



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

BOARD MEETING MINUTES

June 11, 2014; 8:00 a.m.
1400 West Washington St., B1
Phoenix, AZ 85007

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 items were not reviewed in the order in which they appear in the minutes.

I. Call to Order

The meeting was called to order at 8:01 a.m.

II. Roll Call

Ms. Miles and Mr. Tellier were not present. All other Board members were present as well as Ms. Penttinen.

III. Administration of Oral License Exams

Sunghwan Byun, DPM
Adam Caton, DPM
David Ellsworth, DPM
David Gooch, DPM
Warren Joseph, DPM
Ruth Kosak, DPM
Elizabeth Kroboth, DPM
Jason Kayce, DPM
Marisse Lardizibal, DPM
Eric Lew, DPM
John Limanowski, DPM
Brandon Mecham, DPM

Shane Moore, DPM
Jesse Olson, DPM
Kaveh Panahi, DPM
Ryan Payne, DPM
Jill Peotter, DPM
Kyle Peterson, DPM
Evan Simonson, DPM
Eric Sluiter, DPM
Leonard Wagner, DPM
Troy Wilde, DPM
David Zarkou, DPM

MOTION: Dr. Campbell moved to go into Executive Session for the purpose of administering the confidential oral examinations. Dr. Leonetti seconded the motion.

DISCUSSION: There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote and the Board adjourned into Executive Session at 8:01 a.m.

The Board returned to Regular Session at 8:35 a.m. and recessed until 8:46 a.m. Mr. Tellier was present for the remainder of agenda items.

IV. Approval of Minutes

a. May 14, 2014 Regular Session Minutes.

Ms. Miles was absent.

MOTION: Dr. Kaplan moved to approve the minutes as drafted. Mr. Rhodes seconded the motion.
DISCUSSION: There was no discussion on the motion.
VOTE: The motion passed unanimously by voice vote.

b. May 14, 2014 Executive Session Minutes.

Ms. Miles was absent.

MOTION: Dr. Kaplan moved to approve the minutes as drafted. Dr. Leonetti seconded the motion.
DISCUSSION: There was no discussion on the motion.
VOTE: The motion passed unanimously by voice vote.

V. Review, Discussion and Possible Action –Review of Complaints (NOTE: The subject matter listed for each item represents the allegation(s) being investigated. The presence of allegations does not indicate violation of Statute or Rule in connection with the practice of podiatry. Please refer to the final motion in the minutes for each item to determine the Board's final conclusion.)

a. 11-35-C – Bruce Levin, DPM: Practice below the standard of care for inadequate orthotics.

Dr. Levin was not present. Dr. Dedrie Polakof was the investigator for the case and was present. Ms. Miles was absent.

MOTION: Dr. Campbell moved to dismiss the case finding no violations. Mr. Rhodes seconded the motion.
DISCUSSION: There was no discussion on the motion.
VOTE: The motion passed unanimously by voice vote.

b. 12-19-C – Peyman Elison, DPM: Failure to provide medical records.

Dr. Elison was present with attorney Heather Neal. Dr. Dedrie Polakof was the investigator for the case and was present. Ms. Miles was absent.

MOTION: Dr. Campbell moved to dismiss the case with a Letter of Concern for failing to provide medical records in a timely manner.
DISCUSSION: There was no discussion on the motion.
VOTE: The motion passed unanimously by voice vote.

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

a. 09-20-C and 11-01-C – Kevin O'Brien, DPM: Request to modify consent agreement.

The Board is in receipt of a request from Dr. O'Brien to modify the terms of the consent agreement to allow him to perform soft tissue procedures of the ankle and only disallow osseous procedures.

MOTION: Dr. Kaplan moved to deny the request. Dr. Campbell seconded the motion.
DISCUSSION: There was no discussion on the motion.
VOTE: The motion passed unanimously by voice vote.

b. 09-17-B – J. David Brown, DPM: Monthly update.

Ms. Penttinen advised that the last progress report was received last month indicating that Dr. Brown was in compliance with his monitoring requirements at that time. The next report is due in August. She has not received any reports of non-compliance since the last report from Dr. Sucher. Ms. Penttinen also has sent a letter to Dr. Brown advising him that the Board would like him to appear at the August meeting for a probation status interview. Dr. Brown then submitted a request to terminate his probation early. That request was not received in time to put on the agenda for today's meeting so it will be on the July 9 agenda.

c. 11-09-M – Kelvin Crezee, DPM: Monthly update.

Ms. Penttinen advised that the amendment to the consent agreement has been executed. However, she has not yet received Dr. Crezee's plan for the seminar he will be conducting.

d. 12-01-C – Steven Born, DPM: Update on consent agreement.

Ms. Penttinen has sent the amended consent agreement to Dr. Born's attorney. The attorney stated Dr. Born signed it and the original was sent via regular mail but has not been received yet. Ms. Penttinen stated there have been numerous recent problems with the USPS with both sending and receiving mail. Dr. Born's attorney retained a scanned copy of the signed agreement and will send if needed.

e. 14-09-B – Janna Kroleski, DPM: Monthly update

There was no information to update.

VII. Review, Discussion and Possible Action on Administrative Matters.

a. Review of Substantive Information and license application file for Steven Moore, DPM.

Dr. Moore was present with attorney Brent Peugnet. Ms. Miles was initially absent but arrived during discussion of this item.

The Board members discussed with Dr. Moore the circumstances surrounding two separate license application documents which were submitted to the Board. The first was sent via fax on March 13, 2014 along with a copy of a check from Dr. Moore for the application fee. It was dated February 25, 2014 and notarized by a notary in Indiana. The second application document was hand-delivered on March 13, 2014 with a check from Dr. Daniel Bangart, DPM for the application fee. (Dr. Moore apparently had been in negotiations with Dr. Bangart for future employment.) That document also was dated February 25, 2014 but was notarized by a notary in Arizona who also was an employee of Dr. Bangart. Ms. Penttinen provided a summary of her discussions with Dr. Moore, Dr. Bangart, and the Arizona notary regarding the application forms. Dr. Moore also had submitted a written statement regarding the circumstances surrounding his application forms. The Board members determined that the first form did not meet the application requirements because Board policy is that the form and fee must be received by the application deadline, (which was March 13, 2014), and that faxed documents are not accepted. The Board members also felt there was sufficient evidence that the second application form was not authentic and had been submitted under false pretenses.

MOTION: Dr. Leonetti moved to go into Executive Session for the purpose of obtaining legal advice. Dr. Campbell seconded the motion.

DISCUSSION: There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote and the Board adjourned into Executive Session at 9:37 a.m.

The Board returned to Regular Session at 9:48 a.m.

Immediately upon returning to Regular Session, Mr. Peugnet stated Dr. Moore would be willing to voluntarily withdraw his application and re-apply at a later date. There was brief discussion among the Board members regarding whether that should be allowed or if the Board should move forward with the evidence in the matter to deny the application. Dr. Moore then addressed the Board and admitted that he did not fill out the second application form. He stated that he received a call on the afternoon of March 13 from Dr. Bangart who told him that an application form had been completed for him and submitted to the Board along with the application fee.

MOTION: Dr. Leonetti moved to accept the voluntary withdrawal of Dr. Moore's license application. Mr. Rhodes seconded the motion.

DISCUSSION: There was no discussion on the motion.

VOTE: The motion passed 3-2 with Dr. Kaplan and Ms. Miles dissenting.

MOTION: Ms. Miles moved to open a complaint investigation case for Dr. Daniel Bangart relate to his involvement with the license application submitted by Dr. Steven Moore. Dr. Campbell seconded the motion.

DISCUSSION: There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

b. Request from Janna Kroleski, DPM to amend April 9, 2014 Regular Session Minutes.

Dr. Kroleski submitted a request to the Board to modify the April 9, 2014 Regular Session minutes. Dr. Kroleski stated that because of the way the allegations were stated on the agenda and minutes, it does not appear to be clear that the Board dismissed some of the allegations. Ms. Penttinen reviewed the language that is included in the Board's agendas which states that the presence of allegations does not automatically indicate there has been a violation. She stated that this language is normally not included in the minutes but could easily be retained to make it more clear to the public that the final Board action should be reviewed to determine which, if any, allegations were substantiated. The Board members were in agreement with that course of action and agreed to modify the minutes as requested.

MOTION: Ms. Miles moved to approve Dr. Kroleski's request to amend the minutes. Dr. Leonetti seconded the motion.

DISCUSSION: There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

c. AzPMA request for CME approval.

The Arizona Podiatric Medical Association submitted a request for approval of five CME hours for their seminar on July 18 & 19, 2014.

MOTION: Dr. Kaplan moved to approve the request. Ms. Miles seconded the motion.

DISCUSSION: There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

d. Review of license renewal applications for the following podiatrists:

Steven Abrams	Todd Gunzy	Jeffrey Page
Jason Allen	Todd Haddon	Marie Paul
David Armstrong	Jared Hall	Jeffrey Pawlowski
Shahram Askari	Myron Hansen	Mary Peters
Daniel Bangart	William Harant	Kent Peterson
Keith Bangart	Jason Harrill	Arlene Polakof
Stephen Barrett	Daniel Hatch	Dedrie Polakof
Carl Beecroft	Carrie Hess	Jess Price
Darren Bocian	Derek Hunchak	Richard Rand, III
Edward Bodmer	Whitney Hunchak	Travis Reber
Alex Bui	David Jenkins	Lee Richer
Barbara Campbell	Barry Kaplan	Richard Robinson
Allison Cheney	Lester Klebe	Glen Robison
Luke Cicchinelli	John Knochel	Andrea Roemer
Jamie Coffey	Edalyn Ko	Roberta Rowland
Richard Cohen	Bruce Krell	Maria Sangalang
Stanton Cohen	Jean Kroyn	Payam Sarraf
Charles Connell	Robert Kuvent	Daniel Saunders
Michael Cornfield	Todd Lamster	Varelle Schade
Heather Couch	Bjorn Lawson	Michael Sekosky
Amram Dahukey	Herbert Lee	Gilbert Shapiro
James Dancho	Michael Leonetti	Alan Shih
Marvin Dobkin	William Leonetti	Don Shumway
Joseph Dobsrusin	Mark Little	Peter Sidorjak
Scott Evans	Adam Lu	Shaun Simmons
John Ferguson	Stanley Lubeck	Alex Stewart
John Fiorino	Scott Maling	Jeffrey Thomas
William Fishco	Neil. Mansdorf	Melanie Violand
Lewis Freed	John Marin	Jodi Walters
Darick Freestone	Cameron McKay	Michael Warheit
Robert Fridrich	Robert Mendicino	Paul Warner
Christopher Funk	Peter Merrill	Ryan Wood
Louis Geller	Eduardo Montes	Pal Woodward
Nicholas Giovinco	Wayne Moyer	Scott Wyant
Eugene Goldman	Aprajita Nakra	Susan Young
Ike Gorman	Serjik Nazarian	Kerry Zang
Douglas Griffin	Robert Novack	Larry Zonis

Dr. Leonetti recused from the review of the renewal applications for Michael Leonetti and William Leonetti.

MOTION: Dr. Kaplan moved to approve the renewal applications for Drs. Michael and William Leonetti. Mr. Rhodes seconded the motion.

DISCUSSION: There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

Dr. Kaplan recused from the review of his renewal application.

MOTION: Ms. Miles moved to approve Dr. Kaplan's renewal application. Dr. Leonetti seconded the motion.

DISCUSSION: There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

Dr. Campbell recused from the review of her renewal application.

MOTION: Dr. Kaplan moved to approve Dr. Campbell's renewal application. Mr. Rhodes seconded the motion.

DISCUSSION: There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

MOTION: Dr. Leonetti moved to approve the renewal applications for all other podiatrists listed above. Ms. Miles seconded the motion.

DISCUSSION: There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

e. Malpractice case report. (None at this time.)

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

a. [Open complaint status report.](#)

IX. Call To The Public

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

X. Next Board Meeting Date:

a. July 9, 2014 at 8:30 a.m.

XI. Adjournment

MOTION: Dr. Kaplan moved to adjourn the meeting. Mr. Rhodes seconded the motion.

DISCUSSION: There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote and the meeting was adjourned at 11:02a.m.