wednesday, August 12, 2015 8:30 a.m.

O. ADJOURNMENT

MOTION: Dr. Campbell moved to adjourn at 2:21 p.m. Dr. Kaplan seconded the motion.

VOTE: Motion passed 4-0.

The meeting was adjourned at 2:21 p.m.