



## Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258

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

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### **NOTICE & AGENDA FOR REGULAR SESSION MEETING Scheduled to begin at 8:00 a.m. on Wednesday, April 5, 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: Persons 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, April 5, 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 Agency Relocation
- Update on HB2195 (AMB Bill), SB1435 (Fingerprinting Bill) and SB1452 (Board Reform Bill)
- Update and Feedback on the AMB Newsletter
- Update on the Sunset Audit and New Audit of Board Member Reimbursement
- Discussion regarding Executive Order 2017-03 : Internal Review of Training Requirement, Continuing Education, Fees and Processes
- Discussion Regarding New Information Technology Process
- Discussion Regarding DUI Policy
- Update on Request for Information (RFI) for PHP Assessment and Monitoring
- Update on CSPMP Registration for Applicants

### E. CHAIR'S REPORT

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

- Federation of State Medical Boards Annual Meeting

### F. LEGAL ADVISOR'S REPORT

Carrie Smith, Assistant Attorney General

- Update on CA-CV-15-0730 Scorzo and Grabe v. Arizona Medical Board
- Report on CA-CV-15-0756 Wassef v. Arizona Dental Board
- Board Member Guidance for Discussion on Confidential Material During Board Meetings

### G. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING THE PHYSICIAN HEALTH PROGRAM (PHP) COMMITTEE

Lois E. Krahn, M.D., Chair

- Report from February 23, 2017 and March 20, 2017 PHP Committee meetings
- Discussion and Possible Action Regarding Committee Recommendation for ARBoPA Member to Join the PHP Committee

### H. 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).*

- February 1, 2017 Regular Session; Including Executive Session
- February 2, 2017 Annual Planning Meeting
- March 2, 2017 Special Teleconference; Including Executive Session

## LEGAL MATTERS

### I. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING MOTION TO STAY CIVIL/ADMINISTRATIVE PROCEEDINGS PENDING OUTCOME OF CRIMINAL TRIAL (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-15-0977A, SHAKEEL A. KAHN, M.D., LIC. #37896

### J. MOTION FOR REHEARING/REVIEW (Non-Contested) (Scheduled to begin at 9:00 a.m.)

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

1. MD-14-1411A, BILL D. HOLLOMAN, M.D., LIC. #33572

### K. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING SUMMARY ACTION (Scheduled to begin at 9:00 a.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  
Staff: Mr. Cimino

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

1. MD-15-0552A, SANJEEV KHURANA, M.D., LIC. #35045  
Staff: Mr. Silva, Dr. Coffey  
Presenting Board Member: Dr. Berg
2. THIS ITEM HAS BEEN MOVED TO ITEM R. NUMBER 4.
3. MD-15-0484A, DONALD R. NELSON, M.D., LIC. #5491  
Staff: Mr. Silva, Dr. Haas  
Presenting Board Member: Dr. Figge

### M. 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-15-1067A, MD-15-1170A, KENNETH M. FISHER, M.D., LIC. #12762  
Staff: Mr. Cimino, Dr. Peairs  
Presenting Board Member: Dr. Krahn
2. MD-15-1223A, CHRISTOPHER A. REYNOLDS, M.D., LIC. #34330  
Staff: Ms. Steger  
Presenting Board Member: Dr. Paul
3. MD-16-0729A, MARIA R. DILEO, M.D., LIC. #42144  
Staff: Ms. Blaski, Dr. Haas  
Presenting Board Member: Dr. Berg

### N. LICENSING INTERVIEWS (Scheduled to begin at 2:30 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-16-0366A, SALIM O. DAHDAH, M.D., LIC. # N/A  
Staff: Ms. Young  
Presenting Board Member: Dr. Connolly
2. THIS ITEM HAS BEEN PULLED FROM THE AGENDA.

## 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 O through V pursuant to A.R.S. § 38-431.03(A)(2).

### O. CASES RECOMMENDED FOR DISMISSAL

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

1. MD-16-0934A, ANDREAS E. XAGORARIS, M.D., LIC. #45619  
Staff: Ms. Rivera

### P. CASES RECOMMENDED FOR ADVISORY LETTERS

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

1. MD-16-0414A, MEGAN S. WIESE, M.D., LIC. #29168  
Staff: Ms. Fornaro, Dr. Haas
2. MD-16-0414B, SUSAN L. CYMBOR, M.D., LIC. #27856  
Staff: Ms. Fornaro, Dr. Peairs
3. MD-15-0609A, MARK B. DEKUTOSKI, M.D., LIC. #47104  
Staff: Mr. Cimino, Dr. Mattalino
4. MD-16-0599A, ADAM R. KOELSCH, M.D., LIC. #31945  
Staff: Mr. Cimino, Dr. Coffey
5. MD-16-0900A, LEONARD A. YONTZ, M.D., LIC. #49717  
Staff: Ms. Blaski, Dr. Sosnowski
6. MD-16-0315A, MD-16-0319A, DAVID A. CAMARATA, M.D., LIC. #28451  
Staff: Ms. Blaski, Dr. Mattalino
7. THIS ITEM HAS BEEN PULLED FROM THE AGENDA.
8. MD-16-1083A, SEAN P. T. MURPHY, M.D., LIC. #R75900  
Staff: Ms. Fornaro
9. MD-16-1055A, ALEXANDER S. WHELAN, M.D., LIC. #R74731  
Staff: Ms. Steger
10. MD-16-0989A, DUDLEY A. HUDSPETH, M.D., LIC. #23299  
Staff: Ms. Fornaro, Dr. Caruso
11. MD-16-1100A, MICHAEL S. MALL, M.D., LIC. #18118  
Staff: Mr. Silva
12. MD-14-0115A, ROBERT S. POSTON, M.D., LIC. #44019  
Staff: Ms. Downey, Dr. Caruso
13. MD-16-0622A, ROBERT W. KOEPKE, M.D., LIC. #7706  
Staff: Ms. Fornaro
14. MD-16-0203A, ZACHARY J. BERBOS, M.D., LIC. #45991  
Staff: Ms. Muller

### Q. 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-14-0856A, ALAN C. SACKS, M.D., LIC. #9475  
Staff: Ms. Rivera, Dr. Caruso
2. MD-16-0342A, MARESSA M. ALEJANDRO-REYES, M.D., LIC. #43530  
Staff: Ms. Blaski, Dr. Coffey
3. MD-16-0791A, RICHARD L. KELLY, M.D., LIC. #20150  
Staff: Ms. Fornaro, Dr. Sosnowski

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

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

1. MD-15-0965A, DAVID A. CAMARATA, M.D., LIC. #28451  
Staff: Ms. Blaski, Dr. Mattalino
2. THIS ITEM HAS BEEN PULLED FROM THE AGENDA.
3. MD-16-0213A, BALJEET SINGH, M.D., LIC. #18578  
Staff: Ms. Downey, Dr. Peairs
4. MD-16-0310A, DWIGHT S. KELLER, M.D., LIC. #14555  
Staff: Mr. Silva, Dr. Mattalino
5. MD-16-1108A, KURT R. REINKE, M.D., LIC. #21533  
Staff: Ms. Blaski, Dr. Caruso
6. MD-16-0762A, ABDUL S. HASHIMI, M.D., LIC. #45068  
Staff: Ms. Downey, Dr. Caruso
7. MD-16-1283B, DONALD E. TUTT, M.D., LIC. #16197  
Staff: Ms. Fornaro, Dr. Sosnowski

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

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

1. MD-16-0377A, MARVIN G. RISKE, M.D., LIC. #21421  
Staff: Ms. Fornaro, Dr. Caruso
2. MD-15-0768A, ALDEMIR T. COELHO, M.D., LIC. #12445  
Staff: Ms. Fornaro, Dr. Coffey
3. MD-15-1008A, MD-16-0240A, PAUL A. BUDNICK, M.D., LIC. #34093  
Staff: Ms. Downey, Dr. Peairs
4. MD-15-1416A, JAMES J. CHIEN, M.D., LIC. #40347  
Staff: Ms. Steger
5. MD-16-0020A, DUANE C. WHITAKER, M.D., LIC. #12532  
Staff: Mr. Cimino, Dr. Wolf

## **T. PROPOSED CONSENT AGREEMENTS (Non-Disciplinary)**

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

1. MD-17-0013A, RICHARD A. BERGER, M.D., LIC. #20624  
Staff: Ms. Rivera

## **U. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING RENEWAL APPLICATION AND PROPOSED CONSENT AGREEMENTS (Disciplinary)**

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

1. MD-15-0691A, DONOVAN J. ANDERSON, M.D., LIC. #13491  
Staff: Ms. Blaski

## **V. LICENSE APPLICATIONS**

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

### **i. APPROVE OR DENY LICENSE APPLICATION**

1. MD-16-1021A, ROGER W. SHORTZ, M.D., LIC. #N/A  
Staff: Ms. Young, Dr. Mattalino
2. MD-16-1243A, TIMOTHY W. WALSH, M.D., LIC. #N/A  
Staff: Ms. Young, Dr. Peairs
3. MD-16-1401A, MARY L. BALLARD, M.D., LIC. #N/A  
Staff: Ms. Young

4. MD-16-1075A, DOUGLAS B. BOBER, 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-16-1527A, RUTH E. JOHNSON, M.D., LIC. #33839  
Staff: Ms. Rivera
- iii. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING RENEWAL APPLICATION AND RECOMMENDED ADVISORY LETTER**
  1. MD-16-0183A, JEFFREY A. KHABIR, M.D., LIC. #42649  
Staff: Ms. Steger
- iv. **APPROVE OR DENY LICENSE APPLICATION WITH RECOMMENDATION FROM THE EXECUTIVE DIRECTOR**
  1. MD-16-0496A, ARTHUR J. SCHNEIDER, M.D., LIC. #N/A  
Staff: Ms. Young, Ms. Stark, Dr. Caruso
  2. MD-16-1535A, JAMES F. MARTIN, M.D., LIC. #N/A  
Staff: Ms. Young, Ms. Colafranceschi
  3. MD-17-0251A, CHARLES J. BERTUCH, M.D., LIC. #N/A  
Staff: Ms. Young, Ms. Dunavant
  4. MD-16-1335A, MICHAEL B. A. THOMPSON, M.D., LIC. #N/A  
Staff: Ms. Young, Ms. Stark
  5. MD-17-0280A, ADRIAN A. DORMANS, M.D., LIC. #N/A  
Staff: Ms. Young, Ms. Stark
  6. MD-17-0279A, JOEL I. LANS, M.D., LIC. #N/A  
Staff: Ms. Young, Ms. Mauk
- v. **APPROVE OR DENY LICENSE APPLICATION WITH PROPOSED CONSENT AGREEMENT (Disciplinary)**
  1. MD-15-0202A, MD-15-0627A, MD-16-0901A, RAUL J. SORA, M.D., LIC. #N/A  
Staff: Ms. Rivera, Dr. Coffey
  2. MD-17-0090A, SRINIVAS P. REDDY, M.D., LIC. #N/A  
Staff: Ms. Young
- vi. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING LICENSURE BY ENDORSEMENT PURSUANT TO A.R.S. § 32-1426(B) AND R4-16-201(F)**
  1. MICHAEL D. MCKEE, M.D.  
Staff: Ms. Mauk

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

## OTHER BUSINESS

### W. REQUEST FOR TERMINATION OF BOARD ORDER

*The Board will review and vote to take action on the following case(s). Pursuant to A.R.S. § 38-431.03(A)(2), the Board may vote to go into executive session to discuss or consider records exempt by law from public inspection as it relates to the following Request for Termination of Board Order.*

1. MD-14-1603A, KEVIN T. O'MARA, M.D., LIC. #45538  
Staff: Ms. Steger
2. MD-15-0952A, DOUGLAS J. KRELL, M.D., LIC. #49982  
Staff: Ms. Muller, Dr. Coffey

## **X. 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*  
Patricia E. McSorley, Executive Director