



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

June 10, 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
Public Member – (Vacant)

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. May 13, 2009 Regular Session Minutes.
- b. [May 13, 2009 Executive Session Minutes.](#)

IV. Informal Hearing: Time-specific agenda item scheduled for 8:30 a.m.

- a. 09-05-C – Jeffrey Copoloff: Performing and charging for unnecessary x-rays, and using an unlicensed x-ray technician.

- 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. 08-50-M – Scott Maling: Alleged practice below the standard of care.(Postponed from May 13, 209 Board meeting.)
 - b. 09-06-C – Chad Westphal: Failure to properly supervise a resident physician.
- VI. Status Updates: No Board Action – Information Only**
- a. 07-28-C – Kent Peterson: Monthly status update.
 - b. Status of Consent Agreement offered to Dr. Su in case number 08-47-B.
 - c. Status of appeal filed by Dr. Gaveck in case number 06-04-C.
- 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: Quarterly report update.
- VIII. Review, Discussion and Possible Action on Administrative Matters** [The Board, upon a majority vote of a quorum of the members, may hold an Executive Session on this agenda item 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).]
- a. Agency response to Ombudsman’s report.
- IX. Review, Discussion and Possible Action on Administrative Matters**
- a. Records retention schedule.
 - b. Public Information procedures.
 - c. Consent Agreement offered to Dr. J. David Brown in case number 09-17-B.
 - d. Discussion of statutes and rules pertaining to oral exam dates and procedures, and licensure requirements for regular and provisional licenses.
 - i. Application of Dr. Timothy Fisher (For December 2009 oral exam.)
- X. Executive Director’s Report**
- a. Open complaint status report.
 - b. Update on Board’s Continuation Bill.
 - c. Status of contact with FDA regarding use of lasers in podiatric care.
- XI. 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 or dispensing registration renewals:

David Agoada
 Jason Allen
 David Armstrong
 Stephen Barrett
 Edward Bodmer
 Scott Boggs
 John Charski
 Sanford Chesler
 Teishe Chiarellii
 Jeffrey Copoloff
 Kelvin Crezee
 Paul Daines
 James Dancho
 Anthony DeMaria
 Joseph Dobrusin
 Scott Evans
 Dale Feinberg
 William Fishco
 Gary Friedlander
 Ryan Golub

Mark Gorman
 Arnold Gross
 William Harant
 Daniel Hatch
 Carrie Hess
 Corina Hollander
 Petrusia Howansky
 David Jaffe
 Travis Jensen
 Barry Kaplan
 Michael Kates
 Lee Keenen
 Edward Kelly
 Paul Kim
 Lester Klebe
 Gregg Krahn
 Ladislav Kuchar
 Herbert Lee
 William Leonetti
 Robert Levine

Adam Lu
 Stanley Lubeck
 John Marin
 Paul McMaster
 Spencer Niemann
 Robert Novack
 Sara Otero-Quintero
 Arlene Polakof
 Dedrie Polakof
 Anthony Rosales
 Gilbert Shapiro
 Alan Shih
 Don Shumway
 Jerome Steck
 Kathleen Stone
 Phillip Tutnauer
 Paul Warner
 Chad Westphal
 Lee Zielsdorf

XII. 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.

XIII. Next Board Meeting Date:

a. July 10, 2009, 8:30 am.

XIV. Adjournment