



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

### **NOTICE OF BOARD MEETING AND AGENDA**

February 12, 2014; 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: Barbara Campbell, D.P.M, President  
Barry Kaplan, D.P.M., Member  
Joseph Leonetti, D.P.M., Member  
John Rhodes, Secretary-Treasurer  
M. Elizabeth Miles, Public Member

Staff: Sarah Penttinen, Executive Director

Assistant Attorney General: John Tellier

The Agenda for the meeting is as follows:

**I. Call to Order**

**II. Roll Call**

**III. Approval of Minutes**

- a. January 8, 2014 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. 12-01-C – Steven Born, DPM: Insurance fraud for billing for orthotics. Update from investigator regarding additional allegation of improper billing, specifically misuse of office visit billing codes.  
b. 12-02-C – Barbara Aung, DPM: Billing for services not rendered. Update regarding additional concern regarding patient records.  
c. 12-25-C – William Leonetti, DPM: Inaccurate documentation in patient chart.  
d. 13-01-C – Rajesh Daulat, DPM: Improper toe nail care.  
e. 13-04-C – April Glesinger, DPM: Practice below the standard of care for improper evaluation of feet and improper fitting of orthotics; improper billing.

- f. 13-06-C – Barbara Aung, DPM: Improper care due to indicating use of orthotics that did not provide relief; improper billing due to charging for services that did not provide relief of symptoms. Update from investigator regarding medical records.

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

- a. 09-17-B – J. David Brown, DPM: Monthly update.
- b. 11-09-M – Kelvin Crezee, DPM: Monthly update.
- c. 13-05-B – Kathleen Stone, DPM: Monthly update.

**VI. Review, Discussion and Possible Action on Administrative Matters.**

- a. Responsibilities / duties of investigative consultants.
- b. CodingLine article regarding electronic medical records and the use of “copy and paste” functions.
- c. Review of updated New License Application form and instruction sheet.
- d. Review of new license applications for:
  - i. Eric Lew, DPM
  - ii. Jill Peotter, DPM
  - iii. Leonard Wagner, DPM
- e. Malpractice case report. (None at this time.)

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

- a. Open complaint status report.
- b. Discussion regarding “fee splitting” as defined and referenced by other healthcare regulatory boards.
- c. Review of proposed consumer pamphlets regarding complaint adjudication and Call to the Public.

**VIII. Call To The Public**

Those wishing to address the Board do not need to request permission in advance; however, the Board may limit those persons speaking during this time to a reasonable number on any given public matter. In addition, each person wishing to address the Board will be given five (5) minutes to do so. Pursuant to A.R.S. § 38-431.01(H), the Board can only take action on matters listed on the agenda. Action on public comment matters that are not listed on the agenda will be limited to directing staff to study the matter or to schedule the matter for further discussion at a later date.

**IX. Next Board Meeting Date:**

- a. March 12, 2014 at 8:30 a.m.

**X. Adjournment**