



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**

May 9, 2012; 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 do not 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(H).

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, Secretary-Treasurer
John Rhodes, Public Member

Staff: Sarah Penttinen, Executive Director

Assistant Attorney General: Marc Harris

The Agenda for the meeting is as follows:

I. Call to Order

II. Roll Call

III. Approval of Minutes

- a. April 11, 2012 Regular Session Minutes.
- b. April 11, 2012 Executive 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. 09-14-C – J. David Brown, DPM: Charging an excessive fee for a cam walker. (Previously reviewed and tabled on December 14, 2012. Review of additional information submitted by Dr. Brown.)
- b. 09-21-C – J. David Brown, DPM: Review of status of consent agreement previously offered by the Board.
- c. 10-14-C – Kevin O'Brien, DPM: Practice below the standard of care for improper surgical correction of a hammertoe condition.
- d. 11-12-C – Barbara Campbell, DPM: Rude behavior toward a patient.
- e. 11-14-C – Marvin Dobkin, DPM: Failing or refusing to provide medical records upon request.

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

- a. 08-03-C – Elaine Shapiro, DPM: Monthly update.
- b. 08-44-C – Alex Bui, DPM: Monthly update.
- c. 09-17-B – J. David Brown, DPM: Monthly update.

VI. Review, Discussion and Possible Action on Administrative Matters

- a. Review of advertisement by Premier Research regarding a medical study of bunions.
- b. 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 registrations:

Petrusia Howansky, DPM
Joseph Knochel, DPM
Duane Kratzer, DPM
Kelly Reber, DPM
Travis Reber, DPM

M.A. Rosales, DPM
Kenneth Rowe, DPM
Alan Shih, DPM

- c. Review of new license applications:
 - i. Jessica Duggan, DPM.
 - ii. Ronaldo Holgado, DPM
 - iii. Nathan Jeppesen, DPM.

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

- a. Open complaint status report.
- b. Malpractice case report.
 - i. Brent Nixon, DPM: Claim from patient B.T filed on 06/29/2011 and settled for \$0 on 02/21/2012 due to the doctor never being served. (B.T. has not filed a complaint with the Board.)

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. June 13, 2012 at 8:00 a.m.

X. Adjournment