



Janice K. Brewer,  
Governor

State Of Arizona Board of Podiatry Examiners  
"Protecting the Public's Health"

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Barry Kaplan, DPM; Joseph Leonetti, DPM; Dedrie Polakof, DPM; Paula Hollins, Public Member;  
Jeanne Reagan, Public Member, Sarah Penttinen, Executive Director

**BOARD MEETING AGENDA**

May 13, 2009, 8:30 a.m.  
1400 West Washington St., B1  
Phoenix, AZ 85007

Notice is hereby given to the general public and to the members of the State of Arizona Board of Podiatry Examiners (Board), that the Board will hold a regular meeting open to the public at the Board's offices located at 1400 W. Washington, Phoenix, Arizona. A.R.S. § 38-431.02. The Board, upon a majority vote of a quorum of the members, may hold an *Executive Session* on any of the listed agenda items to discuss or consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law, or to obtain legal advice. A.R.S. § 38-431.03(A) (2) and (3). Those wishing to address the Board need to request permission in advance; however, the Board may limit those persons speaking during the "Call to the Public" at three (3) per side on any one issue. A.R.S. § 38-431.01(G). The Board can only take action on matters listed on the agenda and other matters related thereto. A.R.S. § 38-431.02(H). If appropriate, actions on public comment matters that are not listed on the agenda will be limited to directing staff to study the matter or schedule the matter for further discussion at a later date. A.R.S. § 38-431.01(G).

The Board reserves the right to change the order of items on the agenda, except for matters set for a specific time. The President of the Board reserves the right to call cases in random order. Please note that the recommendations listed on the agenda are merely suggested Board actions. These recommendations do not become final until adopted by the Board. The Board has the authority to accept, reject or modify any recommendation listed in the agenda.

Americans with Disabilities Act: Persons with disabilities may request reasonable accommodations by contacting Sarah Penttinen at (602) 542-3095. Requests should be made as early as possible to allow time to arrange the accommodation.

Board Members: Joseph Leonetti, D.P.M., President  
Dedrie Polakof, D.P.M., Member  
Barry Kaplan, D.P.M., Member  
Jeanne Reagan, Secretary-Treasurer  
Paula Hollins, Public Representative

Staff: Sarah Penttinen, Executive Director

Assistant Attorney General: Keely Verstegen

The Agenda for the meeting is as follows:

- I. **Call to Order**
- II. **Roll Call**
- III. **Approval of Minutes**
  - a. April 8, 2009 Regular Session Minutes.
  - b. April 27, 2009 Teleconference Regular Session Minutes

**(Agenda item IV is a time-specific item set for 8:30 a.m.)**

- IV. Review of Administrative Law Judge Recommendation:** The Board will review, discuss, and take action to accept, reject or modify the recommendation of the Administrative Law Judge in the following matter:
  - a. 06-06-C – Michael Dershowitz: Alleged practice below the standard of care.
  
- V. Review, Discussion and Possible Action –Review of Complaints** (NOTE: The subject matter listed for each agenda item represents the allegation(s) being investigated. The presence of allegations does not automatically indicate violation of Statute or Rule in connection with the practice of podiatry.)
  - a. 08-47-B – Antonius Su: Alleged billing irregularities.
  - b. 08-50-M – Scott Maling: Alleged practice below the standard of care.
  
- VI. Status Updates: No Board Action – Information Only**
  - a. 07-28-C – Kent Peterson: Monthly status update.
  
- VII. Probation / Disciplinary Action Status Reports: No Action – Information Only**
  - a. 06-04-C – Alan Gaveck: Monthly report update.
  - b. 08-03-C – Elaine Shapiro: Monthly report update. Next quarterly report from Dr. Sucher is due in June 2009.
  
- VIII. Review, Discussion and Possible Action on Administrative Matters**
  - a. Use of laser treatment for fungal toenail infections.
  - b. 08-25-C – Aprajita Nakra: Request to re-open investigation.
  - c. CME approval request from Raymond Botte, DPM.
  - d. Discussion on whether or not to open investigation cases on Drs. Paul Daines and Jess Price due to PICA report of a patient request for compensation for “mental and emotional aggravation” because Dr. Daines did not perform surgery.
  - e. New license applications – completion of deficiencies: During the April 8, 2009 Board meeting the Board members voted to approve the applications of Drs. Anthony Cole, Ryan Fitzgerald and Paul Ledesma. Drs. Michael Brewer and Carolyn Cole were advised that they could sit for the oral exam but would not be issued a license until their PMLexis scores were received. Dr. Alan Carlson was advised that he would not be allowed to sit for the oral exam until his Nation Board scores were received.
    - i. Michael Brewer – only missing PMLexis score.
    - ii. Carolyn Cole – only missing PMLexis score.
    - iii. Daniel Fulmer – now complete.
    - iv. Gail Johnson – now complete.
    - v. Alan Carlson – now complete.
  
- IX. Review Discussion and Possible Action on License Renewal Applications:** The Board will review, discuss, and take action to approve, deny, or issue a deficiency notice for the following physicians’ license renewal applications:

Randy Bernstein	Jean Kroyn	Glen Robison
Alan Discont	Robert Kuvent	Don Shumway
Myron Hansen	Bruce Levin	Isidore Steiner
Brad Hayman	Brent Nixon	
Joseph Knochel	Kelly Reber	
  
- X. Executive Director’s Report**
  - a. Open complaint status report.
  - b. Ombudsman’s preliminary report and agency response.

(continued)

**XI. Call To The Public**

Citizens who want to address the Board do not need to request permission in advance, but they do need to complete a "Citizen's Request to Speak to the Board" form so that the Board is aware that they are here and that they want to speak to the Board. Each person who wants to address the Board will be given five (5) minutes to do so. However, the Board may limit the number of persons speaking on each issue to a reasonable number of persons. Pursuant to A.R.S. § 38-431.02(H), the Board can discuss or take action ONLY on matters that are listed on the Agenda. Board action on issues that are not listed on the Agenda is limited to directing staff to study the matter or to schedule the matter for further discussion at a future Board Meeting.

**XII. Next Board Meeting Date(s):**

- a. June 2, 2009, 8:30 a.m. (Special meeting for administration of oral examination for new license applicants.)
- b. June 10, 2009, 8:30 a.m. (Regularly scheduled Board meeting.)

**XIII. Adjournment**