



## Arizona Medical Board

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

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

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### **NOTICE & AGENDA FOR REGULAR SESSION MEETING Scheduled to begin at 8:15 a.m. on Wednesday, December 5, 2018 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 agenda items G through P 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, M.A., J.D., LL.M., Secretary  
Bruce A. Bethancourt, M.D., F.A.C.P.  
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.  
Edward G. Paul, 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.

Wednesday, December 5, 2018

## GENERAL BUSINESS

### A. CALL TO ORDER – 8:15 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 – 8:15 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

- Update on Agency Staff Transitions
- Update on Legislative Health Committee Chair Appointments
- Introduction of Joe Brindley, IT Services Manager
  - Report on RISK Sense Compliance
  - Report on Compliance with State Security Controls
- Update on GL Solutions Contract
- 2019 Election of Board Officers

### E. CHAIR'S REPORT

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

- Update on Biannual Joint Officers Meetings
- Introduction of New Board member Laura Dorrell, M.S.N., R.N.

### F. LEGAL ADVISOR'S REPORT

Carrie Smith, Assistant Attorney General

- Update and Clarification Re: "Three Strike Rule" in A.R.S. § 32-1452
- Update on *Arizona Medical Board v. Secaur* CV2018-006348

### G. APPROVAL OF MINUTES

- October 22-23, 2018 Regular Session Meeting, including Executive Session

## LEGAL MATTERS

### H. FORMAL INTERVIEWS (Scheduled to begin at 8:30 a.m.)

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

1. MD-18-0597A, JOHN P. MORAN, M.D., LIC. #36042  
Staff: Ms. Downey  
Presenting Board Member: Dr. Farmer
2. MD-18-0102A, DAVID B. MAINMAN, M.D., LIC. #34677  
Staff: Mr. Silva, Dr. Haas  
Presenting Board Member: Dr. Paul

## **I. FORMAL INTERVIEWS (Scheduled to begin at 1:00 p.m.)**

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

1. MD-16-1104A, MD-17-0272A, MD-17-0339A, MD-17-0402A, ABDULKADIR HOURANI, M.D., LIC. #25270  
Staff: Mr. Silva, Dr. Coffey  
Presenting Board Member: Dr. Figge
2. MD-18-0207A, SHARON R. THOMPSON, M.D., LIC. #35615  
Staff: Mr. Silva, Dr. Haas  
Presenting Board Member: Dr. Bethancourt
3. MD-17-0348A, HERMAN PANG, M.D., LIC. #24944  
Staff: Mr. Cunningham, Dr. Goldberg  
Presenting Board Member: Dr. Farmer

## **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 ADVISORY LETTERS**

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

1. MD-18-0229A, RASHMI A. CHHABRA, M.D., LIC. #35817  
Staff: Ms. Galindo, Dr. O'Neal
2. MD-18-0259A, GLENN L. NUDELMAN, M.D., LIC. #14122  
Staff: Ms. Halonen
3. THIS ITEM HAS BEEN PULLED FROM THE AGENDA.
4. MD-16-0733A, GLENN C. HUNTER, M.D., LIC. #17199  
Staff: Ms. Rivera, Dr. Goldberg

## **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-18-0162A, JAMES A. DAITCH, M.D., LIC. #27279  
Staff: Mr. Silva

## **L. REVIEW OF EXECUTIVE DIRECTOR DISMISSALS**

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

1. MD-18-0157A, KRISTINE A. BERNARDO, M.D., LIC. #40353  
Staff: Ms. Thompson, Dr. Lato
2. MD-18-0092A, STEPHEN F. LEX, M.D., LIC. #17751  
Staff: Mr. Cunningham, Dr. Vandenheede
3. MD-18-0092B, PATRICK D. COLE, M.D., LIC. #50209  
Staff: Mr. Cunningham, Dr. Vandenheede
4. MD-18-0434A, JOSHUA D. COHEN, M.D., LIC. #34576  
Staff: Ms. Halonen, Dr. Coffey
5. MD-18-0200A, CLIFFORD T. BAKER, M.D., LIC. #42990  
Staff: Ms. Halonen, Dr. Lato

## **M. PROPOSED CONSENT AGREEMENTS (Disciplinary)**

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

1. MD-17-0836A, ROGELIO D. NARANJA, M.D., LIC. #13156  
Staff: Ms. Rivera, Dr. Coffey

## **N. 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, OR TO TAKE OTHER ACTION**

1. MD-18-0563A, MATTHEW S. RUYLE, M.D., LIC. #N/A  
Staff: Ms. Emerson
2. MD-15-1189A, ABRAHAM J. SAYEGH, M.D., LIC. #N/A  
Staff: Ms. Young, Dr. Coffey
3. MD-18-0797A, CHARLES A. GROVES, M.D., LIC. #N/A  
Staff: Ms. Emerson
4. MD-18-0862A, BRIAN G. CROMWELL, M.D., LIC. #N/A  
Staff: Ms. Emerson
5. MD-17-1233A, THOMAS P. WENTLAND, M.D., LIC. #N/A  
Staff: Ms. Young
6. MD-18-0714A, SEVASTI J. DAMES, M.D., LIC. #N/A  
Staff: Ms. Emerson, Ms. Stark
7. MD-18-1048A, RAMON E. RODRIGUEZ-TORRES, M.D., LIC. #N/A  
Staff: Ms. Emerson, Ms. Dunavant
8. MD-18-0931A, THOMAS E. NELSON, M.D., LIC. #N/A  
Staff: Ms. Emerson

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

1. THIS ITEM HAS BEEN PULLED FROM THE AGENDA.

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

1. JESUS G. ZAMORA, M.D., LIC. #N/A  
Staff: Ms. Stark

### **iv. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING LICENSURE BY ENDORSEMENT PURSUANT TO A.R.S. § 32-1426(B) AND R4-16-201(F)**

1. MICHAEL A. MAKAYAN, M.D., LIC. #N/A  
Staff: Ms. Stark

### **v. CONSIDERATION OF LICENSE APPLICATION WITH RECOMMENDATION FROM THE EXECUTIVE DIRECTOR**

1. VRUSHALI D. BACHHAV, M.D., LIC. #N/A  
Staff: Ms. McSorley

**\*\*\*END OF CONSENT AGENDA\*\*\***

## ACTION ON CASE(S)

### O. APPROVAL OF DRAFT FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

1. MD-15-1490A, MD-18-0297A, IRFAN FAZIL, M.D., LIC. #35023  
Legal Counsel: Carrie Smith, AAG
2. MD-17-0909A, THOMAS A. OPECHOWSKI, M.D., LIC. #22676  
Legal Counsel: Carrie Smith, AAG
3. MD-17-0503A, ANTHONY K. HEDLEY, M.D., LIC. #13693  
Legal Counsel: Carrie Smith, AAG
4. MD-17-0265A, MD-17-0378A, MD-17-0528A, MD-18-0108A, MICHAEL J. FITZMAURICE, M.D., LIC. #13693  
Legal Counsel: Carrie Smith, AAG
5. MD-17-0516A, MARK R. MOURITSEN, M.D., LIC. #28909  
Legal Counsel: Carrie Smith, AAG

## OTHER BUSINESS

### P. REQUEST FOR TERMINATION OF BOARD ORDER

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

1. MD-17-0545A, MICHAEL W. CARLTON, M.D., LIC. #21360  
Staff: Ms. Muller
2. MD-14-0058A, JULIUS R. CHARLIE, M.D., LIC. #40519  
Staff: Ms. Muller

### Q. DISCUSSION AND UPDATE ON THE JOINT LEGISLATION AND RULES (JLRC) COMMITTEE

Jodi A. Bain, Esq., Committee Chair

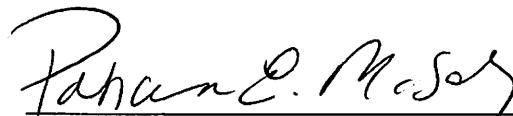
- Review, Discussion and Possible Action Regarding Proposed Amendment to A.R.S. § 32-1403 to Allow for Board Consideration of Data Waiver Matters

### 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



  
Patricia E. McSorley, Executive Director