



Janice K. Brewer  
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

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

## **BOARD MEETING AGENDA**

June 9, 2010; 8:00 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, **I through XIV**, 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 Executive Director Sarah Penttinen at (602) 542-3095. Requests should be made as early as possible to allow time to arrange the accommodation.

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

Staff: Sarah Penttinen, Executive Director

Assistant Attorney General: Keely Versteegen

The Agenda for the meeting is as follows:

**I. Call to Order**

**II. Roll Call**

**III. Review, Discussion and Possible Action on New License Applications:** The following applicants were previously approved to sit for the oral exam scheduled for June 9, 2010 at 8:00 a.m. The Board will administer the oral exams and vote on whether or not to approve their applications in whole for approval of license.

Robert Andersen  
Keith Bangart  
Randall Brower  
Sheharyar Chaudry  
Dennis Dimatteo  
Erwin Friedman

James Garber  
Matthew Hakeman  
Patricia Kirk  
Janna Kroleski  
Jay Larson  
Brian Lepow

Kathleen O'Keefe  
Marie Paul  
Jeffrey Rager  
Thomas Shields  
Ryan Shock  
Mark Woolley

**IV. Approval of Minutes**

a. May 12, 2010 Regular Session Minutes.

**V. Informal Interview – Time-Specific item scheduled for 8:30a.m.**

a. 08-44-C – Alex Bui: Charging or collecting excessive fees. (Dr. Bui's attorney advised Dr. Bui has declined to participate in an Informal Interview or Formal Hearing.)

- VI. 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.)
- 05-27-M – Elaine Shapiro: Practice below the standard of care.
  - 08-12-C – Elaine Shapiro: Falsification of a patient chart; failure to obtain patient consent to disclose personal health information.
  - 08-39-M – Scott Maling : Practice below the standard of care.
  - 08-50-M – Scott Maling: Practice below the standard of care.
  - 09-13-M – Patrick Farrell: Practice below the standard of care.
  - 09-22-C – Cathleen McCarthy: Charging an excessive fee; unnecessary delay in correcting orthotics.
  - 09-27-M – Maria Buitrago: Practice below the standard of care.
- VII. Status Updates: No Board Action – Information Only**
- 07-28-C – Kent Peterson: Monthly status update.
- VIII. Review, Discussion and Possible Action – Probation / Disciplinary Action Status Reports**
- 08-03-C – Elaine Shapiro: Monthly update.
  - 08-18-C – David Laurino: Monthly update.
  - 08-47-B – Antonius Su: Monthly update.
  - 09-17-B – J. David Brown: Monthly update
- IX. Review, Discussion and Possible Action on Administrative Matters**
- License Application Procedure – New Applications
  - License Application Procedure – License Renewals
  - Election of Board President.
  - Review of investigation procedures, consideration of hiring investigative staff, discussion of associated fiscal concerns, and consideration of fee increases.
  - Review of advertising for “medical pedicures.”
  - Request from the American College of Foot and Ankle Surgeons for approval of 19 hours continuing medical education for their annual exam in October 2010.
- X. 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 and/or dispensing registration renewals:

Steven Abrams  
David Agoada  
Kimberly Akkerman  
David Armstrong  
Barbara Aung  
Daniel Bangart  
Janet Black  
Darin Bocian  
Edward Bodmer  
Scott Boggs  
Jessica Cerda  
John Charski  
Teisha Chiarelli  
Robert Chiarelli  
Jeffrey Copoloff  
James Dancho  
Michael Dershowitz  
Kris DiNucci  
Alan Discont  
Michael Esber  
Scott Evans  
Dale Feinberg  
William Fishco  
Robert Flake  
Darick Freestone  
Robert Fridrich  
David Gerstman  
Jay Glasser  
Eugene Goldman  
Ryan Golub

Myron Hansen  
Daniel Hatch  
Brad Hayman  
Brian Hutcheson  
Travis Jensen  
Barry Kaplan  
Lee Keenen  
Ronald Killian  
Paul Kim  
Joseph Knochel  
Duane Kratzer  
Jean Kroyn  
Adam Kruczay  
Herbert Lee  
William Leonetti  
Bruce Levin  
Robert Levine  
Adam Lu  
Stanley Lubeck  
Neil Mansdorf  
John Marin  
Robert Mendicino  
Peter Merrill  
Wayne Moyer  
Craig Murad  
Bradley Newswander  
Spencer Niemann  
Kevin O'Brien  
Ron Olsen  
Mary Peters

Arlene Polakof  
Dedrie Polakof  
John Powers  
Scott Price  
Ralph Rabin  
Kelly Reber  
Hewiit Reese  
Lee Richer  
Brett Roeder  
Andrea Roemer  
M. Anthony Rosales  
Martin Rosenthal  
Brian Roth  
Payam Sarraf  
Valerie Schade  
Gilbert Shapiro  
Timothy Short  
Karen Smith  
Isidore Steiner  
Kathleen Stone  
Wayne Vetter  
Melanie Violand  
Michael Warheit  
Paul Warner  
Bruce Werber  
Chad Westphal  
Margaret Withrow  
Wesley Yamada  
Frank Zappa  
Lee Zielsdorf

**XI. Executive Director's Report – Review, Discussion and Possible Action**

- a. Open complaint status report.
- b. House Bill 2545 – regarding information on the Board's website for non-disciplinary Board actions.
- c. Malpractice case report
  - i. Lewis Freed, DPM. PICA notification of claim filed on 03/21/2007; claim against Dr. Freed dismissed with prejudice with \$0 settlement. (Dr. Freed did not disclose this action on his previous license renewal application.)

**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 14, 2010, 9:00 a.m.

**XIV. Adjournment**