



Arizona Medical Board

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

Home Page: <http://www.azmd.gov>

Telephone (480) 551-2700 • Fax (480) 551-2702 • In-State Toll Free (877) 255-2212

NOTICE & AGENDA FOR REGULAR SESSION MEETING

Scheduled to begin at 8:00 a.m. on Monday, April 16, 2018

And at 8:00 a.m. on Tuesday, April 17, 2018

NEW ADDRESS: 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 16, 2018 agenda items G through Q and April 17, 2018 agenda items D through I 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

James M. Gillard, M.D., M.S., F.A.C.E.P., F.A.A.E.M., Chair

R. Screven Farmer, M.D., Vice-Chair

Jodi A. Bain, Esq., Secretary

Bruce A. Bethancourt, M.D., F.A.C.P.

Teresa L. Connolly, D.N.P., R.N., N.E.A.-B.C.

Gary R. Figge, M.D.

Pamela E. Jones

Lois E. Krahn, M.D.

Edward G. Paul, M.D.

Wanda J. Salter, R.N.

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

Monday, April 16, 2018

GENERAL BUSINESS

A. CALL TO ORDER – 8:00 a.m.

James M. Gillard, M.D., M.S., Chair

B. ROLL CALL

Jodi A. Bain, Esq., 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 17, 2018.

- Update on Auditor General Sunset Review
- Update on Workflow from Investigations to Board's Agenda
- Update on Communicating Requirements of the Opioid Act and Related Developments
- Legislative Update
- Update on Board Appointments
- Discussion Regarding Scheduling an Offsite Meeting in June and Possible Topics

E. CHAIR'S REPORT

James M. Gillard, M.D., M.S., Chair

The Board may table this item for Tuesday, April 17, 2018.

- Federation of State Medical Boards 2018 Annual Meeting

F. LEGAL ADVISOR'S REPORT

Carrie Smith, Assistant Attorney General

The Board may table this item for Tuesday, April 17, 2018.

G. APPROVAL OF MINUTES

The Board may table this item for Tuesday, April 17, 2018.

- February 13-14, 2018 Regular Session; Including Executive Session
- March 8, 2018 Special Teleconference

LEGAL MATTERS

H. FORMAL INTERVIEWS (Scheduled to begin at 9:30 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-17-0627A, WILLIAM B. DABNEY, M.D., LIC. #5796
Staff: Ms. Rivera
Presenting Board Member: Dr. Figge
2. THIS ITEM HAS BEEN MOVED TO ITEM M. NUMBER 4.
3. MD-17-0746A, SAM E. SATO, M.D., LIC. #14758
Staff: Mr. Cunningham, Dr. Vandenheede
Presenting Board Member: Dr. Bethancourt

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.

I. CASES RECOMMENDED FOR DISMISSAL

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

1. MD-17-0519A, LYNN M. BIANCHI, M.D., LIC. #23311
Staff: Mr. Cunningham, Dr. Haas
2. MD-17-0662B, JOHN W. DURHAM, M.D., LIC. #21077
Staff: Mr. Silva, Dr. Lato

J. CASES RECOMMENDED FOR ADVISORY LETTERS

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

1. MD-17-0707A, HOLLY E. ROONEY, M.D., LIC. #28273
Staff: Ms. Galindo
2. MD-17-0608A, BYUNG Y. KIM, M.D., LIC. #29393
Staff: Ms. Thompson, Dr. Coffey
3. MD-17-0795A, CHARLES MATLIN, M.D., LIC. #13975
Staff: Ms. Thompson, Dr. Goldberg
4. MD-17-0474A, RAMAN KANSAL, M.D., LIC. #49546
Staff: Ms. Galindo, Dr. O'Neal
5. MD-17-0557A, JOSE L. Z. DE OCAMPO, M.D., LIC. #35486
Staff: Ms. Thompson, Dr. Lato
6. MD-17-0604A, GARY L. WOOD, M.D., LIC. #27981
Staff: Ms. Galindo, Dr. O'Neal
7. MD-17-0609A, HILARIO JUAREZ, M.D., LIC. #12148
Staff: Mr. Silva, Dr. Goldberg
8. MD-17-0870A, CYNTHIA C. GOLDBERG, M.D., LIC. #23081
Staff: Ms. Galindo, Dr. Haas
9. MD-17-0667A, DAVID G. STEWART, M.D., LIC. #13560
Staff: Mr. Cunningham, Dr. Lato

K. 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-17-0469A, HENRY J. SCHULTE, M.D., LIC. #12400
Staff: Mr. Silva, Dr. Coffey
2. MD-17-0207A, KYLENE A. KENT, M.D., LIC. #42078
Staff: Ms. Thompson, Dr. O'Neal

L. REVIEW OF EXECUTIVE DIRECTOR DISMISSALS

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

1. MD-17-0367A, JULIA A. BARNETT, M.D., LIC. #45569
Staff: Mr. Silva, Dr. Coffey
2. MD-17-1208B, MICHAEL O. ADKINS, M.D., LIC. #16219
Staff: Ms. Rivera
3. MD-17-0757A, MITCHELL R. HUMPHREYS, M.D., LIC. #32284
Staff: Mr. Cunningham, Dr. Haas
4. MD-16-1443A, ANTHONY A. SMITH, M.D., LIC. #23398
Staff: Mr. Cunningham, Dr. Vandenheede

5. MD-17-0451B, WENDY E. MCCURDY, M.D., LIC. #24139
Staff: Ms. Fornaro, Dr. Vandenheede

M. PROPOSED CONSENT AGREEMENTS (Disciplinary)

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

1. MD-17-0398A, USMAN C. RAMZAN, M.D., LIC. #41233
Staff: Ms. Rivera
2. MD-17-1062A, ROBERT A. YOHO, M.D., LIC. #30990
Staff: Mr. Silva
3. MD-17-0621A, THOMAS R. HANSEN, M.D., LIC. #18493
Staff: Mr. Silva
4. MD-17-0371A, MARK G. WEBB, M.D., LIC. #19868
Staff: Ms. Muller, Dr. Coffey
5. MD-17-0777A, DAVID LANDAU, M.D., LIC. #40941
Staff: Mr. Cunningham

N. PROPOSED CONSENT AGREEMENTS (Non-Disciplinary)

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

1. MD-18-0183A, GARY B. ZOELLNER, M.D., LIC. #30437
Staff: Ms. Rivera
2. MD-17-0547A, VICTOR R. HENDERSON, M.D., LIC. #26987
Staff: Ms. Rivera

O. LICENSE APPLICATIONS

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

i. APPROVE OR DENY LICENSE APPLICATION

1. MD-18-0008A, BENJAMIN S. WILKS, M.D., LIC. #N/A
Staff: Ms. Young
2. MD-17-1197A, MUFUTAU O. AKINBILE, M.D., LIC. #N/A
Staff: Ms. Young
3. MD-18-0114A, JOHN V. WATKINS, M.D., LIC. #N/A
Staff: Ms. Young
4. MD-17-0831A, GEORGE B. ELVOVE, M.D., LIC. #N/A
Staff: Ms. Young, Ms. Colafranceschi
5. MD-17-1078A, MICHAEL K. MOORE, M.D., LIC. #N/A
Staff: Ms. Young

ii. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING RENEWAL APPLICATION AND CONSIDERATION OF RECOMMENDED DISMISSAL OF PENDING INVESTIGATION

1. MD-17-0902A, WHITNEY A. S. JAMES, M.D., LIC. #50744
Staff: Ms. Young
2. MD-18-0077A, DONALD E. NOVICKI, M.D., LIC. #21486
Staff: Ms. Young

iii. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING RENEWAL APPLICATION AND PROPOSED CONSENT AGREEMENT (Non-Disciplinary)

1. MD-17-1171A, HERBERT R. JALOWSKY, M.D., LIC. #13266
Staff: Ms. Young

- iv. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING LICENSURE BY ENDORSEMENT PURSUANT TO A.R.S. § 32-1426(B) AND R4-16-201(F)**
 - 1. SYDNEY L. ABRAMSON, M.D., LIC. #N/A
Staff: Ms. Stark
 - 2. CARL R. TAHN, M.D., LIC. #N/A
Staff: Ms. Urias
- v. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING APPLICANT'S REQUEST FOR WAIVER OF DOCUMENTATION REQUIREMENT**
 - 1. JOSE A. ALFANO, M.D., LIC. #N/A
Staff: Ms. Dunavant
- vi. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING LICENSE REACTIVATION**
 - 1. MD-18-0185A, C. ROBERT WALL, M.D., LIC. #19342
Staff: Ms. Young
- vii. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING RENEWAL APPLICATION AND RECOMMENDED ADVISORY LETTER**
 - 1. MD-16-1058A, PATRICIA J. GROGAN, M.D., LIC. #19825
Staff: Ms. Rivera

END OF CONSENT AGENDA

ACTION ON CASE(S)

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

- 1. MD-16-0589A, JOHN J. SEARS, M.D., LIC. #27392
Legal Counsel: Carrie Smith, AAG
- 2. MD-16-1495A, MOHAMED H. EL-GASIM, M.D., LIC. #36344
Legal Counsel: Carrie Smith, AAG
- 3. MD-15-1067A, MD-15-1170A, KENNETH M. FISHER, M.D., LIC. #12762
Legal Counsel: Carrie Smith, AAG

OTHER BUSINESS

Q. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING POTENTIAL CORRECTIVE ACTION FOR PATIENT MEDICAL RECORDS

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

- 1. MD-18-0093A, ROBERT E. SECAUR, M.D., LIC. #30213
Legal Counsel: Carrie Smith, AAG

R. 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).

S. ADJOURNMENT

Tuesday, April 17, 2018

GENERAL BUSINESS

A. CALL TO ORDER – 8:00 a.m.

James M. Gillard, M.D., M.S., Chair

B. ROLL CALL

Jodi A. Bain, Esq., 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. REVIEW, CONSIDERATION AND POSSIBLE ACTION ON PROPOSED BOARD ORDER ARISING FROM ADMINISTRATIVE LAW JUDGE'S RECOMMENDED DECISION (Scheduled to begin at 8:00 a.m.)

The Board may only consider the official record when adjudicating a Formal Hearing Matter; therefore, the Board cannot consider new testimony or evidence at this time.

1. MD-17-0137A, JEFF CRAWFORD, M.D., LIC. #18695
2. MD-16-0992A, MD-17-1152A, GREGORY J. PORTER, M.D., LIC. #14879

E. REVIEW, CONSIDERATION AND POSSIBLE ACTION ON RESPONDENT'S REQUEST FOR NON-DISCIPLINARY RESOLUTION/DISMISSAL OF CASE CURRENTLY PENDING FORMAL HEARING AND IF RESPONDENT'S REQUEST FOR ALTERNATIVE ACTION IS GRANTED RESCIND REFERRAL TO FORMAL HEARING (Scheduled to begin at 8:00 a.m.)

The Board may only consider the official record when adjudicating a Formal Hearing Matter; therefore, the Board cannot consider new testimony or evidence at this time.

1. THIS CASE HAS BEEN PULLED FROM THE AGENDA.

F. REVIEW, CONSIDERATION AND POSSIBLE ACTION REGARDING THE MARICOPA COUNTY SUPERIOR COURT'S SENTENCING ORDER REQUIRING RESPONDENT TO SURRENDER HIS ARIZONA MEDICAL LICENSE AND POSSIBLE ACTION TO RESCIND REFERRAL TO FORMAL HEARING (Scheduled to begin at 8:00 a.m.)

The Board may only consider the official record when adjudicating a Formal Hearing Matter; therefore, the Board cannot consider new testimony or evidence at this time.

1. MD-13-0939A, MD-14-0192A, MD-14-1382A, MD-14-1653A, MD-16-0489A, MD-16-0894A, HARINDER K. TAKYAR, M.D., LIC. #34308

G. 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(l). The Board may also table for further investigation, postpone, and/or forward for administrative review.

1. MD-17-0045A, DAVID F. KASSERMAN, M.D., LIC. #47326
Staff: Ms. Fornaro, Dr. Goldberg
Presenting Board Member: Dr. Krahn
2. MD-14-1249A, MD-15-0585A, ABEDON A. SAIZ, M.D., LIC. #24387
Staff: Ms. Rivera, Dr. Goldberg
Presenting Board Member: Dr. Farmer
3. MD-17-0472A, RICHARD A. WALL, M.D., LIC. #10250
Staff: Ms. Rivera, Dr. Haas
Presenting Board Member: Dr. Paul

OTHER BUSINESS

H. REQUEST FOR TERMINATION OF BOARD ORDER

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

1. MD-15-0376A, JULIE E. DIXON, M.D., LIC. #34663
Staff: Ms. Muller

I. 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-18-0214A, MARTHA M. GROUT, M.D., LIC. #24896
Staff: Patricia E. McSorley, Executive Director

J. 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).

K. ADJOURNMENT



Patricia E. McSorley
Patricia E. McSorley, Executive Director