



Governor
Douglas A. Ducey

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS

IN MEDICINE AND SURGERY

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Board Members

Douglas Cunningham, D.O., Pres.
Jerry G. Landau, J.D., V.P.
Gary A. Erbstoesser, D.O.
Jonathan A. Maitem, D.O.
Martin Reiss, D.O.
Christopher Spiekerman, D.O.

Interim Executive Director

Barbara Prah-Wix, D.O.

MINUTES OF THE PUBLIC BOARD MEETING OF THE ARIZONA BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

Saturday, March 16, 2019

BOARD MEMBERS PRESENT:

Douglas Cunningham, D.O. President
Jerry G. Landau, J.D., Vice-President
Jonathan A. Maitem, D.O.
Gary A. Erbstoesser, D.O.

ABSENT:

Christopher Spiekerman, D.O.
Martin Reiss, D.O.

STAFF / OTHERS PRESENT:

Barbara Prah-Wix, D.O., Interim Executive Director / Medical
Consultant
John O'Hair-Schattenberg, Investigator
Jenny Webb, Administrative Assistant III
Mary Broughton, Administrative Assistant
Melissa Dangel, Licensing Administrator/Interim Investigations
Manager
Mary Williams, Assistant Attorney General
Lauren Kuhnhenh, CVR, Ottmar & Associates (a.m.)
Deborah Mitchel, RPR, Ottmar & Associates (p.m.)

1. CALL TO ORDER

Dr. Douglas Cunningham, Board President, called the meeting to order at 8:08 a.m.

2. ROLL CALL AND REVIEW OF AGENDA

The Interim Executive Director took the Roll. Four (4) board members were present, establishing quorum for the meeting.

3. CALL TO THE PUBLIC

Dr. Cunningham recited the Board's mission statement: "The mission of the Board is to protect the public by setting educational and training standards for licensure, and by reviewing complaints made against osteopathic physicians, interns, and residents to ensure that their conduct meets the standards of the profession, as defined in law (A.R.S. § 32-1854)."

- A. Dr. Cunningham welcomed the Medical Students from Arizona College of Osteopathic Medicine at Midwestern University, A.T. Still University Kirksville College of Osteopathic Medicine and A.T. Still University School of Osteopathic Medicine in Arizona.
- B. If any member of the public who is not a respondent/licensee or applicant or complainant wishes to address the Board on a matter that appears on the agenda, you will be asked to speak during the Call to the Public. If you want to address the Board on an issue not on the agenda, you will also be asked to speak during the Call to the Public. All those wishing to speak should fill out a speaker form and give it to a staff member.

4. REVIEW, CONSIDERATION AND APPROVAL OF MINUTES

A. January 12, 2019 Open Session

MOTION: Dr. Maitem moved to approve the minutes. Dr. Erbstoesser seconded.
VOICE VOTE: Motion carried unanimously.

B. January 12, 2019 Executive Session

Continued

C. January 31, 2019 Open Session

MOTION: Dr. Maitem moved to approve the minutes. Dr. Erbstoesser seconded.
VOICE VOTE: Motion carried unanimously.

D. January 31, 2019 Executive Session

MOTION: Dr. Maitem moved to approve the minutes. Dr. Erbstoesser seconded.
VOICE VOTE: Motion carried unanimously.

5. REVIEW, DISCUSSION, AND ACTION ON CASE REVIEWS OF ALLEGATIONS OF UNPROFESSIONAL CONDUCT A.R.S. § 32-1855 (D).

A. Gregory Francis Gargiulo, DO DO-18-0099A License No. 4421

The Respondent was present. The complaint alleged negligence in discharging orders.

After Discussion and consideration the Board determined there was no statutory violation.

MOTION: Mr. Landau moved for dismissal. Dr. Maitem seconded.
VOICE VOTE: The motion carried unanimously.

B. Joseph William Winchell, DO DO-18-0030A License No. 4179

The Respondent was not present. The complaint alleged not receiving proper standard of care for a fracture.

After Discussion and consideration the Board determined there was no statutory violation.

MOTION: Dr. Maitem moved for dismissal. Dr. Erbstoesser seconded.
VOICE VOTE: The motion carried unanimously.

C. Michael David Goodman, DO DO-17-0247B License No. 3786

The Respondent was not present. Dr. Prah advised the Board the Respondent was available by telephone if necessary. The complaint alleged her brother did not receive proper care while in the hospital.

After Discussion and consideration the Board determined there was no statutory violation.

MOTION: Mr. Landau moved for dismissal. Dr. Maitem seconded.
VOICE VOTE: The motion carried unanimously.

D. Kris Parchuri, DO DO-17-0294A License No. 4737

The Respondent was not present. Dr. Prah advised the Board the Respondent was available by telephone if necessary. The complaint alleged delayed diagnoses of cervical abscess following cervical discogram resulting in quadriplegia.

After Discussion and consideration the Board determined to proceed to an Investigative Hearing.

MOTION: Dr. Erbstoesser moved for Investigative Hearing. Dr. Maitem seconded.

VOICE VOTE: The motion carried unanimously.

E. Michael Allen Dekker, DO DO-18-0002A License No. 006406

The Respondent was present. The complaint alleged Respondent filing a complaint against Complainant's license to the complainant's licensing Board unnecessarily.

After Discussion and consideration the Board determined there was no statutory violation.

MOTION: Dr. Maitem moved for dismissal. Dr. Erbstoesser seconded.

VOICE VOTE: The motion carried unanimously.

Complainant was not present at the time the case was called. Complainant came at a later time and the Board allowed a three (3) minute response:

Complainant stated that all of his protected health information was disclosed to the Board of Pharmacy, including the public and was it was also provided on the internet. He was not aware of this disclosure until 2-3 months later. He states he has been accused of theft, incompetence and every slanderous term with no cause. He stated the complaint was falsified; and he states he was threatened by a local pharmacist. Complainant has not used his license in two and half years since moving to Arizona. He states there are 1,000 pages in his chart that he feels the Board should have read.

After Discussion and consideration the Board determined to uphold the dismissal.

F. James David Stewart, DO DO-18-0062A License No. 005591

The Respondent was present. The complaint alleged failure/delay in referral or consultation.

After Discussion and consideration the Board determined there was no statutory violation.

MOTION: Dr. Maitem moved for dismissal. Dr. Erbstoesser seconded.

VOICE VOTE: The motion carried unanimously.

G. Roy Niels Skousen, DO DO-18-0014A License No. 2214

The Respondent was present. The complaint alleged Respondent's conduct during a medical procedure.

Dr. Cunningham moved to enter Executive Session for legal advice. Dr. Maitem seconded. The Board entered Executive Session at 8:30 a.m. and returned to Open Session at 8:38 a.m.

Respondent is practicing in Oklahoma, but is currently not practicing in Arizona. He also has licenses in New Hampshire and Colorado.

After Discussion and consideration the Board determined to proceed to an Investigative Hearing.

MOTION: Dr. Maitem moved for an Investigative Hearing. Dr. Erbstoesser seconded.

VOICE VOTE: The motion carried unanimously.

H. James William Osborne, DO DO-18-0143A License No. 4439

The Respondent was present with attorney Mr. Myers. The case was opened due to the Board receiving notice the Respondent had been arrested for cocaine possession.

The attorney stated the Respondent has not received the investigative report from staff and he has not received Dr. Sucher's evaluation.

The Respondent made a statement. He did not realize he was in a depressive state and the incident has made him realize his errors.

The attorney is asking In lieu of going to an investigative hearing there could be a consent agreement.

After Discussion and consideration the Board determined to proceed to an Investigative Hearing.

MOTION: Mr. Landau moved for Investigative Hearing and also directed staff to work with Mr. Myers and the Respondent towards a non-confidential Consent Agreement. When the agreement is completed the Respondent is to return to the Board for review. Dr. Maitem seconded. If Board approves the Consent Agreement then the investigative hearing will be vacated.

VOICE VOTE: The motion carried unanimously.

I. Anthony Christopher Pozun, DO DO-19-0005A License No. 3684

The Respondent was present. The case was opened due to a report from Banner Thunderbird Medical Center reporting that the Respondent had a positive urine drug screen.

After Discussion and consideration the Board determined to proceed to an Investigative Hearing.

MOTION: Mr. Landau moved for an Investigative Hearing. Dr. Maitem seconded.

VOICE VOTE: The motion carried unanimously.

6. REVIEW, DISCUSSION AND ACTION ON INVESTIGATIVE HEARINGS PURSUANT TO A.R.S. § 32-1855 (E).

A. Andrew Jay Colman, DO DO-18-0087A License No. 1839

The Respondent was present with attorney Marki Stewart and was sworn in by the court reporter. The Investigator reviewed the case. The case was opened due to notification from FSMB that the Respondent received a disciplinary order from the Michigan Board of Osteopathic Medicine and Surgery. The Respondent did not report this action to the Arizona Osteopathic Board.

The attorney sent a written response and attached the Michigan Board Consent Order to the Arizona Board on January 29, 2019. Respondent does have an Arizona license but has never practiced here. He obtained his license in Arizona because his parents lived here long ago, but they have since been deceased. Since Arizona has no connection to this case and Michigan has already reviewed the case and imposed CME and a fine, the attorney is requesting the Michigan action be sufficient and dismiss this case.

The Respondent answered the Board's questions.

MOTION: Dr. Erbstoesser moved for a dismissal. Motion withdrawn.

MOTION: Dr. Erbstoesser moved for a non-disciplinary Letter of Concern for pre-signing discharge forms. Dr. Maitem seconded.

VOICE VOTE: The motion carried unanimously.

B. Robert D. Lundell, DO DO-18-0013A License No. 005135

The Respondent was present with attorney Mr. Myers and was sworn in by the court reporter. The Medical Consultant reviewed the case. The complaint alleged inconsistencies and inaccuracies in chart documentation. Complainant stated he wanted to make amendments to records, but Respondent stated he would not be willing to do so.

The respondent read a statement. He states he works in an underserved rural area and when providers leave the facility patient care is interrupted and he receives an influx of new patients in addition to the patients he is already taking care of. The patients may have a 2-3 week wait to be seen. He also helps train new medical staff. The Respondent was using templates to complete his notes and trying to adjust the notes for what the patient came in for that day. He feels he would not be able to accurately remember the details of each visit for the Complainant but suggested a patient amendment. Respondent is embarrassed and apologized to the patient for the inaccurate notes. Respondent has helped make new policies at Sunlife for medical record keeping. He has taken the PACE medical record keeping course.

The attorney made a statement that Respondent has taken responsibility for his actions.

Templates can lead to inaccuracies in the old system. Sunlife now has an updated system.

MOTION: Dr. Maitem moved for a non-disciplinary Letter of Concern for inaccurate medical records. Mr. Landau seconded.

VOICE VOTE: The motion carried unanimously.

The Board recessed for a break at 9:26 a.m. and returned to Open Session at 9:38 a.m.

C. Jamison Mark Foster, DO DO-17-0106A License No. 006198

The Respondent was present with attorney Mr. Meyers and was sworn in by the court reporter. At the request of the Board, the Respondent stated his education and training. The Investigator reviewed the case. The complaint alleged two counts for forging prescriptions and he was criminally charged.

The Respondent read a statement. Respondent fully admits that he is the one who committed this crime but stated personal life tragedies as the contributing factors. Respondent has self-detoxed in the past but relapsed when faced with difficult life issues. He has completed a rehab program and has been sober since April 2017.

The attorney stated the Respondents license has expired May of 2018 due to non-renewal. He felt the license should not terminate until resolution of the investigation. Mr. Myers is requesting to resolve the investigation by imposition of a Decree of Censure and also continuing the restriction preventing him from practicing medicine instead of revocation. Respondent did reapply for licensure.

Dr. Cunningham moved to enter Executive Session for legal advice. Mr. Landau seconded. The Board entered Executive Session at 10:00 a.m. and returned to Open Session at 10:15 a.m.

The Respondent answered the Board's questions.

MOTION: Mr. Landau moved for formal hearing for consideration of suspension of medical license for a period of 3 years. This is based upon violations of A.R.S. § 32-1854 (2)(6)(15)(20)(22)(35)(39)(40) in that over a period of 9 months Respondent engaged in conduct that led to indictments for obtaining prescription drugs by forgery and deceit and taking the identity of another, furthermore the conviction of three (3) class six (6) felonies involving drugs, taking the identity of another in two (2) counties in the state and taking prescription medication while he was practicing

medicine which compromised his ability to practice medicine and compromised public safety. Respondent violated Federal and State law and rules of this Board regarding drugs. Upon conclusion of the suspension if he should seek to re-obtain his medical license to practice medicine he will need to demonstrate competency necessary to practice medicine and that he has control of his personal life regarding substance abuse and the ability to function safely within the medical community. The Board may entertain a Consent Agreement between the Board and the Respondent and if both agreed to the Consent Agreement there would be no need for the Formal Hearing and the formal finding. Dr. Maitem seconded.

ROLL CALL VOTE: The motion carried 4-0.

	Vote	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Maitem	Dr. Reiss	Dr. Spiekerman
YES	4	1	1	1	1		
NO	0						
ABSTAIN/RECUSE	0						
ABSENT	2					1	1

D. Narinder Kaur Brar, DO DO-18-0017A License No. 4368

The respondent was present with attorney David Coleman and Danielle Arpicona, billing administrator, and was sworn in by the court reporter. The Investigator reviewed the case. At the request of the Board, the Respondent stated her education and training. The complaint alleged his wife saw Respondent for prenatal care on a cash pay basis until his insurance became effective. He states he was promised a refund of the cash payment when his insurance became effective, but instead felt he was over charged. He also felt they were abandoned in the labor unit and were not attended by anyone from the Respondents office.

Respondent stated that the Arizona Maternity did not overcharge the complainant; they charged the patient less than the amount allowed since they were self-pay. Respondent worked with AHCCCS to get the patient on insurance. The Respondent provides her best care to patients and when the patient went to hospital the on-call physician attended the delivery. Respondent did not abandon care. The Respondent stated she had explained to the patient and the Complainant about the possibility of having an on-call physician for the delivery.

MOTION: Dr. Maitem moved for dismissal. Dr. Erbstoesser seconded.

VOICE VOTE: The motion carried unanimously.

E. Steven Kent Ochi, DO DO-18-0147A License No. 007522

The Respondent was present and was sworn in by the court reporter. At the request of the Board, the Respondent stated his education and training. The Medical Consultant reviewed the case. The complaint alleged failed to inform patient of the loss of a urine sample which caused him to need to resubmit the sample.

The Respondent he stated he was following the protocol of the clinic for follow up calls. Respondent stated he was not aware of the missing sample and it is up to the patient to call in for results. Respondent stated the CEO of the company put in place a new policy for follow up.

MOTION: Mr. Landau moved for a non-disciplinary Letter of Concern for failure to follow up on lab results and failure to document this in the medical record. Dr. Maitem seconded.

VOICE VOTE: The motion carried unanimously.

F. Rick Alan Shacket, DO DO-18-0090A License No. 4257

Continued

G. Bryan David Friedman, DO DO-18-0141A License No. 006111

The Respondent was present and was sworn in by the court reporter. The Complainant was present and was sworn in by the court reporter. At the request of the Board, the Respondent stated his education and training. The Medical Consultant reviewed the case. The complaint alleged being billed for nasal endoscopy and stated the procedure was not performed. He states he received his medical records and found false statements and inaccuracies.

Respondent stated the complainant came to him for a second opinion. He states the patient was looking for a less invasive procedure in the office. Respondent states he did do a nasal endoscopy and the medical records were completed by the medical assistant. Respondent does apologize for the inaccuracies. He states he now reiterates several times to the patient he is going to perform a nasal endoscopy.

The Respondent answered the Board's questions. The medical records were made with a template. The Board has concerns that the notes in the patients' medical records were for exams that were not completed. The Respondent noted he had examined the heart and lungs and admits he did not do this exam

The Complainant stated that he saw the Respondent for a consultation for his sinus problem. After he obtained his medical records there was a note of a post-operative healing, but he did not have a procedure done. Complainant states there was no exam done, no hands were placed on him.

Dr. Erbstoesser moved to enter Executive Session for legal advice. Dr. Maitem seconded. The Board entered Executive Session at 11:29 a.m. and returned to Open Session at 11:36 a.m.

MOTION: Mr. Landau moved to continue to an Investigative Hearing and direct staff to conduct a 10 patient chart review for general ENT and reset the matter to the June 15, 2019 Board meeting. Dr. Erbstoesser seconded.

VOICE VOTE: The motion carried unanimously.

Cases will be called after 1:00 p.m.

7. REVIEW, DISCUSSION AND ACTION ON INVESTIGATIVE HEARINGS PURSUANT TO A.R.S. § 32-1855 (E).

H. Norberto Sibayan Perez, DO DO-18-0052A License No. 3121

Continued

8. CONSIDERATION AND ACTION ON COMPLIANCE WITH TERMS OF BOARD ORDERS AND REQUESTS TO MODIFY OR TERMINATE ORDERS, PURSUANT TO A.R.S. §32-1855 (E) AND (I).

A. Carl Edward Ferguson, DO DO-14-0206A & DO-14-0221A License No. 2244

The Respondent was present with attorney Jessica Miller. The Respondent is requesting to terminate his probation and restrictions from the October, 2015 Board order.

MOTION: Mr. Landau moved to terminate the probation and lift restrictions. The Medical Consultant to complete a 10 patient chart review for prescribing opioids to be completed by August 1, 2019 and the Respondent is to return to the September, 2019 Board Meeting. Dr. Maitem seconded.

ROLL CALL VOTE: The motion carried 4-0.

	Vote	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Maitem	Dr. Reiss	Dr. Spiekerman
YES	4	1	1	1	1		
NO	0						
ABSTAIN/RECUSE	0						
ABSENT	2					1	1

9. REVIEW, DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO A PROPOSED CONSENT AGREEMENT AND POSSIBLE VACATING FORMAL HEARING.

A. Marc Brian Grant, DO DO-17-0085A License No. 1609

The Respondent was present. Michael Raines, independent advisor for the Board, was present telephonically. At the January 12, 2019 Board meeting the Respondent’s medical license was summarily suspended and his case was referred to a formal hearing. At the formal hearing the Assistant Attorney Generals and the Respondent started settlement discussions to settle the matters in lieu of continuing the formal hearing. A consent agreement and order for permanent practice restrictions are available for the Board to review in lieu of revoking the Respondents medical license. The Attorney General is asking the Board to accept the Consent Agreement and vacate the summary suspension.

Mr. Landau asked for a correction on page five (5) lines 15 and 17, instead of the wording disputes he would like it to be changed to disputed. Respondent and the Assistant Attorney General had no objection to the change.

The Respondent may petition the Board to change the Consent Agreement.

MOTION: Mr. Landau moved to accept the Consent Agreement and vacate the Summary Suspension and Formal Hearing. Dr. Maitem seconded.

ROLL CALL VOTE: The motion carried 4-0.

	Vote	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Maitem	Dr. Reiss	Dr. Spiekerman
YES	4	1	1	1	1		
NO	0						
ABSTAIN/RECUSE	0						
ABSENT	2					1	1

10. REVIEW, DISCUSSION AND POSSIBLE ACTION REHEARING OR REVIEW PURSUANT TO A.AC. R4-22-108.

A. Marvin Allen Borsand, DO DO-17-0151A License No. 2261

The Respondent was present with attorney Dr. Steve Perlmutter. The Medical Consultant reviewed the Decree of Censure from the August 11, 2018 Board meeting. The Attorney is requesting the granting of a rehearing or review of the case.

Dr. Cunningham moved to enter Executive Session for legal advice. Dr. Maitem seconded. The Board entered Executive Session at 1:23 p.m. and returned to Open Session at 1:33 p.m.

MOTION: Mr. Landau moved to deny the motion for a rehearing but will grant a limited motion of a rehearing for the purposes of changing the CME. The Board determines there is new evidence that there is not such a program, and it is not the intent of the Board for the Respondent to pay \$10,000+ for CME. Dr. Maitem seconded.

ROLL CALL VOTE: The motion carried 4-0.

	Vote	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Maitem	Dr. Reiss	Dr. Spiekerman
YES	4	1	1	1	1		
NO	0						
ABSTAIN/RECUSE	0						
ABSENT	2					1	1

MOTION: Mr. Landau moved to deny the motion for a rehearing based on all the grounds. Dr. Maitem seconded.

ROLL CALL VOTE: The motion carried 4-0.

	Vote	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Maitem	Dr. Reiss	Dr. Spiekerman
YES	4	1	1	1	1		
NO	0						
ABSTAIN/RECUSE	0						
ABSENT	2					1	1

The Respondent has completed 20 hours of CME for addiction in person, October, 2018.

MOTION: Mr. Landau moved to modify the CME to complete 20 hours of CME on addiction medicine and the course the Respondent completed in October, 2018 fulfilled that requirement. Dr. Maitem seconded.

ROLL CALL VOTE: The motion carried 4-0.

	Vote	Dr. Cunningham	Dr. Erbstoesser	Mr. Landau	Dr. Maitem	Dr. Reiss	Dr. Spiekerman
YES	4	1	1	1	1		
NO	0						
ABSTAIN/RECUSE	0						
ABSENT	2					1	1

- REVIEW, CONSIDERATION, AND ACTION ON APPLICATIONS FOR LICENSURE PURSUANT TO A.R.S. § 32-1822; PERMITS PURSUANT TO A.R.S. § 32-1829; AND RENEWALS OF LICENSES PURSUANT TO A.R.S. § 32-1825 (C-D) AND A.A.C. r4-22-207.**

A. Michelle Tom, DO DO-19-0008A License No. N/A

The Applicant was present. The Investigator reviewed the license application. The Applicant disclosed a yes answer under the professional conduct portion of the application for a DUI in New Mexico in September 2004.

The Respondent answered the Board's questions.

MOTION: Dr. Cunningham moved to approve the license application. Dr. Maitem seconded.

VOICE VOTE: The motion carried unanimously.

B. Veronica Jean Ruston, DO DO-19-0009A License No. N/A

The Applicant was present. The Interim Executive Director reviewed the pending application, the Applicant was previously seen at the June, 2018 Board meeting and was advised to complete several evaluations. She returned to the Board for clarification of what she needed to have done. She was under the impression that she could withdraw her application but that is not an option as she would need to have the evaluations the Board ordered completed prior to any further action on the license.

The Respondent stated that she received two (2) letters from the Board stating she could withdraw and was confused. She is happy to pursue the evaluations and send the reports to the Board. The Applicant has scheduled the evaluations.

MOTION: Mr. Landau moved to reschedule to the April 13, 2019 Board meeting. Dr. Maitem seconded.

VOICE VOTE: The motion carried unanimously.

C. John R. Alessi, DO DO-19-0014A License No. N/A

The Applicant was present. The Investigator reviewed the license application. The Applicant disclosed three (3) yes answers under the professional conduct portion of the application. 1) Malpractice suit in 1991, patient died in route to hospital, 2) Letter of admonishment by the Colorado Board for improper dictation in 1995, 3) Proposed malpractice against St. Francis and Health Services in Indiana in 2011 for failure to diagnose lung cancer, case dismissed.

The Respondent answered the Board's questions.

MOTION: Dr. Erbstoesser moved to approve the license application. Dr. Maitem seconded.

VOICE VOTE: The motion carried unanimously.

D. Jonathon Allen Sexton, DO DO-19-0021A License No. N/A

The Applicant was present. The Investigator reviewed the license application. The Applicant disclosed yes answers under the professional conduct portion of the application for an arrest and entering a diversion program for substance abuse.

The Respondent answered the Board's questions.

MOTION: Dr. Cunningham moved to approve the license application. Dr. Erbstoesser seconded.

VOICE VOTE: The motion carried unanimously.

E. Larry Eugene Menestrina, DO DO-19-0023A License No. N/A

The Applicant was present. The Investigator reviewed the license application. The Applicant disclosed yes answers under the professional conduct portion of the application for four (4) malpractice awards, all cases were dismissed.

The Respondent answered the Board's questions.

MOTION: Dr. Cunningham moved to approve the license application. Dr. Maitem seconded.
VOICE VOTE: The motion carried unanimously.

12. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING PRACTICE EXPERIENCE VERIFICATION FOR APPLICANTS UNDER A.A.C. R4-22-202(B).

The Arizona Osteopathic Board Licensing Department requires primary source verification where an applicant has staff privileges. Often time's tele-radiologists may be on staff at multiple facilities (on average 50) but are employed and credentialed by companies such as Vrad or Onrad Inc. Obtaining verification from all these facilities may take months and at times as long as a year. Often the hospital will only verify the physician is a Vrad or Onrad radiologist and is not onsite. Vrad and Onrad do provide the Board with primary source verification, verifying the physician's employment dates and the facilities in which the physician has privileges and whether they are in good standing. Statute R4-22-202 (B)(3)(4) states: Practice Experience Verification form for at least seven of the last 10 years submitted by each health care facility or employer at which the applicant obtained experience;

Staff is requesting the Board to determine if Licensing can accept Primary Source Practice Verification from employers such as OnRad or Vrad.

MOTION: Mr. Landau moved to accept as primary source verification utilizing Statute R4-22-202 (B)(3)or(4). Dr. Maitem seconded.

VOICE VOTE: The motion carried unanimously.

13. REVIEW, CONSIDERATION AND ACTION ON REPORTS FROM INTERIM EXECUTIVE DIRECTOR, BOARD MEMBERS, and ASSISTANT ATTORNEY GENERAL.

A. Report on Interim Executive Director Dismissed Complaints

The Interim Executive Director provided a summary of dismissed, resolved and unresolved complaints.

B. President and Board Member Reports

No reports were made.

C. Interim Executive Director Report

1. Financial Report

Dr. Prah provided the Board with an update.

2. Report on pending on pending complaints, applications and personnel matters

Dr. Prah provided the Board with an update.

3. Current Events that Affect the Board

Mr. Landau would like to place a change to the license application on our next agenda.

D. Legislation Update

1. H2463: OCCUPATIONAL REGULATIONS; LICENSES; COMMUNICATIONS; NOTICE
2. H2519: PHYSICIAN ASSISTANTS; SUPERVISION
3. H2569: OCCUPATIONAL LICENSING; RECIPROCITY
4. H2660: OCCUPATIONAL REGULATION; PRIOR CONVICTION; APPLICABILITY

5. S1062: HEALTH PROFESSIONALS; ADDRESS; DISCLOSURE
6. S1086: HEALTH PROFESSIONS; TEMPORARY LICENSURE
7. HB2118: UNAUTHORIZED PRACTICE; HEALTH PROFESSIONS

Mr. Landau provided a legislation update.

E. General Accounting Office Audit

Dr. Prah provided the Board with an update.

14. REVIEW, DISCUSSION AND POSSIBLE ACTION OF BOARD MEETING DATES 2019.

New Board meeting dates:

- August 3, 2019
- September 14, 2019
- October 19, 2019
- November 23, 2019

MOTION: Mr. Landau moved to approve the new Board meeting dates. Dr. Cunningham seconded.

VOICE VOTE: The motion carried unanimously.

15. REVIEW, CONSIDERATION OF RESUMES FOR EXECUTIVE DIRECTOR POSITION AND POSSIBLE SELECTION OF PROSPECTIVE INTERVIEW CANDIDATES.

Dr. Cunningham moved to enter Executive Session to discuss confidential information. Mr. Landau seconded. The Board entered Executive Session at 11:46 a.m. and returned to Open Session at 12:57 p.m.

MOTION: Mr. Landau moved to interview applicants 1, 2, 9 & 18 at the March 23, 2019 Board Meeting. Dr. Cunningham seconded.

VOICE VOTE: The motion carried unanimously.

16. REVIEW DISCUSSION AND POSSIBLE ACTION ON DEVELOPMENT OF INTERVIEW QUESTIONS FOR EXECUTIVE DIRECTOR INTERVIEWS.

MOTION: Dr. Cunningham moved to approve the questions as modified. Mr. Landau seconded.

VOICE VOTE: The motion carried unanimously.

17. REVIEW DISCUSSION AND POSSIBLE ACTION ON EXECUTIVE DIRECTOR INTERVIEW AND SELECTION PROCESS.

The Committee agreed to schedule 30 minute interviews for each candidate starting at 8:30 a.m. The interviews will be held on March 23, 2019. Four (4) candidates were selected.

18. QUESTION AND ANSWER SESSION BETWEEN THE MEDICAL STUDENTS AND MEMBERS OF THE BOARD AND DISCUSSION RELATING TO ISSUES SURROUNDING THE PRACTICE OF OSTEOPATHIC MEDICINE.

19. ADJOURNMENT

The Board adjourned at 3:15 p.m.