



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 MINUTES**

June 9, 2010; 8:00 a.m.  
1400 West Washington St., B1  
Phoenix, AZ 85007

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 Verstegen

**I. Call to Order**

Dr. Polakof called the meeting to order at 8:10 a.m.

**II. Roll Call**

Dr. Polakof noted for the record that all Board members were present, as were Ms. Penttinen and Ms. Verstegen.

**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

All applicants were present except for Drs. O'Keefe and Hakeman. The Board adjourned into Executive Session at 8:11 a.m. for the purpose of administering the confidential oral examinations of the applicants. The Board returned to Regular Session at 8:35 a.m.

**IV. Approval of Minutes**

a. May 12, 2010 Regular Session Minutes.

Dr. Leonetti had questions regarding the discussion on agenda item VI(d), (page 3 of the minutes). Dr. Polakof clarified the discussion and suggested that the minutes be modified to reflect the comments made by Dr. Kaplan that licensees should be directed to contact their insurance carriers and/or attorneys for guidance because the Board is not an advisory board, and such was the final resolution of the discussion.

MOTION: Ms. Reagan moved to approve the minutes with that one clarification. Dr. Leonetti seconded the motion. There was no further discussion.

VOTE: The motion passed unanimously by voice vote.

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

- a. 08-44-C – Alex Bui: Charging or collecting excessive fees.

Dr. Bui was not present. Dr. Kaplan was recused as he was the physician investigator for this case.

MOTION: Dr. Polakof moved to go into Executive Session to obtain legal advice. Ms. Reagan seconded the motion. There was no discussion.

VOTE: The motion passed unanimously and the Board went into Executive Session at 8:41 a.m.

The Board returned to Regular Session at 8:44 a.m. Dr. Leonetti questioned Dr. Kaplan regarding the billing records he reviewed. Dr. Kaplan summarized that he had reviewed approximately 40 insurance forms and EOB's, and based on that he then reviewed 10 complete patient charts which showed the most egregious billing problems.

MOTION: Dr. Polakof moved to offer Dr. Bui a consent agreement with the following terms: two years of probation, 25 hours CME in billing (in addition to annual CME requirements), submit to the Board quarterly reports on all DME charges, and a civil penalty of \$2,000.00. If Dr. Bui does not accept the consent agreement the case should go to formal hearing. Ms. Reagan seconded the motion.

Upon discussion, Ms. Reagan asked if Dr. Bui would be giving back money to the insurance companies which were overcharged. Dr. Polakof clarified that Dr. Bui has already reimbursed Cigna and reimbursements to other insurance companies will be done. Dr. Leonetti stated he feels the violations in this case warrant suspension of Dr. Bui's license for a short period of time. He added that a speedy resolution is good, but the Board still should do what needs to be done, especially since Dr. Bui has not yet reimbursed all the insurance companies. Dr. Leonetti recommended a three-month suspension be added to the consent agreement. Dr. Polakof amended her motion to include the three-month suspension. Ms. Reagan seconded the amendment. Ms. Verstegen asked for clarification of when the CME and payment of civil penalty must be completed. The Board members agree that the CME must be completed sometime within the probation period and the civil penalty would be required within 90 days of the effective date of the agreement.

VOTE: The motion passed unanimously by roll call vote.

**VI. Review, Discussion and Possible Action –Review of Complaints**

- a. 05-27-M – Elaine Shapiro: Practice below the standard of care.

Dr. Shapiro was present with attorney Kevin Nicholas. Dr. Leonetti recused as he was the physician investigator for this case. Dr. Leonetti reviewed the allegation, which was practice below the standard of care, and reviewed the care provided to the patient by Dr. Shapiro. He stated this was a very complicated case and even though the patient had a negative outcome following surgery, he felt Dr. Shapiro provided appropriate care. The patient was given informed consent regarding possible surgical complications, but when problems were discovered the patient chose to delay further corrective surgery which added to the negative outcome. Dr. Shapiro sought out several second opinions for the patient and surgery was later performed by another doctor, after which the patient's condition declined further. Dr. Leonetti does not feel Dr. Shapiro deviated from the appropriate standard of care and he found no violations.

MOTION: Dr. Kaplan moved to dismiss this case finding no violations. Ms. Reagan seconded the motion. There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

- b. 08-12-C – Elaine Shapiro: Falsification of a patient chart; failure to obtain patient consent to disclose personal health information.

Dr. Shapiro was present with attorney Ed Gaines. Ms. Penttinen was the investigator in this case and reviewed her findings. Patient W.W. had surgery with Dr. Shapiro in December 2007. In January 2008 the patient presented to Dr. Shapiro's office with infection at the surgical sight and Dr. Shapiro directed him to go to Northwest Medical Center for wound care, antibiotic treatment and additional surgery. Dr. Shapiro did not see the patient for the first five days of his admission to the hospital. The first allegation is that Dr. Shapiro made non-contemporaneous entries in the patient's chart during that hospital admission which seem to reflect that she actually saw the patient on certain days when she actually had not. Dr. Shapiro admitted making the chart entries but asserted that doing so was only to assist the hospital billing and coding staff. Dr. Shapiro stated she did not mean to imply she had seen the patient and did not bill for patient visits on the dates in question. The second allegation is that Dr. Shapiro shared the patient's chart with Dr. George Vito for the purpose of an outside medical review of the quality of care provided to the patient. There were several questions about the patient's authorization to release his medical records to Dr. Vito. Ms. Penttinen discovered two separate authorization forms. One of those forms has two different versions – one which was dated and one which was not. All dated authorization forms had the date May 27, 2008 which was after Dr. Vito had completed his review of the patient's chart. Dr. Shapiro was not able to adequately explain the discrepancies in the authorization forms. Ms. Penttinen concluded that both allegations in this matter were supported by the evidence in the file.

Dr. Shapiro and Mr. Gaines addressed the Board. Mr. Gaines stated that technically the authorization to release records should have been done prior to Dr. Vito reviewing the patient's chart, but the patient ultimately did provide his consent. Mr. Gaines also stated it was a mistake for Dr. Shapiro to make the extemporaneous entries in the patient's chart but she was trying to assist the coders after being called by them about why the patient was there. Ms. Penttinen pointed out that according to Northwest Medical Center's records, Dr. Shapiro was contacted by the Chief of Staff, not the billing or coding staff. Dr. Polakof asked Dr. Shapiro was she shared the patient's records with Dr. Vito. Dr. Shapiro stated she had met Dr. Vito a long time ago and he was a very well-renowned podiatrist so she thought having his opinion would be good.

Dr. Leonetti offered the following comments: The patient was admitted for a post-operative infection but Dr. Shapiro did not go to see him for five days which is a big problem. There also is a problem with her explanation for inserting the notes into the patient's chart because the notes imply that she actually saw the patient. The fact that Dr. Shapiro did not bill for those dates is irrelevant. Dr. Vito's review of the patient's care sufficiently explains the patient's surgical complications, but even Dr. Vito stated Dr. Shapiro deviated from proper documentation standards. There are also concerns if the patient's personally identifying information was not redacted prior to Dr. Vito's review, and that the authorization to release records was not completed until after Dr. Vito had reviewed the chart.

Dr. Shapiro stated she agreed with all of Dr. Leonetti's concerns. Ms. Reagan asked Dr. Shapiro if there were any other physicians in her office, which Dr. Shapiro said there were not. Ms. Reagan also expressed concerns that Dr. Shapiro waited so long to go see the patient after he was admitted to the hospital.

**MOTION:** Dr. Polakof moved to issue a Letter of Concern and non-disciplinary Order for 10 hours of CME in the areas of hospital charting and protocols. Dr. Kaplan seconded the motion. There was no further discussion.

**VOTE:** The motion passed unanimously by voice vote.

c. 08-39-M – Scott Maling : Practice below the standard of care.

Dr. Maling was not present. Dr. Polakof recused as she was the physician investigator for this case. Dr. Polakof reviewed the allegation which was practice below the standard of care with regard to the patient's post-operative use of an ice machine. Dr. Polakof reviewed the patient's history and the surgery completed by Dr. Maling. The patient developed vascular complications which eventually resulted in a forefoot amputation. Drs. Leonetti and Kaplan asked questions regarding the ice machine

that the patient used and Dr. Polakof described its operations and proper use. Dr. Polakof believes Dr. Maling acted appropriately once he became aware of the patient's complications and she found no deviations from the acceptable standard of care.

MOTION: Dr. Kaplan moved to dismiss this case finding no violations. Ms. Reagan seconded the motion. There was no discussion.

VOTE: The motion passed unanimously by voice vote.

d. 08-50-M – Scott Maling: Practice below the standard of care.

Dr. Maling was not present. Dr. Polakof recused as she was the physician investigator for this case. The case was tabled at a previous meeting pending review of the patient's deposition in the civil matter. It is noted that the patient voluntarily settled her claim against Dr. Maling for \$0.00. Dr. Leonetti asked Dr. Polakof about the specific surgical procedure which was bunion correction and correction of the second toe with internal pin fixation. Dr. Polakof noted she did find an error in the billing in that Dr. Maling billed for a midfoot tendon transfer instead of digital and there was brief discussion on that issue.

MOTION: Dr. Leonetti moved to dismiss this matter with a Letter of Concern for improper billing. Dr. Kaplan seconded the motion. Upon discussion Ms. Reagan suggested that Dr. Maling be required to complete additional CME on billing. Drs. Leonetti and Kaplan stated they did not feel that was necessary. There was no further discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

e. 09-13-M – Patrick Farrell: Practice below the standard of care.

Dr. Farrell was not present. Dr. Polakof recused as she was the physician investigator for this case. The malpractice claim in this case was settled against Dr. Farrell. The nature of the claim filed with PICA was stated as "Foot surgery – Patient (S.L.) first presented to insured after she had recently injured her foot and ankle and had been evaluated in the ER. Conservative care was instituted; however, surgery was subsequently performed. When she presented approximately six weeks post-op, she described an injury she had sustained after falling at a grocery store. Due to patient's ongoing complaints of pain, further surgeries were performed on patient's right foot and she was eventually referred for treatment of possible RSD/CRPS. Patient alleges insured failed to timely diagnose RSD/CRPS. According to information provided in the file, patient settled a claim with the grocery store where she fell. In that case, patient claimed her injuries and damages were caused from her slip and fall. It appears the insured helped in this regard, alleging she was doing well until the time of her fall, and that this aggravated her overall condition, she then filed suit against the insured." Dr. Polakof stated she believes Dr. Farrell acted appropriately and provided the acceptable standard of care. She stated there were complications, but that can happen with any surgery.

Dr. Leonetti stated he believes the patient should have been sent sooner for a pain management consultation and not had so many surgeries. He also noted the patient had multiple health issues and complications, but he believes Dr. Farrell is partly at fault due to performing too many surgeries with a high-risk patient. There was extensive discussion among the Board members and Dr. Polakof regarding the details of the patient's medical history, Dr. Farrell's care, and care provided to the patient by other doctors. Dr. Leonetti stated Dr. Farrell demonstrated poor decision-making in this case.

MOTION: Dr. Leonetti moved to conduct an Informal Interview with Dr. Farrell. Also, a consent agreement will be offered to Dr. Farrell for probation for one year. During the period of probation Dr. Farrell would be required to submit to the Board monthly reports of all nerve decompression procedures. Dr. Kaplan seconded the motion. There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

f. 09-22-C – Cathleen McCarthy: Charging an excessive fee; unnecessary delay in correcting orthotics. Dr. McCarthy was not present. Dr. Kaplan recused as he was the physician investigator for this case. He reviewed the allegations which were 1) charging an excessive fee for orthotics (due to the orthotics being inadequate and unusable), and 2) practice below the standard of care due to poor quality and delays in correcting the orthotics. Dr. Kaplan stated that the patient waited several months to alert Dr. McCarthy's office about problems she felt she was having with the orthotics she received. Dr. McCarthy admitted there was a mix-up with her lab which caused a delay in getting the orthotics re-made. In the mean time the patient purchased non-customized orthotics from a sports medicine company which were much less expensive than the custom orthotics from Dr. McCarthy. The patient wanted Dr. McCarthy to reimburse her for the cost of the orthotics she bought at the sports medicine company.

Dr. Kaplan stated he does not feel Dr. McCarthy charged an excessive fee. She refunded the patient's insurance for the original orthotics that the patient had problems with, but Dr. Kaplan does not feel she should be required to pay for the orthotics the patient purchased elsewhere. Dr. Kaplan did find concerns with the delay in getting the orthotics but stated that fault can reasonably be deferred to the lab which made them. He feels Dr. McCarthy acted appropriately.

MOTION: Dr. Leonetti moved to dismiss this case finding no violations. Dr. Polakof seconded the motion. There was no discussion.

VOTE: The motion passed unanimously by voice vote.

g. 09-27-M – Maria Buitrago: Practice below the standard of care.

Dr. Buitrago was not present. Dr. Polakof recused as she was the physician investigator in this case. Dr. Polakof stated that the patient was non-compliant with the course of post-operative care but only called Dr. Buitrago to get refills for pain medications. The patient did not go in for post-op check-ups and Dr. Buitrago finally cut the patient off from receiving any more prescriptions or further treatment with her. Dr. Polakof stated there was concern about the quality of the first surgery Dr. Buitrago performed with regard to the reason for the surgery and the internal fixation devices. She also is concerned by Dr. Buitrago would perform a second surgery on the patient after he was non-compliant with post-operative care following the first surgery. Dr. Polakof also questioned why Dr. Buitrago did foot surgery in close time proximity to the patient's knee surgery on the same leg.

Dr. Leonetti questioned why Dr. Buitrago continued to refill the patient's pain medication prescriptions for so long but stated the post-operative complications were not necessarily Dr. Buitrago's fault. There was brief discussion led by Dr. Kaplan regarding this case occurring in Texas where Dr. Buitrago currently practices. He suggested that this Board defer action until the Texas podiatry Board makes a decision.

**VII. Status Updates: No Board Action – Information Only**

a. 07-28-C – Kent Peterson: Monthly status update.

Ms. Penttinen advised that the last update was received in May, and the next update is due in August.

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

a. 08-03-C – Elaine Shapiro: Monthly update.

Ms. Penttinen advised that the last progress report from Dr. Sucher was received in May, and the next quarterly report is due in August. Ms. Penttinen has not received any reports of non-compliance.

b. 08-18-C – David Laurino: Monthly update.

c. 08-47-B – Antonius Su: Monthly update.

Agenda items VIII(b) and (c) were considered together. Dr. Leonetti reported that all records he has reviewed to date are in order and the billing is appropriate.

d. 09-17-B – J. David Brown: Monthly update.

Ms. Penttinen advised that the last progress report from Dr. Sucher was received in April, and the next report is due in July. Ms. Penttinen has not received any reports of non-compliance.

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

a. License Application Procedure – New Applications.

b. License Application Procedure – License Renewals

Agenda items IX(a) and (b) were considered together. Ms. Penttinen explained that these items are among the last remaining items reviewed by the Auditor General's office in the last sunset review. She stated these procedures are only a written documentation of the steps taken to review new applications and renewal applications to ensure that all application requirements are met by the applicants, and that the application information is properly recorded in the agency's database.

**MOTION:** Dr. Polakof moved to approve the procedures as written. Dr. Kaplan seconded the motion. Ms. Reagan offered discussion regarding developing an online license renewal system through the State. Ms. Penttinen advised that developing such a system would be costly because each State agency has different licensing requirements, therefore each requires a custom design. There also would be monthly maintenance fees and credit card processing fees which would require a renewal fee increase. There was no further discussion.

**VOTE:** The motion passed unanimously by voice vote.

c. Election of Board President.

Today's Board meeting will be the last official meeting for Dr. Polakof as the Governor's office appointed a replacement for her Board position. The Board members presented Dr. Polakof with a plaque in recognition of her leadership and service to the Board.

**MOTION:** Dr. Kaplan moved to nominate Dr. Leonetti as the Board President. Ms. Reagan seconded the motion. There was no discussion.

**VOTE:** The motion passed unanimously by voice vote.

d. Review of investigation procedures, consideration of hiring investigative staff, discussion of associated fiscal concerns, and consideration of fee increases.

Ms. Penttinen reviewed the Board's financial reports for the last two fiscal years which shows that the Board has a small cash surplus at this time. However, some of the extra cash in FY2009 was due to carry over from the two-year budget cycle. The Board is now on a one-year budget cycle with no carry-over allowed (per Department of Administration guidelines). She stated the Board currently has the ability to hire outside consultants for investigations but would not be able to financially sustain that for more than one to two years, depending on the rate at which the consultants would be paid.

There was discussion among the Board members and Ms. Penttinen regarding the Board's current fees being set in the agency's Rules. If the Board wanted to institute any fee increases to cover the cost of outside consultants then a Rule change would have to be made. Currently there is a moratorium on opening any new Rule-changing packages but the Board could still make a request to do so and demonstrate the need for the requested changes. Ms. Penttinen suggested that the recommendations made in the Board's last Rules review, (conducted by Jeanne Hann), also be incorporated into a Rules package. Dr. Polakof has agreed to assist the Board in this manner and recused from further discussion and voting on this matter.

**MOTION:** Dr. Kaplan moved to hire outside consultants to assist with complaint investigations on a case-by-case basis at a rate of \$200.00 per case. Dr. Leonetti seconded the motion. There was brief discussion on the motion regarding potential conflicts of interest. Any such conflicts will be reviewed on a case-by-case basis.

**VOTE:** The motion passed unanimously by voice vote.

Ms. Penttinen will coordinate processing the necessary paperwork to hire the outside consultants. Dr. Kaplan stated the Board should file a request to open a rules package to increase annual license renewal fees and incorporate Jeanne Hann's recommendations. This matter will be placed on the August meeting agenda to discuss further.

e. Review of advertising for "medical pedicures."

Dr. Kaplan reviewed the advertisement from Pinnacle Peak Podiatry which states they offer "medical pedicures." Ms. Penttinen advised she spoke with Donna Aune who is the Director of the AZ Cosmetology Board and was told the following: Only a "nail tech" or "cosmetologist" can do pedicures and only for non-invasive purposes. The use of "credo blades" is permitted but they must stay in the epidermis and cannot penetrate the dermis at all. They do not recognize the terms "medical nail tech" or "medical cosmetologist," and their licensees are not permitted to use the term "medical pedicure."

MOTION: Dr. Polakof moved to refer this matter to the AZ Cosmetology Board. Dr. Kaplan seconded the motion. There was no discussion.

VOTE: The motion passed unanimously by voice vote.

f. 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.

MOTION: Dr. Polakof moved to approve this seminar for CME credit for Arizona licensees. Dr. Leonetti seconded the motion. There was no discussion.

VOTE: The motion passed unanimously by voice vote.

**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 Chiarello  
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

Dr. Polakof recused from voting on the renewal applications for herself and for Dr. Arlene Polakof.

MOTION: Dr. Leonetti moved to approve the renewal applications of Drs. Dedrie Polakof and Alrene Polakof. Dr. Kaplan seconded the motion. There was no discussion.

VOTE: The motion passed unanimously by voice vote.

Dr. Kaplan recused from voting on his own renewal application.

MOTION: Dr. Polakof moved to approve Dr. Kaplan's renewal application. Dr. Leonetti seconded the motion. There was no discussion.

VOTE: The motion passed unanimously by voice vote.

Dr. Leonetti recused from voting on the renewal application of Dr. William Leonetti.

MOTION: Dr. Polakof moved to approve the renewal application of Dr. William Leonetti. Dr. Kaplan seconded the motion. There was no discussion.

VOTE: The motion passed unanimously by voice vote.

The remaining renewal applications were reviewed.

MOTION: Dr. Polakof moved to approve all remaining renewal applications except those with noted deficiencies which will be approved upon receipt of the deficient information. Dr. Leonetti seconded the motion. There was no discussion.

VOTE: The motion passed unanimously by voice vote.

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

##### **a. Open complaint status report.**

Ms. Penttinen reviewed the report which includes 49 open complaints including those which were reviewed during today's meeting.

##### **b. House Bill 2545 – regarding information on the Board's website for non-disciplinary Board actions.**

Ms. Penttinen explained that she only recently became aware of this bill which was signed by the Governor on May 11, 2010. The bill provides that some non-disciplinary Board actions shall not be posted publicly on the website but are still public record and available to the public, while other non-disciplinary actions may be posted on the website. The bill also requires that a statement be added to the agency website advising the public that more information about our licensees is available by calling the Board's office. Ms. Penttinen stated she attempted to get some clarification on the bill from Rep. Matt Heinz who sponsored it, but she is still in the process of that discussion. However, the Board has until January 1, 2012 to implement the requirements of the bill so there is plenty of time to address any questions.

##### **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.)**

Ms. Penttinen advised that this matter was not previously reported to the Board, and Dr. Freed did not disclose it on his renewal application(s). The Board directed Ms. Penttinen to open an investigation case for this matter for failure to disclose and to review the quality of care.

#### **XII. Call To The Public**

There were no requests to speak during the Call to the Public.

#### **XIII. Next Board Meeting Date:**

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

#### **XIV. Adjournment**

There being no other business before the Board, the meeting was adjourned at 1:27 p.m