



ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY
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Board Members:
 Jonathan A. Maitem, D.O., Pres
 Samara Shipon, D.O., V.P.
 Gary A. Erbstoesser, D.O.
 Jeffrey H. Burg, AIF
 Dawn K. Walker, D.O.
 Ken S. Ota, D.O.
 Samara Shipon, D.O.
 Michael Goodman

Executive Director
 Justin Bohall

DRAFT MINUTES FOR MEETING OF THE
ARIZONA BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY
Held on Friday, January 26, 2024, at 8:30 am, virtually.

1. CALL TO ORDER

Board President Maitem called the meeting to order at 8:31 am.

President Maitem thanked the Board members and staff for facilitating today’s proceedings and read aloud 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).”

2. ROLL CALL AND REVIEW OF AGENDA

	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
Present		X	X		X	X	
Absent	X			X			X

Other Board Staff Present during the Board Meeting:

	Justin Bohall, Executive Director	Lindsey Castro, Deputy Director	Barbara Prah-Wix, DO- Med. Cons.	Jeanne Galvin, Assistant AG	Meaghan Cool, Licesing	Kellye Mykhailov, Operations Coord.	Irma Dominick, Licensing
Present	X	X	X	X	X	X	
Absent							X

3. CALL TO THE PUBLIC

A. President Maitem made a call to the public. No one from the public requested to speak.

4. REVIEW, CONSIDERATION, AND APPROVAL OF MINUTES

A. December 2, 2023, Open Session

Lack of quorum attendees present. Will place on the next agenda.

B. December 2, 2023 Executive Session

Lack of quorum attendees present. Will place on the next agenda.

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

A. DO-22-0105A, Peter Bianco, DO

Dr. Bianco was present during the Board’s consideration of the matter and was not represented by legal counsel. The Boards Outside Medical Consultant, Garron Hale M.D., was present to help answer any questions Board members may have.

Board staff provided a summary of the case review.

The complaint was a malpractice that was settled on Dr. Biancos' behalf. The case alleges wrongful death of a 28 year old female. The patient had an incomplete miscarriage during her

third pregnancy and Dr. Bianco performed a suction DNC but the patient began to bleed during the procedure. Even after medication was administered, the patient continued to bleed and Dr. Bianco was asked to return to the O.R. where an emergency hysterectomy was performed. The patient coded and passed away. The Medical Consultant who reviewed the case, Dr. Garron Hale, felt that Dr. Bianco fell below the standard of care in several areas.

Dr. Bianco stated that the patient was given medication to complete the miscarriage, however, after 3 rounds of medication, the patient did not complete the miscarriage they decided to perform a suction DNC. The patient continued to lose blood off and on and ultimately it was decided to perform an emergency hysterectomy. Dr. Bianco stated that the patient was young and would want more children which is why he did not perform a hysterectomy sooner. Dr. Bianco stated that he lives with this case everyday and thinks how he could have done things differently. Dr. Bianco advised the Board that his case was reviewed by other medical entities who agreed that Dr. Bianco did everything correctly.

Upon hearing the summary of the case and provided materials, the Board made a motion to dismiss the case.

MOTION: Mr. Burg motioned for the Board to dismiss the case.
SECOND: Dr. Walker
VOTE: 4-aye, 0-nay, 0-abstain, 0-recuse, 3-absent.
MOTION PASSED.

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
Aye:	4		X	X		X	X	
Nay:	0							
Abstain/ Recuse:	0							
Absent:	3	X			X			X

B. DO-23-0128A, Simon Sheard, DO

Dr. Sheard was present for the Board’s consideration of the matter. Dr. Sheard’s legal counsel, Robert Milligan, was also present.

Board staff provided a summary of the case.

Executive Director Bohall advised the Board that a consent agreement was discussed and provided the Board with the terms of the agreement.

Upon hearing the summary of the case and provided materials, the Board made a motion to accept the Proposed Consent Agreement with the Settlement Authority given to the Executive Director.

MOTION: President Matiem motioned for the Board to accept the Proposed Consent Agreement with Settlement Authority given to the Executive Director.

SECOND: Dr. Shipon

VOTE: 4-aye, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

	Vote	Gary Erbstoesser, DO	Jonathan Matiem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
Aye:	4		X	X		X	X	
Nay:	0							
Abstain/ Recuse:	0							
Absent:	3	X			X			X

C. DO-22-0138A, Travis Lam, DO

Dr. Lam was present for the Board’s consideration of the matter. Dr. Lam’s legal counsel, Robert Milligan, was also present.

Board staff provided a summary of the case.

An anonymous complaint was received stating that Dr. Lam did not disclose an arrest from 2010. Dr. Lam was found not guilty and did not realize he needed to report this arrest.

Upon hearing the summary of the case and provided materials, the Board made a motion to issue an Non-Disciplinary Letter of Concern citing a violation of 32-3208 & 1854 (9)

MOTION: President Matiem motioned for the Board to issue a Non-Disciplinary Letter of Concern citing a violation of 32-3208 & 1854(9).

SECOND: Mr. Burg

VOTE: 4-aye, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
Aye:	4		X	X		X	X	
Nay:	0							
Abstain/ Recuse:	0							
Absent:	3	X			X			X

6. 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. DO-23-0180A, Erik Natkin, DO

Dr. Natkin was present for the Board’s consideration of the matter.

Board staff provided a summary of the case.

Staff received an application for licensure in May 2023 where Dr. Natkin answered yes to a question stating he was wrongfully terminated from orthopedic residency in Oregon. The residency did confirm that Dr. Natkin was placed on academic probation several times for unprofessional behavior. The Oregon Medical Board did conduct an investigation and took no action.

Dr. Natkin stated that what the residency says about him is untrue, he was never on probation and there were never any patient care concerns. He reiterated that the Oregon Medical Board did not find any fault on his part. Dr. Natkin provided the Board with what his practice plans will be when he is in Arizona.

Upon hearing the summary of the case review and provided materials, the Board made a motion to move to grant an unrestricted licensure.

MOTION: President Shipon motioned for the Board to grant an unrestricted license

SECOND: Mr. Burg

VOTE: 4-aye, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

	Vote	Gary Erbsfoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
Aye:	4		X	X		X	X	
Nay:	0							
Abstain/ Recuse:	0							
Absent:	3	X			X			X

7. CONSIDERATION AND ACTION ON PROPOSED CONSENT AGREEMENTS, COMPLIANCE WITH TERMS OF BOARD ORDERS, AND REQUESTS TO MODIFY OR TERMINATE ORDERS

A. DO-20-0018A, Joseph Machuzak, DO

Dr. Machuzak was not present during the Boards consideration of the matter

Board staff provided a summary of Dr. Machuzak’s disciplinary history with the Board.

Dr. Machuzak has complied with the Board’s Consent Agreement and Board staff has no concerns with the termination request.

Upon hearing the summary and review of provided materials, the Board made a motion to terminate probation.

MOTION: President Maitem motioned to terminate the probationary period and restore the license to Active Status.

SECOND: Vice-President Shipon

VOTE: 4-aye, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
Aye:	4		X	X		X	X	
Nay:	0							
Abstain/ Recuse:	0							
Absent:	3	X			X			X

B. DO-16-0133A & DO-17-0148A, David Izenberg, DO

Dr. Izenberg was not present during the Boards consideration of the matter

Board staff provided a summary of Dr. Izenberg’s disciplinary history with the Board.

Dr. Izenberg has complied with the Board’s Consent Agreement and Board staff has no concerns with the termination request.

Upon hearing the summary and review of provided materials, the Board made a motion to terminate the probationary period and restore the license to Active Status.

MOTION: Vice-President Shipon motioned to terminate the probationary period and restore the license to Active Status.

SECOND: Dr. Walker

VOTE: 4-aye, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

	Vote	Gary Erbsfoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
Aye:	4		X	X		X	X	
Nay:	0							
Abstain/ Recuse:	0							
Absent:	3	X			X			X

C. DO-22-0124A, Jack Hawks, DO

Dr. Hawks was not present during the Board's consideration of the matter.

Board staff provided a summary of Dr. Hawk's disciplinary history with the Board.

Dr. Hawks has signed a permanent consent agreement that will restrict him to administrative medicine only and will have no direct patient contact.

Upon hearing the summary and review of the provided materials, the Board made a motion to accept the terms of the proposed Consent Agreement.

MOTION: Dr. Walker motioned to accept the terms of the proposed Consent Agreement.

SECOND: Dr. Walker

VOTE: 4-aye, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

	Vote	Gary Erbsfoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
Aye:	4		X	X		X	X	
Nay:	0							
Abstain/ Recuse:	0							
Absent:	3	X			X			X

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

The Board met with medical students to discuss topics and issues related to the practice of osteopathic medicine. No action was taken on this item.

9. REVIEW, DISCUSSION, AND ACTION ON THE FOLLOWING MISC ITEMS.

- A. Legislative Update - Executive Director Bohall provided a summary about HB1249 & HB1263.

10. REVIEW, CONSIDERATION, AND ACTION ON REPORTS FROM EXECUTIVE DIRECTOR.

A. Report from Board Members

President Maitem provided an update regarding his experience at the FSMB Artificial Intelligence Conference.

B. Executive Director Report

1. Financial Report
2. Current Events that Affect the Board
3. Licensing and Investigations Update
4. Report on Director Dismissed Complaints

Executive Director Bohall provided a verbal update for the Board.

11. Adjournment

MOTION: President Maitem motioned for the Board to adjourn.

SECOND:

VOTE: 4-aye, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

	Vote	Gary Erbstoesser, DO	Jonathan Maitem, DO	Jeffrey Burg	Ken Ota, DO	Dawn Walker, DO	Samara Shipon, DO	Michael Goodman
Aye:	4		X	X		X	X	
Nay:	0							
Abstain/ Recuse:	0							
Absent:	3	X			X			X

The Board's meeting adjourned at 10:15am.

Justin Bohall, Executive Director