



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; Barbara Campbell, DPM;
M. Elizabeth Miles, Public Member; John Rhodes, Public Member; Sarah Penttinen, Executive Director

**NOTICE OF BOARD MEETING
AND AGENDA**

March 9, 2011; 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, **I through X**, 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: Barry Kaplan, D.P.M, President
Joseph Leonetti, D.P.M., Member
Barbara Campbell, D.P.M., Member
M. Elizabeth Miles, Public Member
John Rhodes, 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. Approval of Minutes

- a. February 9, 2010 Regular Session Minutes.

IV. 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. 08-44-C – Alex Bui: Review of Consent Agreement offered to Dr. Bui.
b. 09-09-M – Aprajita Nakra, DPM: Practice below the standard of care; improper billing.
c. 09-19-C – Daniel Saunders, DPM: Practice below the standard of care for improper surgery.
d. 09-34-C – J. David Brown, DPM: Practice below the standard of care for improper surgery.
e. 09-40-C – Jerome Cohn, DPM: Failure to diagnose Morton's neuroma; making false statements in a patient's medical chart.
f. 09-44-M – J. David Brown, DPM: Practice below the standard of care for improper surgery.

- g. 10-02-C – Rajesh Daulat, DPM: Improper surgery; making false statement in a patient's medical chart.
- h. 10-04-C – William Leonetti, DPM: Making false statements in a patient's medical chart.
- i. 10-17-M – Stephen Barrett, DPM: Practice below the standard of care. (Request received from Dr. Barrett's attorney to administratively close this matter with no investigation.)

V. Review, Discussion and Possible Action – Probation / Disciplinary Action Status Reports

- a. 08-03-C – Elaine Shapiro: Monthly update.
- b. 09-13-M – Patrick Farrell: Monthly update.
- c. 09-17-B – J. David Brown: Monthly update and probation status interview.

VI. Review, Discussion and Possible Action on Administrative Matters

- a. Election of Secretary-Treasurer.
- b. CME approval request from Arizona Podiatric Medical Association.
- c. New License application(s):
 - i. Derek Hunchak, DPM.

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

- a. Open complaint status report.
- b. Update on budget status and proposed sweeps of Board cash.
- c. Malpractice case report.
 - i. Dr. Kelvin Crezee: Claim reported 01/20/11. Nature of claim: "Wrong site surgery." (Not previously reviewed by the Board.)
 - ii. Dr. Carl Beecroft.: Claim reported 01/20/11. Nature of claim: "Wrong site surgery." (Not previously reviewed by the Board.)
 - iii. Dr. David Lee: Claim reported on 11/03/10; closed on 01/19/11. Nature of claim: "Bunion surgery – patient claims it has been one year since the surgery and she is still not healed and in pain; also claims RSD." NOTE: Claim was closed for \$0 due to Dr. Lee never being served. (Not previously reviewed by the Board.)
- d. Legislative report.
 - i. SB 1044: Continuation bill.
 - ii. SB 1315: Statute changes.

VIII. 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.

IX. Next Board Meeting Date:

- a. April 13, 2011 at 8:30 a.m.

X. Adjournment