



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, April 6, 2016 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) 551-2734. 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.

Donna S. Brister

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

Gary R. Figge, M.D.

Robert E. Fromm, M.D., M.P.H.

Lois E. Krahn, M.D.

Edward G. Paul, M.D.

Richard T. Perry, 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 6, 2016

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

- Review, Discussion and Possible Action Regarding Executive Director Projects:
 - PHP Process Review
 - "Tips for Filing a Complaint" for Board Website
 - Telemedicine Policy Development Project
 - Progress of GACCP Review
 - OMC Marketing Campaign
 - Development of Board Policy Regarding Billing Cases
 - Update Regarding 5 Year Rule Review for Articles 3, 5 and 6 of Board Rules
- Discussion Regarding Scheduling for Upcoming Board Meetings

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 MD-14-0565A and Request for Possible Action
- Update on Case No. 1CA-CV 14-0288
- Update on Case No. 1CA-CV-15-0730
- Update on Case No. 2:15-cv-01022-JJT
- Update on Case No. LC2014-000407-001 DT

G. REVIEW DISCUSSION AND POSSIBLE ACTION REGARDING REPORT FROM JOINT LEGISLATIVE RULES COMMITTEE – Legislative Session Update and Anticipated Up and Coming JLRC Submissions

Jodi Bain, Chair

- HB 2364 – Medical Board; License Renewal
- HB 2501 – Health Regulatory Boards; Transfer; DHS
- HB 2502 – Medical Licensure Compact
- HB 2517 – Businesses; Professions; Regulation Restrictions
- SB 1283 – Controlled Substances Prescription Monitoring Program
- SB 1443 – Health Profession Regulatory Boards
- SB 1445 – Health Care Services; Patient Education
- SB 1524 – Regulatory Actions; Limitation
- SB 1096- Exemption for Physician Assistants from Fluoroscopy Training Requirements set by the Medical Radiologic Technology Board
- SB 1136- Physician Assisted Suicide

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).

- January 21, 2016 Special Teleconference, Including Executive Session
- February 4-5, 2016 Regular Session, Including Executive Session
- March 10, 2016 Special Teleconference

LEGAL MATTERS

I. REVIEW, CONSIDERATION AND POSSIBLE ACTION ON THE ADMINISTRATIVE LAW JUDGE'S RECOMMENDED DECISION AND/OR ACCEPT PROPOSED CONSENT AGREEMENT (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-15-0848A, KEVIN S. LEWIS, M.D., LIC. #17850

J. RESCIND REFERRAL TO FORMAL HEARING AND ACCEPT PROPOSED CONSENT AGREEMENT (Scheduled to begin at 8:00 a.m.)

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

1. MD-14-1646A, MD-15-0208A, ALAAELDIN A. BABIKER, M.D., LIC. #28043

K. FORMAL INTERVIEWS (Scheduled to begin at 10:00 a.m.)

The Board will review, discuss and 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-14-1233A, MD-14-0980A, TIMOTHY W. JORDAN, M.D., LIC. #26988
Staff: Mr. Cimino, Dr. Sosnowski
Presenting Board Member: Dr. Berg
2. MD-15-0079A, CHRISTOPHER Q. MAY, M.D., LIC. #42576
Staff: Ms. Downey, Dr. Coffey
Presenting Board Member: Dr. Figge
3. MD-15-0229A, RONALD D. GORDON, M.D., LIC. #8503
Staff: Ms. Blaski, Dr. Caruso
Presenting Board Member: Dr. Farmer
4. MD-14-0472A, IRFAN MIRZA, M.D., LIC. #28306
Staff: Ms. Rivera, Dr. Haas
Presenting Board Member: Dr. Paul

L. FORMAL INTERVIEWS (Scheduled to begin at 1:00 p.m.)

The Board will review, discuss and 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-13-1071A, MD-14-0288A, DUC M. PHAM, M.D., LIC. #31116
Staff: Mr. Cimino
Presenting Board Member: Dr. Farmer
2. MD-14-0317A, DAVID LABINER, M.D., LIC. #20248 #2
Staff: Mr. Silva, Dr. Mattalino

Presenting Board Member: Dr. Krahn

3. MD-14-1665A, ALLEN D. SLOAN, M.D., LIC. #17481
Staff: Mr. Silva, Dr. Peairs
Presenting Board Member: Dr. Berg
4. MD-14-1557A, HAROON QURAIISH-UL-HAQUE, M.D., LIC. #23305
Staff: Ms. Downey
Presenting Board Member: Dr. Berg

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

M. CASES RECOMMENDED FOR DISMISSAL

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

1. MD-14-0317B, MARTIN E. WEINAND, M.D., LIC. #19949
Staff: Mr. Silva, Dr. Mattalino
2. MD-14-1488A, KANAGASABAI MUTHU, M.D., LIC. #36287
Staff: Mr. Cimino
3. MD-15-1000A, JOHN J. DE BARROS, M.D., LIC. #33265
Staff: Mr. Cimino
4. MD-14-1104A, JOSEPH C. VAGLIO, M.D., LIC. #48608
Staff: Ms. Blask, Dr. Coffe
5. MD-14-1675A, ALI M. MOSHARRAFA, M.D., LIC. #24276
Staff: Ms. Fornaro, Dr. Caruso
6. MD-14-0542A, KENNETH C. WESTFIELD, M.D., LIC. #13740
Staff: Ms. Rivera
7. MD-14-1324A, ALLEN S. Y. LIU, M.D., LIC. #46313
Staff: Mr. Cimino

N. CASES RECOMMENDED FOR ADVISORY LETTERS

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

1. CASE MD-15-0074A, VIDALIA M. BUTLER-POKU, M.D., LIC. #33705
Staff: Mr. Silva, Dr. Haas
2. CASE MD-14-0325A, GABRIEL F. RAMIREZ, M.D., LIC. #35532
Staff: Ms. Rivera
3. MD-14-0680A, NATHAN LAUFER, M.D., LIC. #14922
Staff: Ms. Blaski, Dr. Coffe
4. MD-14-0928A, JACK E. GAMES, M.D., LIC. #5940
Staff: Ms. Rivera
5. MD-14-1449A, WLADISLAW G. FEDORIW, M.D., LIC. # 35835
Staff: Mr. Cimino, Dr. Peairs
6. MD-14-0615A, PAUL E. CLINCO, M.D., LIC. #11114
Staff: Ms. Steger
7. MD-14-1429A, BRYAN K. MATANKY, M.D., LIC. #22110
Staff: Mr. Silva, Dr. Mattalino
8. MD-14-0622A, MICHAEL C. MAXWELL, M.D., LIC. #31814
Staff: Ms. Downey, Dr. Caruso

9. MD-15-0093A, MARY E. SHANNON, M.D., LIC. #19717
Staff: Ms. Blaski, Dr. Haas
10. MD-14-1527A, ROBERT M. CERCEK, M.D., LIC. #41492
Staff: Ms. Fornaro, Dr. Mattalino
11. MD-14-1024A, MICHAEL E. PAULK, M.D., LIC. #30289
Staff: Ms. Blaski, Dr. Sosnowski
12. MD-14-1228A, ANN C. FOXX LEACH, M.D., LIC. #44778
Staff: Mr. Silva, Dr. Peairs
13. MD-15-0252A, JILL A. MEHLHAF, M.D., LIC. #29715
Staff: Mr. Cimino
14. MD-14-1528A, SAVITHA B. KALYA, M.D., LIC. #42037
Staff: Mr. Silva, Dr. Coffey
15. MD-13-1331A, ROGER A. HASSINGER, M.D., LIC. #36833
Staff: Mr. Cimino, Dr. Sosnowski
16. MD-14-0716A, MUHAMMAD J. AKHTAR, M.D., LIC. #10007
Staff: Mr. Cimino
17. MD-15-0338A, JOEL J. PAULINO, M.D., LIC. #28843
Staff: Mr. Cimino
18. MD-15-0117A, SAMAN A. FARNOUSH, M.D., LIC. #33804
Staff: Mr. Cimino
19. MD-14-1670A, SAMUEL W. DOWNING, M.D., LIC. #16298
Staff: Mr. Silva
20. MD-14-1540A, VASILIOS KAPERONIS, M.D., LIC. #20732
Staff: Mr. Silva, Dr. Coffey
21. MD-15-0044A, CHRISTOPHER J. GUALTIERI, M.D., LIC. #42801
Staff: Mr. Silva, Dr. Mattalino
22. MD-14-1600A, ROBERT J. RAUSCHER, M.D., LIC. #13109
Staff: Ms. Fornaro, Dr. Sosnowski
23. MD-14-0472B, THOMAS E. JACOBSON, M.D., LIC. #22278
Staff: Ms. Rivera, Dr. Caruso
24. MD-15-0201A, SABRINA VIRK, M.D., LIC. #R74728
Staff: Ms. Blaski, Dr. Peairs
25. MD-14-0966A, MARCUS W. PARKER, M.D., LIC. #44777
Staff: Ms. Blaski, Dr. Haas
26. MD-14-1632A, RICHARD A. MELDE, M.D., LIC. #7685
Staff: Ms. Fornaro, Dr. Peairs
27. MD-14-1647A, JOSEPH L. HABER, M.D., LIC. #33440
Staff: Ms. Fornaro, Dr. Mattalino
28. MD-15-0935A, RICHARD A. MELDE, M.D., LIC. #7685
Staff: Ms. Fornaro, Dr. Coffey
29. THIS ITEM HAS BEEN REMOVED FROM THE AGENDA
30. MD-15-0372A, JOZEF ZOLDOS, M.D., LIC. #28314
Staff: Mr. Cimino
31. MD-15-0372B, LLOYD P. CHAMPAGNE, M.D., LIC. #27791
Staff: Mr. Cimino
32. MD-14-0365A, LLOYD P. CHAMPAGNE, M.D., LIC. #27791
Staff: Ms. Steger, Dr. Mattalino

33. MD-15-0813A, MD-15-0222A, ANITA R. RAMAIAH, M.D., LIC. #25196
Staff: Mr. Cimino

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

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

1. MD-14-1417A, SONIA M. PEREZ-PADILLA, M.D., LIC. #20697
Staff: Ms. Fornaro, Dr. Coffey
2. MD-14-0328A, ROBERT L. DEAN, M.D., LIC. #32516
Staff: Ms. Rivera, Dr. Caruso

P. REVIEW OF EXECUTIVE DIRECTOR DISMISSALS

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

1. MD-15-0440A, DARYL R. PFISTER, M.D., LIC. #24384
Staff: Ms. Downey, Dr. Mattalino
2. MD-15-0728A, GARY M. PRINCE, M.D., LIC. #27475
Staff: Mr. Silva, Dr. Coffey
3. MD-15-0019A, LISA J. STEARNS, M.D., LIC. #24521
Staff: Mr. Silva, Dr. Caruso
4. MD-15-0357A, LYNN S. LYDON, M.D., LIC. #23216
Staff: Ms. Rivera

Q. PROPOSED CONSENT AGREEMENTS (Disciplinary)

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

1. MD-14-1541A, DUANE M. WOOTEN, M.D., LIC. #17126
Staff: Ms. Blaski
2. MD-14-1541B, TAMERA B. JORDAN, M.D., LIC. #34494
Staff: Ms. Blaski
3. MD-14-1173A, LUCIO ARTEAGA, M.D., LIC. #16150
Staff: Ms. Rivera, Dr. Coffey
4. MD-14-1194A, MARK A. ABRAMOVICH, M.D., LIC. #35225
Staff: Ms. Blaski
5. MD-15-0759A, MANISH J. PATEL, M.D., LIC. #29685
Staff: Ms. Steger
6. MD-16-0293A, MARK A. WELLEK, M.D., LIC. #6416
Staff: Mr. Cimino

R. LICENSE APPLICATIONS

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

i. APPROVE OR DENY LICENSE APPLICATION

1. MD-15-1094A, SUBHASH C. SAHAI, M.D., LIC. # N/A
Staff: Ms. Rossow, Dr. Coffey
2. MD-16-0304A, GEORGE T. LIN, M.D., LIC. # N/A
Staff: Ms. Colafranceschi, Dr. Wolf
3. MD-16-0255A, SHERYL M. A. MILLS, M.D., LIC. # N/A
Staff: Ms. Rossow

4. MD-15-1181A, TERENCE A. ALEXANDER, M.D., LIC. # N/A
Staff: Ms. Rossow, Ms. Stark
5. MD-16-0276A, CHINWE N. N. CHUKWURAH, M.D., LIC. # N/A
Staff: Ms. Stark, Dr. Wolf
6. MD-15-1491A, JOAO H. S. RAMOS, M.D., LIC. # N/A
Staff: Ms. Rossow
7. MD-16-0099A, CHARLES E. NELSON, M.D., LIC. # N/A
Staff: Ms. Rossow
8. MD-16-0355A, PATRICIA L. CLARK, M.D., LIC. # N/A
Staff: Ms. Rossow
9. MD-15-0183A, GIREESH VELUGUBANTI, M.D., LIC. # 1
Staff: Ms. Rivera
10. MD-16-0038A, BARRY S. TOY, M.D., LIC. # 1
Staff: Ms. Rossow, Dr. Wolf
11. MD-16-0209A, JOSHUA FREEMAN, M.D., LIC. # 1
Staff: Ms. Rossow
12. MD-16-0130A, CAROLYN L. SEIFERT, M.D., LIC. # 1
Staff: Ms. Rosso

ii. APPROVE OR DENY LICENSE APPLICATIONS WITH RECOMMENDATION FROM CHIEF MEDICAL CONSULTANT

1. MD-15-1517A, ROVIE T. P. MESOLA, M.D., LIC. #
Staff: Ms. Rossow, Dr. Wolf
2. MD-16-0125A, JAMES C. LARSEN, M.D., LIC. #
Staff: Ms. Rossow, Dr. Wolf
3. MD-16-0252A, EYASSU HAILEMICHAEL, M.D., LIC. #
Staff: Ms. Rossow, Dr. Wolf
4. MD-16-0317A, GORDON A. COHEN, M.D., LIC. # N/A
Staff: Ms. Rossow, Dr. Wolf
5. MD-15-1271A, ERIC S. POSTAL, M.D., LIC. # N/A
Staff: Ms. Rossow, Dr. Wolf
6. MD-16-0320A, SUZANNE B. HARRIS, M.D., LIC. # N/A
Staff: Ms. Rossow, Dr. Wolf
7. MD-16-0111A, AARON P. TANSY, M.D., LIC. # N/A
Staff: Ms. Rossow, Dr. Wolf
8. MD-16-0274A, JESSICA W. TOMASELLO, M.D., LIC. # N/A
Staff: Ms. Rossow, Dr. Wolf
9. MD-16-0316A, MAUREEN A. LILLICH, M.D., LIC. # N/A
Staff: Ms. Rossow, Dr. Wolf
10. MD-16-0162A, CHARLES B. TANG, M.D., LIC. # N/A
Staff: Ms. Rossow, Dr. Wolf

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

1. MD-14-1555A, CORALEE H. MCKAY, M.D., LIC. #17374
Staff: Ms. Rivera, Dr. Peairs

- iv. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING RENEWAL APPLICATION AND RECOMMENDED ADVISORY LETTER**
 - 1. MD-15-1376A, MONICA VALDES-DE LA CRUZ, M.D., LIC. #25854
Staff: Ms. Steger

- v. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING RENEWAL APPLICATION AND REQUEST FOR BOARD DIRECTION**
 - 1. MD-15-1293A, JOSEPH E. WEST, M.D., LIC. #12717
Staff: Ms. Rossow
 - 2. MD-15-1486A, JOHN A. LORANT, M.D., LIC. #30875
Staff: Ms. Rossow

- vi. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING LICENSURE BY ENDORSEMENT PURSUANT TO A.R.S. § 32-1426(B) AND R4-16-201(F)**
 - a. **ADMINISTRATIVELY COMPLETE**
 - 1. CHARLES SCOWCROFT, M.D.
Staff: Ms. Bryan

END OF CONSENT AGENDA

ACTION ON CASE(S)

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).

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

- 1. MD-14-1049A, HELEN E. WATT, M.D., LIC. #22016
Staff: Ms. Downey
- 2. MD-14-0310A, JONATHAN B. MURPHY, M.D., LIC. #44962
Staff: Ms. Rivera

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, or to obtain legal advice on agenda items T through V pursuant to A.R.S. § 38-431.03(A)(2) and (3).

T. REQUEST FOR TERMINATION OF BOARD ORDER

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

- 1. MD-12-1172A, MICHAEL P. RIDGE, M.D., LIC. #15513
Staff: Ms. Muller
- 2. MD-10-0812A, GALEN B. JOHNSON, M.D., LIC. #19218
Staff: Ms. Downey, Ms. Muller

U. APPEAL OF EXECUTIVE DIRECTOR ACTION PURSUANT TO R4-16-540

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

1. MD-16-0211A, MUHAMMAD SAEED, M.D., LIC. #32955
Staff: Ms. Downey

V. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING SUMMARY ACTION (Scheduled to begin at 4:00 p.m.)

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

1. MD-15-0916A, SUSAN D. SCARLA, M.D., LIC. #13951
Staff: Mr. Silva, Dr. Wolf

W. 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