



Arizona Medical Board

1740 W. Adams St., Suite 4000 • Phoenix, Arizona 85007

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NOTICE & AGENDA FOR REGULAR SESSION MEETING
Scheduled to begin at 8:00 a.m. on April 15, 2019
And at 8:00 a.m. on April 16, 2019
1740 W. Adams St., Board Room A • Phoenix, Arizona

Notice is hereby given to the general public and to the members of the Arizona Medical Board (Board), that the Board will hold a regular meeting open to the public at the Board's offices located at **1740 W. Adams St., Suite 4000, Phoenix, Arizona**. A.R.S. § 38-431.02. The Board, upon a majority vote of a quorum of the members, may hold an *Executive Session* on any of the listed agenda items to obtain legal advice. A.R.S. § 38-431.03(A)(3). The Board may vote to go into *Executive Session* to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is confidential by State or Federal law on April 15, 2019 agenda items G through S and on April 16, 2019 agenda items D through J pursuant to A.R.S. § 38-431.03(A)(2).

The Board reserves the right to change the order of items on the agenda, except for matters set for a specific time. The formal interviews are scheduled to be heard during specific time blocks. However, the Chairman of the Board reserves the right to call cases in random order. Please note that the recommendations listed on the agenda are merely suggested Board actions. These recommendations do not become final until adopted by the Board. The Board has the authority to accept, reject or modify any recommendation listed on the agenda.

Americans with Disabilities Act: Person with disabilities may request reasonable accommodations by contacting Evangeline Webster at (480) 551-2714. Requests should be made as early as possible to allow time to arrange the accommodation.

THE BOARD WILL CONSIDER, DISCUSS AND MAY TAKE ACTION ON ANY AGENDA ITEM

Board Members

R. Screven Farmer, M.D., Chair
James M. Gillard, M.D., M.S., F.A.C.E.P., F.A.A.E.M., Vice-Chair
Edward G. Paul, M.D., Secretary
Jodi A. Bain, M.A., J.D., LL.M.
Bruce A. Bethancourt, M.D., F.A.C.P.
David C. Beyer, M.D., F.A.C.R., F.A.S.T.R.O.
Teresa L. Connolly, D.N.P., R.N., N.E.A.-B.C.
Laura Dorrell, M.S.N., R.N.
Gary R. Figge, M.D.
Pamela E. Jones
Lois E. Krahn, M.D.

If you need to speak to a member of Board staff regarding agenda items,
please contact the Board Coordinator at (480) 551-2734.

GENERAL BUSINESS

A. CALL TO ORDER – 8:00 a.m.

R. Screven Farmer, M.D., Chair

B. ROLL CALL

Edward G. Paul, M.D., Secretary

C. PUBLIC STATEMENTS REGARDING MATTERS LISTED ON THE AGENDA – 8:00 a.m.

This item will be limited to items on the agenda. Those wishing to address the Board need not request permission in advance; however, the Board may limit the number of speakers to three (3) per side on any one agenda item.

D. EXECUTIVE DIRECTOR'S REPORT

Patricia E. McSorley, Executive Director

The Board may table this item for Tuesday, April 16, 2019.

- Update on Budget
- Update on IT Concerns
- Update on Pending Legislation including, but not limited to:
 - HB2569 Occupational Licensing, Reciprocity
 - HB2118 Unauthorized Practice, Health Professions
 - HB2463 Occupational Regulations; Licenses; Communications; Notice
- Update on Staff and Personnel Issues

E. CHAIR'S REPORT

R. Screven Farmer, M.D., Chair

The Board may table this item for Tuesday, April 16, 2019.

- Upcoming FSMB Annual Meeting

F. LEGAL ADVISOR'S REPORT

Carrie Smith, Assistant Attorney General

The Board may table this item for Tuesday, April 16, 2019.

- Report of Memorandum Decision in CA-CV 18-0079 *Ruben v. Arizona Medical Board*, by the Arizona Court of Appeals.
- *Planned Parenthood of Arizona, Inc., et. al., v. Arizona Medical Board et. al.*
- Legal Advice Memorandum Re: Modification of ALJ Decisions
- Legal Advice Memorandum Re: Board member qualified immunity and defense

G. APPROVAL OF MINUTES

The Board may table this item for Tuesday, April 16, 2019.

- January 10, 2019 Special Teleconference
- February 4-5, 2019 Regular Session, including Executive Session
- March 7, 2019 Special Teleconference
- March 19, 2019 Emergency Teleconference, including Executive Session

LEGAL MATTERS

H. FORMAL INTERVIEWS (Scheduled to begin at 9:15 a.m.)

The Board will review, discuss and may vote to take action on the following cases pursuant to A.R.S. § 32-1451(l). The Board may also table for further investigation, postpone, and/or forward for administrative review.

1. MD-18-0334A, VINAY PRABHAKARAN, M.D., LIC. #40421
Staff: Ms. Silva, Dr. Coffey
Presenting Board Member: Dr. Gillard

2. THIS CASE HAS BEEN MOVED TO AGENDA ITEM N #5.

I. FORMAL INTERVIEWS (Scheduled to begin at 1:15 p.m.)

The Board will review, discuss and may vote to take action on the following cases pursuant to A.R.S. § 32-1451(l). The Board may also table for further investigation, postpone, and/or forward for administrative review.

1. MD-17-1005A, CHARLES M. ARAKAKI, M.D., LIC. #48611
Staff: Ms. Rivera, Dr. Haas
Presenting Board Member: Dr. Bethancourt
2. MD-18-0231A, BRYAN K. MATANKY, M.D., LIC. #22110
Staff: Ms. Halonen, Dr. Vandenheede
Presenting Board Member: Dr. Figge

CONSENT AGENDA

The Consent Agenda items may be considered for approval as a single action unless a Board member wishes to remove an item for discussion.

J. CASES RECOMMENDED FOR DISMISSAL

The Board will review and may vote to take action on the following case(s).

1. MD-18-0393A, LORI-ANN TRACY, M.D., LIC. #46500
Staff: Ms. Rivera, Dr. O'Neal
2. MD-18-0038A, JONATHAN B. MURPHY, M.D., LIC. #44962
Staff: Ms. Rivera, Dr. Coffey
3. MD-17-0583A, SEYED M. S. TAKIEH, M.D., LIC. #33949
Staff: Mr. Silva, Dr. Coffey
4. MD-18-0600A, JEFF C. HOEHNER, M.D., LIC. #46508
Staff: Ms. Rivera, Dr. Goldberg

K. CASES RECOMMENDED FOR ADVISORY LETTERS

The Board will review and may vote to take action on the following case(s).

1. MD-18-0421A, MITCHELL S. PARKER, M.D., LIC. #11647
Staff: Mr. Silva, Dr. O'Neal
2. MD-18-0409A, IMANI N. WILLIAMS-VAUGHN, M.D., LIC. #32653
Staff: Ms. Rivera, Dr. Haas
3. MD-18-1150A, STEPHEN A. SHILLER, M.D., LIC. #50950
Staff: Ms. Rivera
4. MD-18-0632A, MUFID N. KHOURY, M.D., LIC. #29530
Staff: Ms. Halonen, Dr. Wolf
5. MD-18-0620A, VLADIMIR KAYE, M.D., LIC. #30319
Staff: Ms. Rivera
6. MD-18-1103A, EDGAR J. PRINGLE, M.D., LIC. #12528
Staff: Mr. Kessler, Dr. Goldberg
7. MD-18-0754A, GERALD R. SHOCKEY, M.D., LIC. #20274
Staff: Ms. Rivera
8. MD-18-1155A, CHARLES T. ELLIS, M.D., LIC. #52247
Staff: Ms. Rivera
9. MD-18-0588A, MICHAELA LESSLER, M.D., LIC. #34049
Staff: Mr. Silva, Dr. Coffey
10. MD-18-0627A, CYNTHIA R. FALLHOWE, M.D., LIC. #47518
Staff: Mr. Silva, Dr. Vandenheede
11. MD-18-0627B, MURRAY F. YOUNG, M.D., LIC. #52177
Staff: Mr. Silva, Dr. Vandenheede

12. MD-18-0553A, THOMAS R. WRONA, M.D., LIC. #14194
Staff: Ms. Shepherd, Dr. Coffey
13. MD-18-0567A, JOHN C. MEDLEN, M.D., LIC. #12924
Staff: Ms. Rivera, Dr. Vandenheede
14. MD-17-1175A, CARLOS G. DIAZ, M.D., LIC. #44137
Staff: Ms. Rivera
15. MD-19-0009A, RUSSELL P. GOLLARD, M.D., LIC. #26515
Staff: Ms. Rivera
16. MD-18-0211A, RAYMOND J. FACCO, M.D., LIC. #37386
Staff: Ms. Rivera, Dr. Haas
17. MD-18-0654A, JOSEPH A. HARDWICK, M.D., LIC. #15107
Staff: Mr. Silva, Dr. O'Neal

L. CASES RECOMMENDED FOR ADVISORY LETTERS WITH NON-DISCIPLINARY CONTINUING MEDICAL EDUCATION ORDERS

The Board will review and may vote to take action on the following case(s).

1. MD-18-0021A, STEPHEN C. REMOLINA, M.D., LIC. #45477
Staff: Ms. Rivera, Dr. Coffey
2. MD-18-0601A, JEAN LETARTE, M.D., LIC. #19277
Staff: Ms. Rivera, Dr. O'Neal

M. REVIEW OF EXECUTIVE DIRECTOR DISMISSALS

The Board will review and may vote to take action on the following case(s).

1. MD-18-0290A, YULIUS MUSTAFA, M.D., LIC. #31828
Staff: Ms. Rivera, Dr. Wolf
2. MD-18-0313A, SYLVAIN SIDI, M.D., LIC. #8458
Staff: Mr. Silva, Dr. Wolf
3. MD-18-0570A, HIMAL R. SHAH, M.D., LIC. #36976
Staff: Mr. Silva, Dr. Coffey
4. MD-18-0687A, ROBERT M. GARCIA, M.D., LIC. #13761
Staff: Ms. Rivera, Dr. Coffey
5. MD-18-0933A, ROBERT B. CRAVENS, M.D., LIC. #20145
Staff: Ms. Shepherd, Dr. Goldberg

N. PROPOSED CONSENT AGREEMENTS (Disciplinary)

The Board will review and may vote to take action on the following case(s).

1. MD-16-0589A, MD-18-1057A, MD-19-0081A, JOHN J. SEARS, M.D., LIC. #27392
Staff: Ms. Insang, Dr. Coffey
2. MD-17-0998A, SHEL-DON J. LEGARRETA, M.D., LIC. #25100
Staff: Ms. Downey, Dr. Haas
3. MD-17-1195A, ALLEN A. AGAPAY, M.D., LIC. #24148
Staff: Ms. Shepherd, Dr. Goldberg
4. MD-19-0187A, DIVYESH G. MEHTA, M.D., LIC. #30158
Staff: Ms. Ingram
5. MD-18-0384A, SUSAN B. GREGER, M.D., LIC. #47822
Staff: Ms. Downey
6. MD-18-0134A, MD-18-0606A, SCOTT J. ELLIS, M.D., LIC. #27064
Staff: Ms. Rivera, Dr. Vandenheede

O. PROPOSED CONSENT AGREEMENTS (Non-Disciplinary)

The Board will review and may vote to take action on the following case(s).

1. MD-18-0308A, JOHN W. MOLINA, M.D., LIC. #20789
Staff: Ms. Downey

P. LICENSE APPLICATIONS

The Board will review and may vote to take action on the following applications.

i. CONSIDERATION AND POSSIBLE ACTION TO APPROVE OR DENY LICENSE APPLICATION

1. MD-19-0016A, ROHIT CHETTY, M.D., LIC. #N/A
Staff: Ms. Young
2. THIS CASE HAS BEEN PULLED FROM THE AGENDA.
3. MD-18-0941A, MARIO C. GIUDICI, M.D., LIC. #N/A
Staff: Ms. Young, Ms. Stark
4. MD-18-1049, WAN L. HORNG, M.D., LIC. #N/A
Staff: Ms. Young
5. MD-18-1221A, MARVIN P. STEINER, M.D., LIC. #N/A
Staff: Ms. Young, Ms. Colafranceschi
6. MD-19-0103A, ENYONAM S. M. AGAMASU, M.D., LIC. #N/A
Staff: Ms. Young
7. MD-19-0199A, MICHAEL J. STYLES, M.D., LIC. #N/A
Staff: Ms. Young, Ms. Stark
8. MD-19-0091A, ALLAMPURABHU S. PATIL, M.D., LIC. #N/A
Staff: Ms. Young

ii. CONSIDERATION AND POSSIBLE ACTION TO APPROVE OR DENY LICENSE APPLICATION, OR TO TAKE OTHER ACTION WITH STAFF RECOMMENDATION

1. MD-18-1125A, RAFID A. H. FADUL, M.D., LIC. #N/A
Staff: Ms. Young
2. THIS CASE HAS BEEN PULLED FROM THE AGENDA.

iii. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING APPLICANT'S REQUEST FOR WAIVER OF DOCUMENTATION REQUIREMENT

1. WILLIAM P. JOSEPH M.D., LIC. #N/A
Staff: Ms. Stark

iv. CONSIDERATION OF LICENSE APPLICATION WITH RECOMMENDATION FROM THE EXECUTIVE DIRECTOR

1. JOHN S. BANERJI, M.D., LIC. #N/A
Staff: Ms. McSorley

END OF CONSENT AGENDA

ACTION ON CASE(S)

Q. APPROVAL OF DRAFT FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

1. MD-18-0339A, SCOTT G. EDWARDS, M.D., LIC. #48056
Legal Advisor: Carrie Smith, AAG

2. MD-18-0429A, FLOYD E. TRINIDAD, M.D., LIC. #33162
Legal Advisor: Carrie Smith, AAG

OTHER BUSINESS

R. REQUEST FOR TERMINATION OF BOARD ORDER

The Board will review and may vote to take action on the following case(s).

1. MD-15-1223A, CHRISTOPHER A. REYNOLDS, M.D., LIC. #34330
Staff: Ms. Muller
2. MD-16-0949A, JEFFREY M. TAFFET, M.D., LIC. #16326
Staff: Ms. Muller
3. MD-14-1374A, ROHIT MALHOTRA, M.D., LIC. #33419
Staff: Ms. Muller

S. CONSIDERATION OF DUAL JURISDICTION OF THE AMB AND THE ARIZONA HOMEOPATHIC BOARD

The Board may choose to discuss this matter and may vote to convene an arbitration panel to decide jurisdiction as provided in A.R.S. § § 32-1407 and 32-2907.

1. MD-19-0135A, RUTH TAN, M.D., LIC. #10737
Staff: Patricia E. McSorley, Executive Director

T. GENERAL CALL TO THE PUBLIC

Those wishing to address the Board need not request permission in advance; however, the Board may limit those persons speaking during the "General Call to the Public" at three (3) per side on any one issue. A.R.S. § 38-431.01(H). The Board can only take action on matters listed on the agenda and other matters related thereto. A.R.S. § 38-431.02(H). If appropriate, actions on public comment matters that are not listed on the agenda will be limited to directing staff to study the matter or schedule the matter for further discussion at a later date. A.R.S. § 38-4301.01(H).

U. ADJOURNMENT

GENERAL BUSINESS

A. CALL TO ORDER – 8:00 a.m.

R. Screven Farmer, M.D., Chair

B. ROLL CALL

Edward G. Paul, M.D., Secretary

C. PUBLIC STATEMENTS REGARDING MATTERS LISTED ON THE AGENDA – 8:00 a.m.

This item will be limited to items on the agenda. Those wishing to address the Board need not request permission in advance; however, the Board may limit the number of speakers to three (3) per side on any one agenda item.

LEGAL MATTERS

D. FORMAL INTERVIEWS (Scheduled to begin at 8:15 a.m.)

The Board will review, discuss and may vote to take action on the following cases pursuant to A.R.S. § 32-1451(I). The Board may also table for further investigation, postpone, and/or forward for administrative review.

1. MD-18-0454A, TIMOTHY J. GELETY, M.D., LIC. #21851
Staff: Ms. Rivera, Dr. Haas
Presenting Board Member: Ms. Bain
2. MD-17-0745A, GRANT W. HEINZ, M.D., LIC. #24590
Staff: Ms. Rivera, Dr. Goldberg
Presenting Board Member: Dr. Bethancourt
3. MD-18-0010A, KIARASH L. MIRKIA, M.D., LIC. #51400
Staff: Ms. Rivera
Presenting Board Member: Ms. Jones

E. APPEAL OF EXECUTIVE DIRECTOR'S INTERIM ORDER AND REQUEST FOR TERMINATION OF INTERIM CONSENT AGREEMENT FOR PRACTICE RESTRICTION

The Board will review and may vote to take action on the following case(s).

1. MD-19-0254A, NAPOLEON R. BRAVO, M.D., LIC. #42672
Staff: Ms. Rivera

F. FORMAL INTERVIEWS (Scheduled to begin at 12:00 p.m.)

The Board will review, discuss and may vote to take action on the following cases pursuant to A.R.S. § 32-1451(I). The Board may also table for further investigation, postpone, and/or forward for administrative review.

1. THIS CASE HAS BEEN PULLED FROM THE AGENDA.
2. THIS CASE HAS BEEN MOVED TO AGENDA ITEM N #6 FOR APRIL 15, 2019.

G. RESCIND REFERRAL TO FORMAL HEARING AND ISSUE AN ADVISORY LETTER AND ORDER FOR NON-DISCIPLINARY CONTINUING MEDICAL EDUCATION (Scheduled to begin at 12:30 p.m.)

The Board will review and may vote to take action on the following case(s).

1. MD-16-1250A, GARY M. PRINCE, M.D., LIC. #27475

H. RESCIND REFERRAL TO FORMAL HEARING AND ACCEPT ORDER FOR SURRENDER OF LICENSE AND CONSENT TO THE SAME / CONSIDERATION OF REQUEST TO WITHDRAW SURRENDER OF LICENSE (Scheduled to begin at 12:30 p.m.)

The Board will review and may vote to take action on the following case(s).

1. MD-17-0179A, DAVID A. RUBEN, M.D., LIC. #11382

I. REVIEW, DISCUSSION AND CONSIDERATION OF PROPOSED SETTLEMENT OFFER (Scheduled to begin at 12:30 p.m.)

The Board will review and vote to take action on the following case(s).

1. MD-16-0594A, ROBERT S. MINDELL, M.D., LIC. #18971

J. SALIM v. ARIZONA MEDICAL BOARD, et. al. (LC2019-000126), REVIEW, DISCUSSION AND CONSIDERATION TO RESCIND PRIOR BOARD ORDER AND ADOPT PROPOSED CONSENT AGREEMENT FOR AMENDED ORDER OR TAKE OTHER ACTION (Scheduled to begin at 1:00 p.m.)

The Board will review and vote to take action on the following case(s).

1. MD-18-0556A, MUHAMMAD M. SALIM, M.D., LIC. #24008
Legal Counsel: Carrie Smith, AAG

K. GENERAL CALL TO THE PUBLIC

Those wishing to address the Board need not request permission in advance; however, the Board may limit those persons speaking during the "General Call to the Public" at three (3) per side on any one issue. A.R.S. § 38-431.01(H). The Board can only take action on matters listed on the agenda and other matters related thereto. A.R.S. § 38-431.02(H). If appropriate, actions on public comment matters that are not listed on the agenda will be limited to directing staff to study the matter or schedule the matter for further discussion at a later date. A.R.S. § 38-4301.01(H).

L. ADJOURNMENT



Patricia E. McSorley

Patricia E. McSorley, Executive Director