



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

November 12, 2014; 8:30 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: Marc Harris

I. Call to Order

The meeting was called to order at 8:43 a.m.

II. Roll Call

All Board members were present as well as Ms. Penttinen and Mr. Harris

III. Approval of Minutes

a. October 8, 2014 Regular Session Minutes.

MOTION: Dr. Kaplan moved to approve the minutes. Mr. Rhodes seconded the motion.

DISCUSSION: There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

b. October 8, 2014 Executive Session Minutes.

MOTION: Dr. Kaplan moved to approve the minutes. Mr. Rhodes seconded the motion.

DISCUSSION: There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

c. September 12, 2014 Special Committee Meeting Minutes.

MOTION: Dr. Kaplan moved to approve the minutes. Dr. Leonetti seconded the motion.

DISCUSSION: There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

IV. Review, Discussion and Possible Action – Review of Complaints (NOTE: The presence of a complaint does not automatically indicate violation of Statute or Rule in connection with the practice of podiatry.)

a. 12-06-C – Daniel Saunders, DPM

Dr. Saunders was not present. Dr. Jerome Chon was the investigator for the case and was present to discuss his review of the case.

MOTION: Dr. Kaplan moved to dismiss the case finding no violations. Ms. Miles seconded the motion.

DISCUSSION: There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

b. 13-07-C – Paul Woodward, DPM

Dr. Woodward was not present. The Board members reviewed the complaint case independent of an investigator review.

MOTION: Dr. Kaplan moved to dismiss the case finding no violations. Ms. Miles seconded the motion.
DISCUSSION: There was discussion among the Board members regarding the billing codes used by Dr. Woodward and an ultimate agreement that further investigation of such was not needed.
VOTE: The motion passed unanimously by voice vote.

c. 13-08-C – Blair Sandall, DPM

Dr. Sandall was not present. The Board members reviewed the complaint case independent of an investigator review.

MOTION: Dr. Leonetti moved to dismiss the case finding no violations. Dr. Kaplan seconded the motion.
DISCUSSION: There was no discussion on the motion.
VOTE: The motion passed 4-1 by voice vote with Ms. Miles dissenting.

d. 13-09-C – Kevin O'Brien, DPM

Dr. O'Brien was not present. Dr. Dedrie Polakof was the investigator for the case and was present to review her findings.

MOTION: Dr. Kaplan 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.

MOTION: Dr. Kaplan moved to open a complaint case for Dr. Ronald Killian due to incomplete records including consent forms, incomplete x-rays, and practice out of scope for patient D.B. Dr. Campbell seconded the motion.
DISCUSSION: There was no discussion on the motion.
VOTE: The motion passed unanimously by voice vote.

The Board members also directed Ms. Penttinen to follow up with Havasu Regional Medical Center to obtain all records from their facility for this patient in conjunction with the complaint case for Dr. Killian.

e. 13-17-C – Larry Zonis, DPM

Dr. Zonis was not present. The Board members reviewed the complaint case independent of an investigator review.

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

f. 13-30-C – David Lee, DPM

Dr. Lee was not present. The Board members reviewed the complaint case independent of an investigator review

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

g. 13-31-C – William Accomando, DPM

Dr. Accomando was not present. The Board members reviewed the complaint case independent of an investigator review

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

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h. 13-33-C – Darin Bocian, DPM

Dr. Bocian was not present. The Board members reviewed the complaint case independent of an investigator review

MOTION: Dr. Leonetti moved to dismiss the case finding no violations. Dr. Campbell seconded the motion.

DISUCSSION: There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

i. 13-34-C – Richard Jacoby, DPM

Dr. Jacoby was not present. The Board members reviewed the complaint case independent of an investigator review

MOTION: Dr. Kaplan moved to dismiss the case finding no violations. Mr. Rhodes seconded the motion.

DISUCSSION: There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

j. 14-05-C – Charles Connell, DPM

Dr. Connell was not present. The Board members reviewed the complaint case independent of an investigator review

MOTION: Dr. Kaplan moved to dismiss the case finding no violations. Mr. Rhodes seconded the motion.

DISUCSSION: There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

k. 14-10-C – Sanford Chesler, DPM

Dr. Chesler was not present. The Board members reviewed the complaint case independent of an investigator review

MOTION: Dr. Kaplan moved to dismiss the case finding no violations. Ms. Miles seconded the motion.

DISUCSSION: There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

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

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

The Board members reviewed the update letter from Dr. Kroleski's counselor which indicates Dr. Kroleski does not need any further treatment as of July 3, 2014.

MOTION: Ms. Miles moved to have Ms. Penttinen to follow up with the counselor to obtain additional information as to what specifically convinces her that Dr. Kroleski no longer needs treatment. Dr. Leonetti seconded the motion.

DISCUSSION: There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

b. 14-25-B – Kelvin Crezee, DPM: Status update. (Refusal of consent agreement and request for formal hearing.)

Ms. Penttinen advised that she had contacted Dr. Crezee's attorney to determine dates of availability for a formal hearing. The Complaint and Notice of Hearing has been prepared and will be filed with the Office of Administrative Hearings today, then if needed a scheduling conference can be set to finalize the date of the hearing.

c. 09-02-C and 09-11-C – J. David Brown, DPM: Status of formal hearing and consideration of expert witness(es).

Ms. Penttinen advised that the settlement conferences are scheduled for November 18, 2014 at which Ms. Miles and Dr. Campbell will be present. Any agreement that is reached on that date will come before the full Board at the December meeting. If any agreement terms are deemed unacceptable by the Board then the formal hearings will proceed. Ms. Penttinen also is still working to secure expert witnesses that can testify for the Board in case the formal hearings are needed.

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

a. Review of new license applications for the following podiatrists:

- i. Boyd Andrews, DPM
- ii. Mark Ellis, DPM
- iii. Denise Freeman, DPM
- iv. Kenneth Hegewald, DPM
- v. Tosha Klotzbach-Larios, DPM
- vi. Isaac Palacios, DPM
- vii. McQueen Suen, DPM
- viii. Alicia Teausant, DPM

Regarding Dr. Freeman specifically, the Board members reviewed the application and that Dr. Freeman did not complete one year of residency. Therefore, the Board will need to determine what the licensing requirements were for podiatrists in Arizona when Dr. Freeman graduated from podiatry school in 1980. Ms. Penttinen will follow up on the Arizona laws as well as the laws of Iowa where Dr. Freeman was initially licensed.

Regarding Dr. Klotzbach-Larios, Ms. Penttinen confirmed that she was deployed in the military prior to her 2009 license renewal deadline. She has provided proof of CME equivalent to annual renewal requirements. Therefore she is eligible to be re-licensed.

MOTION: Dr. Leonetti moved to approve all of the other applicants listed above to sit for the oral exam and to issue their license upon successful completion of that exam. Dr. Kaplan seconded the motion.

DISCUSSION There was no discussion on the motion.

VOTE: The motion passed unanimously by voice vote.

b. Review of license renewal application for Jerome Steck, DPM.

The Board members reviewed the CME reports that Dr. Steck submitted and determined that he was still deficient on the full 25 hour requirement. Ms. Penttinen will follow up with Dr. Steck regarding the missing hours.

c. Update on 2015 Board meeting dates.

Ms. Penttinen advised that the meeting dates for 2015 have been confirmed as the second Wednesday of each month expect for November. Because the second Wednesday of that month is a State holiday, (Veteran's Day), the meeting for that month will be on Tuesday the 10th. Ms. Penttinen has confirmed availability for basement conference room B-2 for that date.

d. Review of request from Jeff Page, DPM for clarification of allowable activities for podiatry students to perform in private office settings.

The Board members reviewed the information submitted by Dr. Page, representing Midwestern University, regarding the clinical rotations of podiatry students. The concerns raised involved the types of activities that students can perform while on such rotations. Dr. Page stated via email that all student clinical rotations are undertaken via contract with various providers and institutions. The Board members requested that Ms. Penttinen follow up with him to obtain copies of those agreements to ensure that the students, and the doctors who are responsible for, the clinical externships or clerkships are following proper legal protocol with regard to scope of practice.

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

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

a. Open complaint status report.

Ms. Penttinen stated she was unable to print the report due to a malfunction in the database. However, she received only on complaint in the last month.

VIII. Call To The Public

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

IX. Next Board Meeting Date:

- a. December 10, 2014 at 8:00 a.m.

X. Adjournment

MOTION: Ms. Miles 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 11:43a.m.