



State Of Arizona
Naturopathic Physicians Medical Board
 “Protecting the Public’s Health”

1400 West Washington • Suite 230 • Phoenix, AZ 85007 • Telephone 602-542-8242 • FAX 602-542-3093
 Website www.aznd.gov
 TTY for Americans with Disability 800-367-8939 • Disability Voice Relay 800-842-4681

Douglas A. Ducey – Governor

Dr. Bruce Sadilek, ND – Chair • Dr. Marianne Marchese, ND – Vice Chair • Dr. Amy Terlisner, ND– Secretary / Treasurer,
 Dr. John Eldridge, NMD– Physician Member - Brad H. Logan - Public Member,
 Jamie N. Bennett - Public Member, Karen Tibbitts- Public Member

MINUTES

BOARD MEETING

Thursday, March 10, 2016 • 1:00 p.m. • Basement Conference Room B-1
1400 West Washington • Phoenix, AZ 85007

1. Call to Order by Presiding Officer

The meeting was called to order at 1:20 pm.

A. Roll call of Board members and establishment of a quorum to conduct meeting.

		SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Present	5	x	x	x			x Via Phone	x
Absent	2				x	x		

B. Acknowledgement of presence of Board staff and legal counsel.
 Mr. Marc Harris, Assistant Attorney General, Ms. Gail Anthony, Executive Director.

2. Civility Statement

In accordance with the Open Meeting Law, the Board has a civility policy that prohibits any type of disorderly conduct that disrupts the Board from carrying out its business. Those violating this policy will be asked to modify their behavior and act civilly. If the disorderly conduct continues, the person may be removed from the meeting room. (Adopted 11/8/2012)

3. Executive Director Report

- Status of Administrative Operation**
- Procedural Matters**
- Summary of Agency Reports**
- Budget**
- Current Licensee Numbers**
- Current Case Numbers**
- No Action Required

4. Call to the Public

None requested to speak.

5. Discussion, Consideration, Possible Action by Board of Consent Agenda

(Any item under consent may be removed for independent discussion and action by a Board Member.)

- C. Declaration of any Conflict of Interest on any Item on the Consent Agenda.**
- D. Request for Removal of any Consent Agenda Item for independent discussion and possible action by the Board.**

Dr. Marchese requested the removal of Frank Tamburri from item 5 (I).

- E. Discussion, Consideration, Possible Action and by Board of Regular and Executive Session Minutes of January 14, 2016**

Dr. Terlisner made a motion to approve the minutes of January 14, 2016. Seconded by Dr. Marchese. Motion Carried

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	5	x	x	x			x	x
No								
Abstain								
Absent	2				x	x		
Recused								

- F. Discussion, Consideration, Possible Action by the Board of Medical License(s) / Examination Application**

Harrington, Heather
 Highsmith, Tiffany (temporary license issued in accordance with A.R.S. 32- 1522.01)
 Hoover, Tanisha (temporary license issued in accordance with A.R.S. 32- 1522.01)
 Minesaki, Andrea- Reinstatement
 Price, Thressa (temporary license issued in accordance with A.R.S. 32- 1522.01)
 Sexton, Trevor (temporary license issued in accordance with A.R.S. 32- 1522.01)
 Tallcouch, Damon

- G. Discussion, Consideration, Possible Action by the Board of Medical License(s) / Endorsement.**

Taylor, Jennifer- NH.

- H. Discussion, Consideration and Possible Action by the Board of Request to Retire Medical License.**

Dengler, Melissa
 DeVincentis, Laura
 D'Huyvetter, Karen
 Fisher, Marianna
 Groves, Anesia
 Potter, Ralph
 Rodgers, Sara

- I. Discussion, Consideration, Possible Action by the Board of Renewal of Medical License**

Alhadi, Fatima
 Alibrio, Alice
 Amerine, Lisa
 Baily, Robin
 Binder, Tiffany

Borsa, Robin
Brown, Aiyana
Brown, Kimberly
Burton-Teed, Blythe
Buxbaum, Dane
Cain, Briana
Campbell, Erica
Caravone, Kimberly
Champion, Nathan
Champion, Nita
Chelson, Debora
Chinoy, Riyana
Dagstani, Nael
Dallmann, Terra
Davenport, Emily
Ealy, III, Henry
Feria, Lilia
Flores, Filiberto
Gajus, Stephanie
Gerard, Nicole
Glenn, Laura
Graham, Sherdeen
Green, Victoria
Harris Crossley, Megan
Harris, Breckin
Hawkins, Susan
Heffron, Shawn
Hering, Lance
Holder, Autumn
Holiday, Luke
Ipson, Jarom
Issels, Christian
Jain, Suneil
Just, Scott
King, Nicole
Kasian, Stefan
Koudelka, Barbara
LaRoche, Sara
Livengood-Anderson, Elizabeth
Lovick, Ann
Manipon, Nina
Marshall, Sarah
Maschak, Jeannine
Maturo, Lisa
McAllister, Heath
McCarthy, Brendan
McHenry, Schuyler
Meeds, Wilfred
Miller, Rebecca
Minguni, Sibongile
Mobley, Stacy

Mora, Carmen
Muhammad, Kim
Mulkey, Stacy
Mullen, Elissa
Murray, M. Ann
Myatt, Dana
Navarro, Alma
Nelson, William
Nenninger, Steve
Norris, Kristi
Olic, Sandra
Peronel, Magda
Potts, Jeffrey
Pringle, Matesa
Ruiz, Robert
Schwaiger, Timothy
Seder, Jeffrey
Sheehan, James
Sims, Dejarra
Smith, Todd
Stengler, Mark
Stowell, Aaron
Summers, Alisa Joy
Sundermeyer, Zahara
Triscuit, Chad
Truong, Tue
Tucker, Michelle
Vacik, Deborah
Van Der Veer, Karen
Visser, Timothy
Wdowin, Heather
Weiss, S.A. Decker
West, Kirsten
Whaley, Amanda
Whiting, Susan
Whittemore, Ashley
Wiggins, Natalie
Wikramanayke, Lahari
Wilkinson, Charles
Williams, Mercedes
Wilson, Raequi
Wojtowicz, Angela
Worsham, Ayesha
Yerby, Christie

- J. **Discussion, Consideration, Possible Action by the Board of Application(s) for Certificate to Dispense (initial)**
Kilgore, Jennifer
Sexton, Trevor

- K. Discussion, Consideration, Possible Action by the Board of Application(s) for Renewal of Certificate to Dispense.**
McWilliams, Kenneth
- L. Discussion, Consideration, Possible Action by the Board of Application(s) for Preceptorship Certificate.**
Cain, Nicole (preceptor)
Chand, Vasundhra (preceptee)
- M. Discussion, Consideration, Possible Action by the Board of Application(s) for Medical Assistant Certificate.**
Susan Sanchez, Reinstatement
Dixon, Leanna, Reinstatement
- N. Discussion, Consideration, Possible Action by the Board of Application(s) for Initial and Renewal of Certificate to Engage in a Clinical Training Program.**
Cervigni, Maria
Carter, Vanessa
Charles, Phara
George, Marietta
Kennedy, Saun
Le, Hop
Regino, Gabriela

Frank Taburri, Application for renewal of medical license.

Dr. Marchese recused herself. Dr. Sadilek made a motion to approve the application for medical license renewal. Seconded by Ms. Tibbits. Motion Carried 4 Ayes, 2 Absent, 1 Recused.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	4	x		x			x	x
No								
Abstain								
Absent	2				x	x		
Recused	1		x					

CONSENT AGENDA VOTE

Dr. Marchese made a motion to approve items 5 F through N. Seconded by Ms. Tibbits.

Motion Carried 5 Ayes, 2 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	5	x	x	x			x	x
No								
Abstain								
Absent	2				x	x		
Recused								

6. Regulatory Matters

O. Discussion, Consideration, Possible Action by the Board of Investigations and Complaints. (The Board may go into executive session on any of the following items under A.R.S. §38-431.03(A)(2) for discussion of any information made confidential by law.)

(1) Dr. Michael Miles, Case No. 15-035 -Formal Interview

Dr. Miles was present. During the discussion, Dr. Terlisner asked Dr. Miles if he knows the acceptable conditions for certification. Dr. Miles stated he did not think so. Dr. Marchese stated she was not comfortable with him moving forward in the practice of medical marijuana certifications. Dr. Sadilek made a motion to issue a Letter of Reprimand along with and order for an additional 10 hours of CME in certification. No one seconded the motion. Dr. Marchese made a motion to issue an order restricting the license for a period of two months. During that time, Dr. Miles could not certify any patient for medical marijuana, and must complete 10 hours of Board Staff pre-approved CME in medical marijuana certification before the license could be reinstated to full scope. Seconded by Dr. Sadilek. Motion Carried 5 Ayes, 2 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	5	x	x	x			x	x
No								
Abstain								
Absent	2				x	x		
Recused								

(2) Dr. Herbert Schuck, Case No. 15-011 -Formal Interview

Dr. Schuck was present with Council; Mr. David Klink. Mr. Klink presented a request for continuance of the matter. Dr. Sadilek made a motion to go into Executive Session for Legal Advice. Seconded by Dr. Terlisner. Motion Carried 5 Ayes, 2 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	5	x	x	x			x	x
No								
Abstain								
Absent	2				x	x		
Recused								

The Board Returned to Regular Session at 2:05 pm.

Dr. Terlisner stated that in order approve a continuance in the case Dr. Schuck must voluntarily agree not to certify patients for medical marijuana until the Board meets again to continue the Formal Interview. On behalf of his client, Council refused. Dr. Marchese made a motion to deny the request for continuance. Seconded by Dr. Terlisner. Motion Carried 5 Ayes, 2 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	5	x	x	x			x	x
No								
Abstain								
Absent	2				x	x		
Recused								

Dr. Marchese asked Dr. Schuck if he thought DHS was incorrect in the amount of times he queried the database. Council stated his client would not answer any questions based on the 5th Amendment of the Unlisted States Constitution. Dr. Marchese made a motion to move the matter forward to Formal Hearing. Seconded by Ms. Tibbitts. Motion Carried, 5 Ayes, 2 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	5	x	x	x			x	x
No								
Abstain								
Absent	2				x	x		
Recused								

(3) Dr. Cheryl Kubacz, Case No. 15-012 - Formal Interview

Dr. Kubacz was present. The Board reviewed the expert witness report. Dr. Sadilek asked about the education process Dr. Kubacz used when performing the procedures. Dr. Kubacz explained she takes great effort to education the patient about the procedure and aftercare. The patient is provided educational material, handouts and new products are supplied for home use. She added that this is the first time she has had to prescribe an antibiotic after a procedure like this. Dr. Marchese made a motion to dismiss. Seconded by Ms. Tibbitts. Motion Carried, 5 Ayes, 2 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	5	x	x	x			x	x
No								
Abstain								
Absent	2				x	x		
Recused								

(4) Dr. Darren Hazen, Case No. 15-022 - Formal Interview

Dr. Hazen attended the meeting via phone call from the State of Michigan. Dr. Hazen admitted to writing three prescriptions for a controlled substance, (testosterone) to a family member. Dr. Marchese made a motion to issue a Letter of Reprimand based on A.R.S. 32-1501(31)(vv). Seconded by Dr. Terlisner. Roll Call Vote: Ms. Tibbitts; Aye, Dr. Terlisner; Aye, Dr. Sadilek; Aye, Dr. Marchese; Aye. Motion Carried 4 Ayes, 3 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	4	x	x	x				x
No								
Abstain								
Absent	3				x	x	x	
Recused								

(5) Dr. Nancy Aton, Case No. 15-031 - Investigative Interview

Dr. Terlisner made a motion to move the matter to Formal Interview. Seconded by Dr. Marchese. Motion Carried 5 Ayes, 2 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	5	x	x	x			x	x
No								
Abstain								
Absent	2				x	x		
Recused								

(6) Dr. Jennifer Burns, Case No. 14-028 - Investigative Interview

Dr. Burns was present, along with her Representation; Ms. Kimberly Kent. Dr. Burns was asked to explain her process of diagnosing and what she believed was appropriate for certification on several cases outlined on the Investigative Report. Dr. Marchese stated she has concerns with how Dr. Burns arrived at some of the diagnosis, when certifying some of the cases. Dr. Terlisner stated she has a big issue with the fact that every certification is for severe and chronic pain, however no documentation substantiating the diagnosis or ruling out why the patient has the pain. Reminding Dr. Burns that pain is a symptom, not a diagnosis. Dr. Marchese made a motion to move the matter to Formal Interview. Seconded by Dr. Terlisner. Motion Carried 5 Ayes, 2 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	5	x	x	x			x	x
No								
Abstain								
Absent	2				x	x		
Recused								

(7) Dr. Heather Crider, Case No. 16-043 - Investigative Interview

Dr. Crider self-reported a cease and desist letter issued to her in the State of Florida for practicing medicine without a license. The State of Florida does not license naturopathic physicians. Dr. Crider does not hold a license in the State of Florida allowing her to practice medicine. While working in an M.D.'s office, as a consultant, her credentials were used on the clinic's website and also present on her consultation agreement. Further, her consultation agreement describes "Naturopathy". Source documents demonstrate Dr. Crider accepted the citation and paid the State of Florida Department of Health the required fine. Dr. Sadilek made a motion to dismiss the case. Seconded by Dr. Terlisner. Motion Carried 4 Ayes, 3 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	4	x	x	x				x
No								
Abstain								
Absent	3				x	x	x	
Recused								

Dr. Terlisner made a motion to approve the application for licensure renewal. Seconded by Dr. Marchese. Motion Carried. 4 Ayes, 3 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	4	x	x	x				x
No								
Abstain								
Absent	3				x	x	x	
Recused								

(8) Dr. Sam Walters, Case No. 15-024 - Investigative Interview

Dr. Walters was present, along with his Representation; Ms. Kimberly Kent. The Executive Director gave the Board a brief overview of the case, advising the Board there was insufficient evidence to support a violation of unprofessional conduct. Dr. Sadilek made a motion to dismiss the case. Seconded by Dr. Terlisner. Motion Carried, 5 Ayes, 2 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	5	x	x	x			x	x
No								
Abstain								
Absent	2				x	x		

Recused								
----------------	--	--	--	--	--	--	--	--

P. Discussion, Consideration, Possible Action on Applications.

(1) Dr. Eldridge, Application for License Renewal

(2) Erika Sykes-McKeen, Application for Reinstatement of Expired License.

Ms. Sykes-McKeen was present, along with her Representation; Ms. Jessica Miller.

Dr. Marchese made a motion to go into Executive Session to discuss confidential information. Seconded by Dr. Terlisner. Motion Carried. 4 Ayes, 3 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	5	x	x	x			x	x
No								
Abstain								
Absent	2				x	x		
Recused								

The Board returned to Regular Session at 3:40 pm. Ms. Bennett returned to the meeting via phone at this time.

The Board reviewed the professional opinion supplied to the Board, advising Ms. McKeen was fit for re-introduction to patient care. Ms. McKeen confirmed she is on medication for her health and continues to see physicians on a regular basis. She stated if her license was reinstated at this time, she planned to hire another ND to work in her clinic to share patient load and, to hire a medical assistant who would be familiar with naturopathic medicine. Ms. McKeen stated her practice model would be general practice and food allergy testing. Dr. Marchese made a motion to offer a consent agreement for license re-instatement to include quarterly updates to the Board, provided by Ms. McKeen's treating physician, for a period of 1 year.

Seconded by Dr. Terlisner. Ms. Bennett recused herself from voting because she had not participated in the Executive Session discussion. Motion Carried 4 Ayes, 1 Recused, 2 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	4	x	x	x				x
No								
Abstain								
Absent	2				x	x		
Recused	1						x	

(3) Dr. Marsh-Jones, Application for licensure renewal without prejudice to any ongoing investigation.

(4) Gehan Naser-Ahmed, Application for Clinical Training.

Dr. Marchese made a motion to approve the application for clinical entry. Seconded by Dr.

Terlisner. Motion Carried. 5 Ayes, 2 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	5	x	x	x			x	x
No								
Abstain								
Absent	2				x	x		
Recused								

(5) **Dr. Heather Crider**, Application for licensure renewal without prejudice to any ongoing investigation.

(6) **Dr. Richard Hodge**, Application for licensure renewal without prejudice to any ongoing investigation.

Dr. Marchese made a motion to discuss items 6 (P) (1,3,5,6) Seconded by Dr. Terlisner. Motion Carried 5 Ayes, 2 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	5	x	x	x			x	x
No								
Abstain								
Absent	2				x	x		
Recused								

(7) **Michael Allen**, Application for Reinstatement of Licensure, and Consent Agreement.

Dr. Marchese made a motion to accept the consent agreement. Seconded by Dr. Sadilek. Motion Carried. 5 Ayes, 2 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	5	x	x	x			x	x
No								
Abstain								
Absent	2				x	x		
Recused								

(8) **Nukleuz Wu**, Application for Clinical Training.

Mr. Wu was present. Dr. Marchese asked if there had been any issues with alcohol since 2009, he stated there had not been. Dr. Sadilek made a motion to approve the application for clinical training, Seconded by Dr. Marchese. Motion Carried, 4 Ayes, 3 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	4	x	x	x				x
No								
Abstain								
Absent	3				x	x	x	
Recused								

(9) **Lynsee Palacios**, Application for Clinical Training.

Dr. Marchese made a motion to approve the application for clinical training. Seconded by Dr. Terlisner. Motion carried 4 Ayes, 3 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	4	x	x	x				x
No								
Abstain								
Absent	3				x	x	x	
Recused								

7. Discussion, Consideration and Possible Action by the Board Regarding Case Update, Dr. Lauri Moody, Case no. 14-015 - Formal Hearing.

A consent agreement for surrender of license, signed by Dr. Moody, was presented to the Board for review and approval. Dr. Terlisner made a motion to accept the consent agreement for surrender of license. Seconded by Dr. Marchese. Motion carried 5 Ayes, 2 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	5	x	x	x			x	x

No								
Abstain								
Absent	2				x	x		
Recused								

8. Discussion, Consideration and Possible Action by the Board Regarding Approval of Schools of Naturopathic Medicine.

Dr. Marchese made a motion to approve the list of schools. Seconded by Dr. Terlisner. Motion carried, 4 Ayes, 3 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	4	x	x	x				x
No								
Abstain								
Absent	3				x	x	x	
Recused								

9. Discussion, Consideration and Possible Action by the Board Regarding Auditor General Follow-up Report.

The Auditor General's recommendation to develop and implement complaint discipline policies and procedures was discussed. After Board review of the draft document outlining discipline policy and procedures, Dr. Terlisner made a motion to approve the document. Seconded by Dr. Marchese. Motion Carried. 4 Ayes, 3 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	4	x	x	x				x
No								
Abstain								
Absent	3				x	x	x	
Recused								

The Auditor General's recommendation to assess the workload of the Executive Director. The Board determined it will leave any requests for additional staffing/investigative needs, to the discretion of the Executive Director, and would not be further evaluating processes and procedures.

10. Discussion, Consideration and Possible Action by the Board Regarding Legislation.

The Executive Director gave a brief overview of the HB 2501. No Action Required.

The meeting adjourned at 4:50 pm.