



Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258

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

Telephone (480) 551-2700 • Fax (480) 551-2705 • In-State Toll Free (877) 255-2212

NOTICE & AGENDA FOR REGULAR SESSION MEETING Scheduled to begin at 8:00 a.m. on Wednesday, June 7, 2017 9535 E. Doubletree Ranch Road • Scottsdale, 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 9535 East Doubletree Ranch Road, Scottsdale, 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 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

Marc D. Berg, M.D.

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.

Wednesday, June 7, 2017

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

- Update on the Agency Relocation to 1740 W. Adams St.
- Update on Request for Information Process Related to Physician Health Program (PHP) Assessment and Monitoring
- Update on Responses to Agency Requests for Feedback on PHP
- Update on the Employee Engagement Survey Conducted by the Arizona Department of Administration
- Update on the Status of the Compact License and Temporary License
- Update on the Implementation of the Newly Enacted Fee Waiver for License Applicants

E. CHAIR'S REPORT

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

- Report on the FSMB Annual Meeting
- Appointment of new Administration Committee Member

F. LEGAL ADVISOR'S REPORT

Carrie Smith, Assistant Attorney General

- Request for Board direction regarding inclusion of supervising physician limitations in Board consent agreements and orders for probation.
- Report on *Johnson v. Arizona Registrar of Contractors*, CA-CV 16-0266

G. THIS ITEM HAS BEEN REMOVED FROM THE AGENDA.

H. REVIEW, DISCUSSION AND POSSIBLE RECOMMENDATION REGARDING THE DRAFT AGENCY REPORT REQUIRED BY THE GOVERNOR'S EXECUTIVE ORDER 2017-03 DUE JUNE 30, 2017

Patricia E. McSorley, Executive Director

I. REVIEW AND DISCUSSION REGARDING FY2019 BUDGET FOR SUBMISSION ON OR BEFORE SEPTEMBER 1, 2017

Patricia E. McSorley, Executive Director

J. UPDATE, DISCUSSION AND POSSIBLE ACTION REGARDING RULEMAKING FOR CONTINUING MEDICAL EDUCATION (CME) IN THE AREA OF SAFE AND EFFECTIVE PRESCRIBING OF OPIOIDS

Patricia E. McSorley, Executive Director

K. APPROVAL OF MINUTES

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 pursuant to A.R.S. § 38-431.03(A)(2).

- April 5, 2017 Regular Session, Including Executive Session
- May 4, 2017 Special Teleconference, Including Executive Session

LEGAL MATTERS

L. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING SUMMARY ACTION (Scheduled to begin at 8:00 a.m.)

1. MD-16-1257A, MICHAEL S. KUNTZELMAN, M.D., LIC. #13565
Staff: Ms. Fornaro, Dr. Coffey

M. 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-15-0167A, FREDERIC B. WILSON, M.D., LIC. #44684

N. CONSIDERATION AND POSSIBLE ACTION REGARDING COMPLIANCE WITH THE BOARD ORDER INCLUDING LIFTING THE STAY OF REVOCATION

(Scheduled to begin at 8:00 a.m.)

1. MD-14-1608A, GEORGE F. GWINN, M.D., LIC. #25811

O. FORMAL INTERVIEWS (Scheduled to begin at 10:00 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-16-0135A, PING Y. WANG, M.D., LIC. #25546
Staff: Mr. Cimino, Dr. Caruso
Presenting Board Member: Dr. Figge
2. MD-15-1390A, MD-16-0479A, MURALI D. TALLURI, M.D., LIC. #19237
Staff: Mr. Cimino, Dr. Sosnowski
Presenting Board Member: Dr. Farmer
3. MD-16-1197A, FRANCISCO J. BARAONA, M.D., LIC. #46952
Staff: Ms. Downey
Presenting Board Member: Dr. Bethancourt

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

1. MD-14-1374A, ROHIT MALHOTRA, M.D., LIC. #33419
Staff: Mr. Silva, Dr. Peairs
Presenting Board Member: Dr. Paul
2. MD-15-1068A, MICHAEL A. WILMINK, M.D., LIC. #30164
Staff: Ms. Blaski, Dr. Wolf
Presenting Board Member: Dr. Farmer
3. MD-16-0447A, REDENTOR T. ESPIRITU, M.D., LIC. #31859
Staff: Ms. Muller
Presenting Board Member: Ms. Jones

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. 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 Q through W pursuant to A.R.S. § 38-431.03(A)(2).

Q. CASES RECOMMENDED FOR DISMISSAL

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

1. MD-16-1357A, VIKRAM B. SINGH, M.D., LIC. #37167
Staff: Ms. Downey, Dr. Haas
2. MD-16-0920A, KEVIN J. MASUR, M.D., LIC. #43330
Staff: Ms. Blaski, Dr. Caruso

R. CASES RECOMMENDED FOR ADVISORY LETTERS

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

1. MD-16-0908A, MAHESH TIPIRNENI, M.D., LIC. #34480
Staff: Mr. Silva, Dr. Coffey
2. THIS ITEM HAS BEEN PULLED FROM THE AGENDA.
3. MD-16-0849A, ANTHONY H. ARNOLD, M.D., LIC. #21616
Staff: Ms. Blaski, Dr. Haas
4. MD-16-1137A, GERALD C. WEST, M.D., LIC. #27671
Staff: Ms. Fornaro, Dr. Sosnowski
5. MD-17-0048A, KAREN A. STARKEY, M.D., LIC. #23476
Staff: Mr. Silva, Dr. Haas

S. 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-16-0882A, MD-16-0947A, STANLEY WEN, M.D., LIC. #32983
Staff: Ms. Fornaro, Dr. Haas

T. REVIEW OF EXECUTIVE DIRECTOR DISMISSALS

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

1. MD-16-0845A, DANIEL A. MELINE, M.D., LIC. #21078
Staff: Ms. Fornaro, Dr. Sosnowski
2. MD-16-0994A, GEOFFREY P. RADOFF, M.D., LIC. #9881
Staff: Ms. Fornaro, Dr. Coffey
3. MD-16-1186A, KASHIF ALVI, M.D., LIC. #43978
Staff: Ms. Blaski, Dr. Caruso
4. MD-16-0044A, GERARD K. JEONG, M.D., LIC. #33838
Staff: Ms. Rivera, Dr. Mattalino
5. MD-16-0890A, ROBERT A. BARRALI, M.D., LIC. #24461
Staff: Mr. Cimino, Dr. Coffey
6. MD-16-0944A, EUNG J. CHA, M.D., LIC. #46968
Staff: Ms. Blaski, Dr. Mattalino
7. MD-16-1126A, RAYMOND J. ZIMMERMAN, M.D., LIC. #30185
Staff: Mr. Silva, Dr. Mattalino
8. MD-16-1066D, SANDRA S. FIGUEROA, M.D., LIC. #19686
Staff: Ms. Fornaro, Dr. Coffey
9. MD-16-1544A, MARK A. FISCHIONE, M.D., LIC. #24531
Staff: Ms. Fornaro, Dr. Sosnowski

U. PROPOSED CONSENT AGREEMENTS (Disciplinary)

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

1. MD-14-1682A, MARSHALL W. JONES, M.D., LIC. #41912
Staff: Mr. Cimino, Dr. Coffer
2. MD-16-0982A, ERNEST K. MAR, M.D., LIC. #34673
Staff: Ms. Fornaro, Dr. Coffer

V. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING CASE RECOMMENDED FOR DISCIPLINARY ACTION

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

1. MD-16-0999A, SHABIB A. ALHADHERI, M.D., LIC. #34597
Legal Advisor: Carrie Smith, AAG

W. LICENSE APPLICATIONS

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

i. APPROVE OR DENY LICENSE APPLICATION

1. MD-13-1228A, ROBEN D. AHDOOT, M.D., LIC. #N/A
Staff: Ms. Rivera
2. MD-16-1142A, DAVID E. LINDEN, M.D., LIC. #N/A
Staff: Ms. Rivera
3. MD-16-1089A, MAZEN H. SHAHEEN, M.D., LIC. #N/A
Staff: Ms. Rivera
4. MD-16-1367A, CONSTANCE R. TAMBAKIS-ODOM, M.D., LIC. #N/A
Staff: Ms. Rivera
5. MD-17-0006A, KEDAR KULKARNI, M.D., LIC. #N/A
Staff: Ms. Rivera
6. MD-17-0189A, DEBORAH L. ROSE, M.D., LIC. #N/A
Staff: Ms. Rivera
7. MD-17-0171A, ROBERT B. PATEL, M.D., LIC. #N/A
Staff: Ms. Rivera
8. MD-17-0297A, ANKUR MISHRA, M.D., LIC. #N/A
Staff: Ms. Rivera
9. MD-17-0349A, JEFFREY C. PERUMEAN, M.D., LIC. #N/A
Staff: Ms. Rivera

ii. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING RENEWAL APPLICATION AND RECOMMENDED ADVISORY LETTER

1. MD-17-0127A, CATHERINE M. HERWAY, M.D., LIC. #43159
Staff: Ms. Steger

iii. APPROVE OR DENY LICENSE APPLICATION WITH RECOMMENDATION FROM THE EXECUTIVE DIRECTOR

1. MD-17-0490A, ERIC DEHORTA, M.D., LIC. #N/A
Staff: Ms. Rivera, Ms. Mauk

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

1. NARENDRA K. GARG, M.D., LIC. #N/A
Staff: Ms. Stark

2. ROBERT N. SAMUELSON, M.D., LIC. #N/A
Staff: Ms. Stark

END OF CONSENT AGENDA

ACTION ON CASE(S)

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

1. MD-15-1067A, MD-15-1170A, KENNETH M. FISHER, M.D., LIC. #12762
Legal Counsel: Carrie Smith, AAG

OTHER BUSINESS

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 Y through Z pursuant to (a)- Violating any federal or state laws or rules and regulations applicable to the practice of medicine § 38-431.03(a)- Violating any federal or state laws or rules and regulations applicable to the practice of medicine(2).

Y. REQUEST FOR TERMINATION OF BOARD ORDER

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

1. MD-13-0707A, RODNEY K. SHOTTON, M.D., LIC. #11139
Staff: Ms. Muller
2. MD-14-1603A, KEVIN T. O'MARA, M.D., LIC. #45538
Staff: Ms. Steger
3. MD-15-0950A, DOUGLAS J. KRELL, M.D., LIC. #49982
Staff: Ms. Muller

Z. REQUEST FOR MODIFICATION OF BOARD ORDER

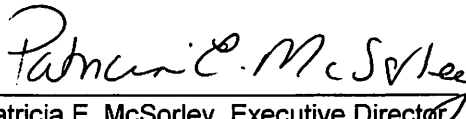
The Board will review and may vote to take action on the following case(s).

1. MD-15-0939A, JONATHAN C. KOMAR, M.D., LIC. #31330
Staff: Ms. Muller

AA. 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).




Patricia E. McSorley, Executive Director