

Arizona State Board of Homeopathic and Integrated Medicine Examiners

Minutes of the Teleconference Meeting Held on January 12, 2016

I. Call to Order, Roll Call

Presiding officer, Dr. Bruce Shelton, called the teleconference meeting to order at 9:00 a.m. and conducted a roll call of board members present by telephone:

Present:

Bruce Shelton MD, MD(H)
Charles Schwengel DO, DO(H)
Alan Kennedy
Dr. Les Adler, MD, MD(H) (present by telephone)
LaJuana Gillette
Mary Grace Warner-Dunlop, MD, MD(H)

Christine Springer, Executive Director, and Mona Baskin were also present at the meeting located in Basement Conference Room B-1, 1400 West Washington, Phoenix, Arizona.

II. Review, Consideration, and Action on Minutes

Board members considered the minutes of the November 10, 2015 *Regular Meeting*.

MOTION: Mrs. Gillette moved to approve the minutes.

SECOND: Dr. Warner

ROLL CALL VOTE: 6 –Aye, 0 – nay

Shelton, Kennedy, Gillette, Warner, Schwengel, Adler

MOTION PASSED

III. Review, Consideration and Action on Rules

Mrs. Springer commented that the Board's exemption request for the Doctor of Homeopathy rules was still pending action from the Governor's Office. Dr. Shelton stated that he would be visiting with the Health Policy Advisor, Christina Corieri later in the month and this item would be brought up for discussion.

IV. Review, Consideration and Action on Complaints and Investigations

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

Inquiry No. 15-07

Martha Grout MD, MD(H) - Letter of Concern, Florida

Inquiry No. 15-08

Martha Grout MD, MD(H) Reprimand – Hawaii

Mrs. Springer presented a brief review of the referenced matters. She indicated that a Letter of Concern issued in Florida was non-disciplinary in nature. The Reprimand issued in the State of Hawaii case is disciplinary and was based on a disciplinary action taken by the Arizona Medical Board. She commented that the Homeopathic and Integrated Medicine Examiners Board had dismissed the same case on the basis that the conduct did not violate the practice standards in A.R.S. § 32-2933.

Mrs. Gillette inquired about the Board's ability to impose costs related to the cost of an investigation. AAG Baskin stated that some regulatory boards can recover the cost of an investigation as set forth in their statutes, but that the recovery of investigation costs is a separate topic from the current agenda matter and would be a matter for discussion on a future agenda.

Dr. Shelton indicated that the board had already taken action on the matter that these actions refer to and that he was inclined to not open a further investigation.

Dr. Schwengel questioned whether the board could take an action on cases that had not been opened by the Homeopathic/Integrated Medicine Board for investigation. Mrs. Springer clarified that the two actions taken in Florida and Hawaii were before the board for their consideration as to *whether to open* investigations or not.

Mr. Kennedy stated that we had already taken an action on the issue that the actions in the two other states were based on. He stated that it did not appear that either of the other two states had taken actions based on any *new* information that the Board should consider. On that basis he stated that he would move to close the review and take no action.

MOTION: Mr. Kennedy moved to dismiss Inquiry No. 15-07 and Inquiry No. 15-08.

SECOND: Mrs. Gillette

ROLL CALL VOTE: Motion Passed 6 – 0

Aye: Schwengel, Adler, Warner, Gillette, Kennedy, Dr. Shelton

Dr. Shelton stated he wanted to place the imposition of fines on a future agenda and include a discussion of disciplinary options and the option to cover costs associated with an investigation.

V. Review, Consideration, and Action on Previous Board Orders

Charles Crosby, MD(H)

Quarterly Report

Case 05-21

Dr. Shelton indicated he had reviewed the quarterly report submitted by Dr. Charles Crosby, MD(H) in compliance with the terms of the Consent Agreement and Order he had entered into with the Board. Dr. Shelton commented that he saw no areas of concern with the report.

VI. Review, Consideration and Action on Professional Business

1. Dr. Shelton, Mrs. Gillette, Mr. Kennedy, and Dr. Warner all spoke about their recent attendance at the FARB Regulatory Program training. Each board member was enthusiastic about the knowledge level and effectiveness of the presenter. They each agreed that the program is worth the time and expense but did comment that the venue was distracting since it was held in a room next to the capitol grill that smelled of old grease.

Mr. Kennedy inquired if the training had to be done each year by board members. AAG Baskin explained that the training would be inclusive for the tenure of each board member and did not have to be repeated each year. She congratulated them on completion of the required training and stated that their efforts bring them into compliance with the training law requiring board member training. She noted that Dr. Adler's term would end on June 30 of this year and that Dr. Schwengel would require a few more hours to meet the 12 hour training requirement.

2. Mrs. Springer presented training relating to the National Practitioner Data Base as it relates to parameters for reporting impaired practitioners. She noted that the board had recently

obtained legislation for behavioral health and mental status so the board's experience was limited as to reportable actions.

Mr. Kennedy inquired about alcohol and drug treatment programs and whether a practitioner's attendance is reportable. AAG Baskin stated that only discipline taken by the board is reportable. If a licensee voluntarily put themselves in a program, it is not reportable. The Board must have imposed some sort of disciplinary action through either a formal or informal process.

VII. Review, Consideration, and Action on Other Business

1. Financial Report

Mrs. Springer presented information regarding the current board financial standing. She indicated that as of December 31, 2015, revenue collections are at \$34,245 and expenditures at \$32,877. The legislative appropriation for FY2015 is \$102,800. The current ending cash balance is \$6,600. She indicated that as long as the board receives all anticipated January renewals, the board will be able to meet its expenses. The January renewal will include 15 individuals or approximately \$12,000 (90%). Mrs. Springer responded to questions concerning potential renewals and the potential for additional revenue from the new license class, the Doctor of Homeopathy.

VIII. Future Agenda Items

- Disciplinary options and the recovery of costs associated with an investigation (ARS 32-2914(C))
- Report of cost recovery of investigation costs from other states that license homeopathic physicians (NV and CT)
- Discussion/clarification of terms of Licensure (ARS 32-2912(G)(3)) particularly as it relates to credit for self study to meet the homeopathic training requirement.

IX. Call to the Public

No public members were present

X. Future Meeting Dates

None

XI. Adjournment

The meeting adjourned at 9:45 a.m. following a motion by Mrs. Gillette. The motion was seconded by Dr. Adler and passed with an 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 March 8, 2016.**

Respectfully Submitted,

Christine Springer
Executive Director

Approved by the Board at the Regular Meeting of March 8, 2016.