



Douglas A. Ducey,  
Governor

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

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OPEN SESSION MINUTES

May 12, 2021

Members of the Arizona State Board of Podiatry Examiners (“Board”) held a meeting at 8:30 a.m. on Wednesday, May 12, 2021, at 1740 West Adams St., Boardroom C, Phoenix, Arizona 85007. No Executive Sessions were held.

**BOARD MEMBERS PRESENT:**

- Barbara Campbell, DPM..... Board President and Practitioner Member
- John Rhodes ..... Secretary and Public Member
-  Albert Eulano, DPM. .... Practitioner Member
-  Mark Forman, DPM.....Practitioner Member
- Vacancy.....Public Member

**STAFF AND ASSISTANT ATTORNEY GENERAL PRESENT:**

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

**GUEST(S) PRESENT AND/OR PARTICIPATING**

-  Mark Gorman, DPM.....Licensee
-  Kenneth Moskow, Esq.....Attorney
-  J.P.....Complainant
-  Boyd Andrews, DPM.....Public Participant
-  Alan Discont, DPM.....Public Participant
-  Joe Abate.....Public Participant
-  Dedrie Polakof, DPM.....Investigator
-  Daniel Saunders, DPM.....Investigator
-  Appeared telephonically

**OPEN SESSION**

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

**REVIEW, DISCUSSION AND POSSIBLE ACTION ON BOARD MEETING MINUTES**

**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.

Discussion and approval of the Open Session Minutes from the April 7, 2021, Board meeting

After review, Dr. Campbell made a motion, seconded by Dr. Forman, to approve the April 7, 2021, Open Session Minutes as drafted. The motion carried unanimously, 4-0.

|           | Dr. Campbell | Dr. Eulano | Dr. Forman | Mr. Rhodes | VACANCY |
|-----------|--------------|------------|------------|------------|---------|
| Yay       | X            | X          | X          | X          |         |
| Nay       |              |            |            |            |         |
| Recused   |              |            |            |            |         |
| Abstained |              |            |            |            |         |
| Absent    |              |            |            |            |         |

**ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION**

Investigations

21-02-C; Mark Gorman, DPM

The Board’s Investigator, Dr. Saunders, was present telephonically, provided a summary to the Board and answered Board members’ questions.

Dr. Gorman and his attorney, Kenneth Moskow, Esq, were present, requested to speak, made a statement and answered Board members’ questions. The Complainant was not present. After deliberation, Dr. Forman made a motion, seconded by Dr. Eulano, to dismiss Complaint No. 21-02-C, Mark Gorman, DPM as there were no violations of statute or rule. The motion carried unanimously, 4-0.

|           | Dr. Campbell | Dr. Eulano | Dr. Forman | Mr. Rhodes | VACANCY |
|-----------|--------------|------------|------------|------------|---------|
| Yay       | X            | X          | X          | X          |         |
| Nay       |              |            |            |            |         |
| Recused   |              |            |            |            |         |
| Abstained |              |            |            |            |         |
| Absent    |              |            |            |            |         |

21-06-C; Alan Shih, DPM

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

Dr. Shih was not present. The Complainant, J.P., was present, requested to speak, made a statement and answered Board members’ questions. Board members expressed concern that Dr. Shih ordered a vascular test prior to examining J.P., that Dr. Shih did not perform an appropriate neurological exam, that Dr. Shih did not explain to J.P. the injections that he administered, and expressed concern with Dr. Shih’s billing procedures. After deliberation, Dr. Campbell made a

motion, seconded by Mr. Rhodes, to move Complaint No. 21-06-C, Alan Shih, DPM to an Informal Hearing for possible violations of A.R.S. 32-854.01(21)(23)(25). The motion carried unanimously, 4-0 on a roll call vote.

|           | Dr. Campbell | Dr. Eulano | Dr. Forman | Mr. Rhodes | VACANCY |
|-----------|--------------|------------|------------|------------|---------|
| Yay       | X            | X          | X          | X          |         |
| Nay       |              |            |            |            |         |
| Recused   |              |            |            |            |         |
| Abstained |              |            |            |            |         |
| Absent    |              |            |            |            |         |

### Issuance of Licenses

#### 1. Mahsa Agha Jafari, DPM

Upon review of Dr. Agha Jafari's application, the Board noted that she will not complete her residency until June 2021 otherwise her application meets requirements of statute and rule. After review, Dr. Campbell made a motion, seconded by Mr. Rhodes, to approve Dr. Agha Jafari's application upon successful completion of her residency and payment of the license issuance fee. The motion carried unanimously, 4-0.

|           | Dr. Campbell | Dr. Eulano | Dr. Forman | Mr. Rhodes | VACANCY |
|-----------|--------------|------------|------------|------------|---------|
| Yay       | X            | X          | X          | X          |         |
| Nay       |              |            |            |            |         |
| Recused   |              |            |            |            |         |
| Abstained |              |            |            |            |         |
| Absent    |              |            |            |            |         |

#### 2. Ola El-Sheikh, DPM

Upon review of Dr. El-Sheikh's application, the Board noted that she will not complete her residency until June 2021 otherwise her application meets requirements of statute and rule. After review, Dr. Campbell made a motion, seconded by Mr. Rhodes, to approve Dr. El-Sheikh's application upon successful completion of her residency and payment of the license issuance fee. The motion carried unanimously, 4-0.

|           | Dr. Campbell | Dr. Eulano | Dr. Forman | Mr. Rhodes | VACANCY |
|-----------|--------------|------------|------------|------------|---------|
| Yay       | X            | X          | X          | X          |         |
| Nay       |              |            |            |            |         |
| Recused   |              |            |            |            |         |
| Abstained |              |            |            |            |         |
| Absent    |              |            |            |            |         |

3. Spencer Hardy, DPM

Upon review of Hardy’s application, the Board noted that he will not complete his residency until June 2021 otherwise his application meets requirements of statute and rule. After review, Dr. Campbell made a motion, seconded by Mr. Rhodes, to approve Dr. Hardy’s application upon successful completion of his residency and payment of the license issuance fee. The motion carried unanimously, 4-0.

|           | Dr. Campbell | Dr. Eulano | Dr. Forman | Mr. Rhodes | VACANCY |
|-----------|--------------|------------|------------|------------|---------|
| Yay       | X            | X          | X          | X          |         |
| Nay       |              |            |            |            |         |
| Recused   |              |            |            |            |         |
| Abstained |              |            |            |            |         |
| Absent    |              |            |            |            |         |

4. Karen Hunt, DPM

Upon review of Dr. Hunt’s application, the Board noted that her application meets requirements of statute and rule. After review, Dr. Campbell made a motion, seconded by Dr. Forman, to approve Dr. Hunt’s application upon payment of the license issuance fee. The motion carried unanimously, 4-0.

|           | Dr. Campbell | Dr. Eulano | Dr. Forman | Mr. Rhodes | VACANCY |
|-----------|--------------|------------|------------|------------|---------|
| Yay       | X            | X          | X          | X          |         |
| Nay       |              |            |            |            |         |
| Recused   |              |            |            |            |         |
| Abstained |              |            |            |            |         |
| Absent    |              |            |            |            |         |

5. Dylan Kaumaya, DPM

Upon review of Kaumaya’s application, the Board noted that he will not complete his residency until June 2021 otherwise his application meets requirements of statute and rule. After review, Dr. Campbell made a motion, seconded by Mr. Rhodes, to approve Dr. Kaumaya’s application upon successful completion of his residency and payment of the license issuance fee. The motion carried unanimously, 4-0.

|           | Dr. Campbell | Dr. Eulano | Dr. Forman | Mr. Rhodes | VACANCY |
|-----------|--------------|------------|------------|------------|---------|
| Yay       | X            | X          | X          | X          |         |
| Nay       |              |            |            |            |         |
| Recused   |              |            |            |            |         |
| Abstained |              |            |            |            |         |
| Absent    |              |            |            |            |         |

6. Piroska Schlesinger, DPM

Upon review of Dr. Schlesinger’s application, the Board noted that her application meets requirements of statute and rule. After review, Dr. Campbell made a motion, seconded by Mr. Rhodes, to approve Dr. Schlesinger’s application upon payment of the license issuance fee. The motion carried unanimously, 4-0.

|           | Dr. Campbell | Dr. Eulano | Dr. Forman | Mr. Rhodes | VACANCY |
|-----------|--------------|------------|------------|------------|---------|
| Yay       | X            | X          | X          | X          |         |
| Nay       |              |            |            |            |         |
| Recused   |              |            |            |            |         |
| Abstained |              |            |            |            |         |
| Absent    |              |            |            |            |         |

7. Usman Urooj, DPM

Upon review of Urooj’s application, the Board noted that he will not complete his residency until June 2021 otherwise his application meets requirements of statute and rule. After review, Dr. Campbell made a motion, seconded by Mr. Rhodes, to approve Dr. Urooj’s application upon successful completion of his residency and payment of the license issuance fee. The motion carried unanimously, 4-0.

|           | Dr. Campbell | Dr. Eulano | Dr. Forman | Mr. Rhodes | VACANCY |
|-----------|--------------|------------|------------|------------|---------|
| Yay       | X            | X          | X          | X          |         |
| Nay       |              |            |            |            |         |
| Recused   |              |            |            |            |         |
| Abstained |              |            |            |            |         |
| Absent    |              |            |            |            |         |

Registration to Dispense Drugs/Devices

1. W. Kreig Lewis, DPM

Upon review of Dr. Lewis’ application, the Board noted that his application meets requirements of statute and rule. After review, Dr. Campbell made a motion, seconded by Mr. Rhodes, to approve Dr. Lewis’ application. The motion carried unanimously, 4-0.

|           | Dr. Campbell | Dr. Eulano | Dr. Forman | Mr. Rhodes | VACANCY |
|-----------|--------------|------------|------------|------------|---------|
| Yay       | X            | X          | X          | X          |         |
| Nay       |              |            |            |            |         |
| Recused   |              |            |            |            |         |
| Abstained |              |            |            |            |         |
| Absent    |              |            |            |            |         |

2. Nilin Rao, DPM

Upon review of Dr. Rao’s application, the Board noted that his application meets requirements of statute and rule. After review, Dr. Campbell made a motion, seconded by Mr. Rhodes, to approve Dr. Rao’s application. The motion carried unanimously, 4-0.

|           | Dr. Campbell | Dr. Eulano | Dr. Forman | Mr. Rhodes | VACANCY |
|-----------|--------------|------------|------------|------------|---------|
| Yay       | X            | X          | X          | X          |         |
| Nay       |              |            |            |            |         |
| Recused   |              |            |            |            |         |
| Abstained |              |            |            |            |         |
| Absent    |              |            |            |            |         |

3. Mark Rotenstein, DPM

Upon review of Dr. Rotenstein’s application, the Board noted that his application meets requirements of statute and rule. After review, Dr. Campbell made a motion, seconded by Mr. Rhodes, to approve Dr. Rotenstein’s application. The motion carried unanimously, 4-0.

|           | Dr. Campbell | Dr. Eulano | Dr. Forman | Mr. Rhodes | VACANCY |
|-----------|--------------|------------|------------|------------|---------|
| Yay       | X            | X          | X          | X          |         |
| Nay       |              |            |            |            |         |
| Recused   |              |            |            |            |         |
| Abstained |              |            |            |            |         |
| Absent    |              |            |            |            |         |

Compliance Update

1. Patrick Farrell, DPM

Dr. Campbell summarized stating that Dr. Farrell has not performed any nerve decompression procedures in April of 2021. The Board took no action on this item.

**BOARD TO REVIEW, DISCUSS AND TAKE POSSIBLE ACTION ON PRESENTATION BY BOYD ANDREWS, DPM, PRESIDENT OF THE ARIZONA FOOT AND ANKLE MEDICAL ASSOCIATION REGARDING X-RAY CERTIFICATION FOR PODIATRIC MEDICAL ASSISTANTS**

Dr. Andrews summarized stating that the Arizona Foot and Ankle Medical Association (Association) has provided information regarding the American Society of Podiatric Medical Assistants x-ray certification program. Dr. Andrews explained that this program may be a good pathway for podiatric medical assistants to become certified to perform x-rays. Board members discussed the rulemaking process after its Bill, SB1284 becomes effective. Board members discussed the possibility of having podiatric medical assistants be exempt from the certification

process through the Department of Health Services, Special Licensing Division. Dr. Alan Discont and Mr. Joe Abate were present on behalf of the Association and indicated the Association's willingness to support the Board in this endeavor.

### **BOARD TO REVIEW, DISCUSS AND TAKE POSSIBLE ACTION ON UPDATE OF THE FEDERATION OF PODIATRIC MEDICAL BOARDS ANNUAL MEETING**

Dr. Campbell stated that at the Federation of Podiatric Medical Boards (FPMB) annual meeting discussion took place regarding the following topics:

- American Medical Podiatric Licensing Exam Part II Clinical Skills Patient Encounter
- Podiatrists administering COVID vaccines
- Telehealth
- Podiatric medical assistant regulation
- Podiatrists supervising physician assistants
- Continuing medical education
- Patterns/trends of complaints during the pandemic
- Prescribing opioids and Substance abuse

### **EXECUTIVE DIRECTOR'S REPORT**

Ms. Broaddus summarized stating Governor Ducey signed the Board's Bills, SB1283 and SB1284. Both Bills will become effective 90 days after the legislative session ends.

Ms. Broaddus provided a summary of the renewals the Board office has received.

Ms. Broaddus stated that Erika Huston, DPM has completed the terms of her non-disciplinary Order for continuing education in Complaint No. 20-04-C.

Ms. Broaddus provided a summary of the budget and stated that Board staff is in the process of purchasing new laptops for Board members.

Ms. Broaddus provided a summary of the complaint log.

### **SUMMARY OF CURRENT EVENTS**

There were no current events.

### **LEGISLATIVE UPDATE AND DISCUSSION**

Ms. Broaddus briefly summarized HB2014, HB2029, HB2242, HB2243, HB2267, HB2433, HB2454. and SB1149. Ms. Broaddus stated that Governor Ducey signed HB2454 pertaining to telehealth. HB2454 has an immediate effective date and that Boards are awaiting further guidance from the Attorney General's Office as to how HB2454 should be implemented.

**CALL TO THE PUBLIC**

There was no call to the public.

**DISCUSSION AND POSSIBLE ACTION ITEMS FOR FUTURE MEETING AGENDAS**

There were no items for future meetings

**NEXT BOARD MEETING DATE**

Wednesday, June 9, 2021 at 8:30 a.m.

**ADJOURNMENT**

A motion was made by Dr. Campbell, seconded by Mr. Rhodes, and passed unanimously, 4-0, to adjourn the meeting at 10:45 a.m.

|           | Dr. Campbell | Dr. Eulano | Dr. Forman | Mr. Rhodes | VACANCY |
|-----------|--------------|------------|------------|------------|---------|
| Yay       | X            | X          | X          | X          |         |
| Nay       |              |            |            |            |         |
| Recused   |              |            |            |            |         |
| Abstained |              |            |            |            |         |
| Absent    |              |            |            |            |         |