

Arizona State Board of Homeopathic and Integrated Medicine Examiners

Regular Meeting Minutes

March 12, 2013

I. Call to Order, Roll Call

Presiding officer, Dr. Todd Rowe, called the meeting to order at 9:00 a.m. noting by roll call the attendance of the following board members:

Present:

Todd Rowe, MD, MD(H)
Martha Grout, MD, MD(H)
Don Farris
Mary Ackerley, MD, MD(H) (present by telephone)
Dr. Les Adler, MD, MD(H)
Alan Kennedy

Mona Baskin, Assistant Attorney General and Christine Springer, Executive Director were also present. There were no members of the general public in attendance.

II. Review, Consideration, and Action on Minutes

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Assistant Attorney General Baskin indicated language should be inserted to read ‘*for voluntary surrender*’ at the end of the sentence describing the roll call vote for the Dr. Briggs matter. In addition, she noted the insertion of ‘*the*’ on page five, second paragraph before the wording ‘*legislative committee chairmen*’. Dr. Rowe made a motion approving the minutes with the amendments as discussed. Dr. Grout seconded the motion that passed unanimously.

Teleconference Meeting Minutes – December 11, 2012

Dr. Grout made the motion approving the teleconference minutes. The motion was seconded by Dr. Adler and passed with a unanimous vote.

Teleconference Meeting Minutes – February 22, 2013

Mrs. Springer informed board members that the minutes were not complete for their review. The matter was tabled to the next meeting.

III. Board Member Appointments

Dr. Rowe and board members extended their congratulations to Mr. Kennedy regarding his reappointment by Governor Brewer to another three year term.

Dr. Grout inquired concerning her pending reappointment and whether or not there had been any news. Mrs. Springer indicated she would make an inquiry to the Governor’s Office regarding the reappointment.

Dr. Les Adler, Dr. Mary Ackerley and Mr. Farris all indicated their current terms were complete at the end of June, 2013. Dr. Adler informed board members that he would not

seek reappointment. Mr. Farris noted that he was ineligible for reappointment, since he was completing his third consecutive appointment. Dr. Ackerley commented that she was considering her options and would make a decision later regarding whether she would request reappointment to a second term.

IV. Review, Consideration and Action on Applications

A. Physicians

There were no completed physician applications for consideration at this meeting.

B. Medical Assistants

M. Cathleen Leiter

Mrs. Springer informed board members that Ms. Leiter's application had been withdrawn at the request of her supervisor, Dr. Gordon Josephs.

V. Review, Consideration and Action on Complaints and Investigations

A. Review, Discuss – Tracking Log Notification of New Complaints Filed

There were no new cases to discuss.

B. Ongoing Cases – Review, Consideration and Action

Case No. 11-11 Thomas Lodi MD(H) – A.Y.

Mrs. Springer informed members that Dr. Lodi signed a Consent Agreement and Order of Probation on March 7, 2013 which became effective upon Dr. Rowe's signature on March 12, 2013. She indicated she would prepare a timeline to assist with a compliance timeframe.

Case No. 11-02 Edward Gogek, MD, MD(H) - J.W.

Case No. 11-06 Edward Gogek, MD, MD(H) – Cenpatico

Mrs. Springer presented background information regarding these matters and commented that both of these complaints had been investigated by the Arizona Medical Board (AMB) pursuant to A.R.S. § 32-2907. She noted that the AMB had dismissed both complaints after finding no violations of their medical practice act.

Following a brief discussion, Dr. Rowe made a motion dismissing both complaints. Mr. Farris seconded the motion that passed unanimously in a roll call vote.

Roll Call - Dismiss and close both investigations.

6 - 0 Aye

Rowe, Farris, Grout, Adler, Ackerley and Kennedy

Case No. 11-03 Frank Lobacz, MD(H)

Mrs. Springer informed Board members that sentencing in the Federal Court had been deferred to April 19, 2013.

Case No. 12-2 Brian Briggs, MD(H) Self Report A.R.S. 32-2915(I)

Mrs. Springer informed the Board that Dr. Briggs passed away on January 9, 2013. She indicated that she had requested that renewal fees be returned to the family and that she would close the matter with no further action. Board members agreed that the case should be closed as discussed.

VI. Review, Consideration and Action on Previous Board Orders

Charles Crosby, MD(H) Quarterly Report

Board members reviewed the information submitted on behalf of Dr. Crosby and noted that he was compliant with the terms of his consent agreement and order. Dr. Rowe commented that Dr. Crosby is maintaining his therapy as required by the order and that the public is being protected.

Stanley Olsztyn MD(H) Compliance Status

Board members considered Dr. Olsztyn's correspondence requesting early termination of probation. Mrs. Springer responded to a board member inquiry and noted that Dr. Olsztyn had complied with all other requirements of the consent agreement and order issued in Case Nos 11-04, 11-06, and 11-08.

Dr. Rowe made a motion to grant Dr. Olsztyn's request and return his homeopathic medical license to active and unrestricted status. Dr. Grout seconded the motion. In response to a question from Mr. Farris, Mrs. Springer indicated that a Voluntary Non-Disciplinary Order relating to the provision of IV Colchicine therapy would remain in effect.

Roll Call to return the license to active status:

6 – 0 Aye

Rowe, Farris, Grout, Kennedy, Ackerley, Adler

VII. Review, Consideration and Action on Rules, Legislation, Substantive Policy Statements

A. Legislation – Review, Consideration, and Action

1. The executive director updated members concerning the status of draft legislation relating to fees in *A.R.S. § 32-2914*. She indicated the bill had passed the Senate and House health committees and would be reviewed later in the month by the House appropriation committee.

2. Dr. Rowe reported that the Chiropractic Association Sunrise had withdrawn their Sunrise Application during their legislative committee hearing. They were hoping to reach consensus with all parties before returning to the table.

VIII. Review, Consideration and Action on Professional Business

Dr. Rowe opened discussion related to Telemedicine and commented on the strong growth in the use of telemedicine within the health community. Board members reviewed the Arizona Medical Board policy and agreed that a face to face physical examination is an important component in many situations. Dr. Ackerley agreed, although within the psychiatric community, telemedicine would be readily adaptable to situations where the patient is not nearby.

Drs. Rowe and Grout and Mr. Kennedy agreed to serve on a Telemedicine Committee and conduct further research. Mr. Kennedy indicated his previous related experience serving on a committee looking at the use of telemedicine in rural areas.

IX. Review, Consideration and Action on Other Business

1. Executive Director Financial Report

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Mrs. Springer indicated that at the end of February, 2013 the Board had total expenses of \$66,764 with an ending cash balance of \$10,133. Revenue collections were \$67,477 and renewals were on track for April and May.

X. Call to the Public

No members of the public were present to address the board.

XI. Future Agenda Items

Telemedicine Policy Committee Report

XII Future Meeting Dates

Board members will be contacted to determine a date for the Telemedicine Policy Committee meeting.

Adjournment

The meeting adjourned at 10:20 a.m. following a motion by Mr. Farris. The motion was seconded by Dr. Grout and passed with a unanimous vote. The next Regular Meeting of the Board will convene at 1400 W. Washington, in Conference Room B-1, Phoenix, Arizona, at 9:00 a.m. on May 14, 2013.

Respectfully Submitted,

Christine Springer
Executive Director

BOARD APPROVED IN REGULAR MEETING ON MAY 14, 2013