



State of Arizona Naturopathic Physicians Medical Board

“Protecting the Public’s Health”

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Douglas A. Ducey – Governor

Dr. Bruce Sadilek, ND – Chair, Dr. Brian J. Popiel, ND – Vice Chair, Karen Tibbitts – Secretary/Treasurer

Diva Galan – Public Member, Vacant – Public Member

Dr. Tam Spat – Physician Member, Dr. Daniel Rubin – Physician Member

BOARD MEETING MINUTES

Thursday, September 12, 2019 • 12:30 p.m. • Board Room C

1740 W. Adams Phoenix, AZ 85007

1. CALL TO ORDER BY PRESIDING OFFICER

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

Dr. Sadilek called the meeting to order at 12:36 p.m.

	VOTE	SADILEK Chair	POPIEL Vice Chair	TIBBITTS Sec. / Tres.	GALAN	Vacant	RUBIN	SPAT
Present	5	x	x	x	x			x
Absent	1						x	
Vacant	1					x		

B. Acknowledgement of presence of Board staff and legal counsel.

Mr. Marc Harris, Assistant Attorney General

Ms. Gail Anthony, Executive Director

2. DECLARATIONS OF CONFLICTS OF INTEREST

None

3. CIVILITY STATEMENT

Dr. Sadilek read the statement into the record.

4. CONSENT AGENDA – REVIEW, CONSIDERATION, AND POSSIBLE ACTION REGARDING APPROVAL OF THE FOLLOWING APPLICATIONS.

A. Initial Certificate to Dispense

Ruiz Hernandez, Nidia
Watkins, Olivia
Wright, Shenice

B. Renewal Certificate to Dispense

Elton, Jennifer Kay
Gowey, Brandie
Granger, Cheryl
Helser, Carolyn
Landino, Kimberly
Miles, George
Stowell, Aaron

C. Initial Medical Assistant Certificate

Fraijo, Denea

D. Initial Certificate to Engage in a Clinical Training Program

Ampadu, Nancy
Angel, Maria
Anthony, Brooke
Bell, James
Crotwell, Caitlin
Dirkmaat, Heather
Files, Barbara
Graham, Kristen
Hix, Emily
Kirk, Michelle
Krase, Kathy
Lawrence, Kathleen
Lehmann, Bridget
Obuobi, Samantha
Otten, Andrew
Petit-Fort, Herlande
Ragi, Hope
Simmons, Heather
Sukhorukov, Elena
Sutten, Cherron

E. Renewal Certificate to Engage in a Clinical Training Program

Karner, James
Krick, Kira
Nguyen, Nhan
Tang, Patricia
Tonn, Colton
Valdez, Olivia

F. Initial Certificate to Conduct a Preceptorship Training Program

Kaplan, Steven H.
Willfahrt, Karen Ann

Consent Agenda Vote: Dr. Popiel made a motion to approve consent agenda items 4 A – F. Seconded by Ms. Tibbitts. Motion Carried 5 Ayes, 1 Absent, 1 Vacant.

	VOTE	SADILEK Chair	POPIEL Vice Chair	TIBBITTS Sec. / Tres.	GALAN	Vacant	RUBIN	SPAT
Yes	5	x	x	x	x			x
No	0							
Abstain	0							
Absent	1						x	
Recused	0							
Vacant	1					x		

5. REVIEW, CONSIDERATION, AND POSSIBLE ACTION REGARDING THE FOLLOWING BOARD CASES.

A. Dr. Emily Keranen, Case No. 19-115, Initial Review

Dr. Keranen was present. Mr. J. Tyrrell Taber was present, representing Dr. Keranen.

Ms. Anthony summarized on February 11, 2019, the board received a notice of civil complaint regarding Dr. Keranen. CM was the plaintiff and patient in this matter. The complaint outlined allegations a product marketed and sold by the medical clinic as stem cells, did not contain stem cells. Dr. Keranen was the physician who injected patient CM with the product.

In his statement to the Board, Mr. Tyrrell stated Dr. Keranen was an employee of Dr. Nathan Weller, D.C. to do injections and provide medical care. She was told the clinic had a stem cell injection therapy program, and it was the understanding of Dr. Keranen that the product she injected did contain stem cells.

Dr. Sadilek confirmed Dr. Keranen performed one series of intradermal injections following the pattern already established by the clinic.

Dr. Spat asked what type of training Dr. Keranen had in this area. She stated she had participated in CME on stem cells.

Ms. Galan asked if there was a label on the vial. Dr. Keranen confirmed there was but that she did not check it, however was told it was the stem cell solution. Ms. Galan commented that she would think, as a physician, the label should have been checked to confirm what it was. That Dr. Keranen was not aware of what she was injecting.

Dr. Popiel commented that it sounds like this chiropractor hired you to do things he wanted done and can provide within scope, which leaves you responsible. The chart notes don't show an assessment or plan. Dr. Keranen stated it was a procedure note, but that in her general practice she uses SOAP notes. Dr. Popiel stated procedure or not, you have to write a SOAP note for everything you do.

Dr. Popiel made a motion to issue a letter of concern regarding standard of care when providing injectable medication, and appropriate medical charting, and an order for 10 hours of non-disciplinary CME in the area of charting, history taking, and injection protocol. Seconded by Ms. Tibbitts.

Roll Call: Dr. Spat, Aye, Ms. Galan; Aye, Dr. Popiel; Aye, Dr. Sadilek; Aye, Ms. Tibbitts; Aye. Motion Carried 5 Ayes, 1 Absent, 1 Vacant.

	VOTE	SADILEK Chair	POPIEL Vice Chair	TIBBITTS Sec. / Tres.	GALAN	Vacant	RUBIN	SPAT
Yes	5	x	x	x	x			x
No	0							
Abstain	0							
Absent	1						x	
Recused	0							
Vacant	1					x		

B. Terri Hirning Unregulated, Case No. 19-116, Initial Review

Ms. Hirning was present.

Ms. Anthony summarized the Board received a complaint on July 5, 2019 alleging Ms. Hirning was using credentials without being licensed as a naturopathic physician. Upon investigation, Ms. Hirning was found to be using the title and designation on her website, was notified and asked to respond. Ms. Hirning stated that since receiving the complaint, she has taken down her website completely. According to Ms. Hirning, she participated in a traditional naturopathic program through an online school and was told she could use the credential Doctor of Natural Medicine and abbreviation DNM upon issuance of the certificate from the school. Dr. Sadilek confirmed with Ms. Anthony that the process of moving the case forward to the Attorney General's office is based on Board referral.

1: 25 p.m. Ms. Galan made a motion to go into Executive Session for Legal Advice. Seconded by Dr. Popiel. Motion Carried 5 Ayes, 1 Absent, 1 Vacant.

1:30 p.m. The board returned to open session.

Dr. Sadilek asked Ms. Hirning if she had accounts set up with the laboratory and testing facility. Ms. Hirning stated the tests are run through an Osteopathic physician who has those accounts and interprets the labs, and she works with him to formulate dietary changes.

Dr. Sadilek stated that his concern is that anyone who consults with her, needs to be made aware that she is not a licensed physician, because it is not clear on the website. Ms. Hirning stated the website is down, and the paperwork supplied to anyone who consults her does make it clear she is not licensed. Dr. Sadilek suggested she should pull off her website anything that appears to be related to naturopathic physician, because it appears to be a misrepresentation.

Dr. Sadilek made a motion to dismiss the case. Seconded by Dr. Popiel.

Roll Call: Dr. Spat, Aye, Ms. Galan; Aye, Dr. Popiel; Aye, Dr. Sadilek; Aye, Ms. Tibbitts; Aye. Motion Carried 5 Ayes, 1 Absent, 1 Vacant.

	VOTE	SADILEK Chair	POPIEL Vice Chair	TIBBITTS Sec. / Tres.	GALAN	Vacant	RUBIN	SPAT
Yes	5	x	x	x	x			x
No	0							
Abstain	0							

Absent	1						x	
Recused	0							
Vacant	1					x		

C. Dr. Wendy Wells, Case No. 19-127, Initial Review

Dr. Wells was present and accompanied by her Medical Assistant Danielle Ms. Anthony summarized the Board received a complaint on July 5, 2019 alleging they paid for a test for their 2 year old son which they believed to be a IgG, food allergy test, but the results were vague with hardly any information. The parent of the patient contacted the office to find out what lab ran the test. They were told the test was proprietary.

Dr. Wells stated that it is not actually a test for food allergy, that the procedure was food intolerance/food sensitivity using the Carroll Method. Dr. Wells stated since the complaint she has removed to word test on her website and now refers to it as a method. She confirmed she did refund the \$150.00 to the parents for the cost of the original test. Dr. Wells stated there really was a miscommunication, that she remembers saying it was not an IgG test. Dr. Sadilek confirmed that the blood sample was taken from the earlobe of the patient, placed on sample paper and then sent to be tested on a Voll machine.

Dr. Spat asked what the presenting complaint was. Dr. Wells stated that the presenting condition was eczema.

Dr. Sadilek asked how are you determining your nutraceutical protocol. Respondent stated she address the prior test results that had been brought in on the first date of service.

Dr. Sadilek confirmed that if the plan did not work, the plan would have been to do further testing. Dr. Sadilek stated that Dr. Wells had changed the working of the process from test to procedure, and made a motion to dismiss the case. Dr. Popiel stated that Dr. Wells should make it clear in the notes about how the process is done and that this is not an IgG test. It should be clear in the event another physician needs to pick up the chart notes and move forward with care, and seconded the motion to dismiss.

Roll Call: Dr. Spat, Aye, Ms. Galan; Aye, Dr. Popiel; Aye, Dr. Sadilek; Aye, Ms. Tibbitts; Aye. Motion Carried 5 Ayes, 1 Absent, 1 Vacant.

	VOTE	SADILEK Chair	POPIEL Vice Chair	TIBBITTS Sec. / Tres.	GALAN	Vacant	RUBIN	SPAT
Yes	5	x	x	x	x			x
No	0							
Abstain	0							
Absent	1						x	
Recused	0							
Vacant	1					x		

6. CONSENT AGENDA VOTE. REVIEW, CONSIDERATION, AND POSSIBLE

ACTION REGARDING DRAFT MINUTES.

A. Draft Minutes of August 8, 2019 Regular Board Meeting. Ms. Tibbitts noted an error on page 2 reflecting she abstained from a vote, but was in fact absent. Dr. Sadilek made a motion to approve the minutes with the correction. Seconded by Ms. Galan. Motion carried 5 Ayes, 1 Absent, 1 Vacant.

7. REVIEW, CONSIDERATION, AND POSSIBLE ACTION REGARDING BOARD COMPENSATION.

No Action Required.

8. FUTURE AGENDA ITEMS

None Requested

9. CALL TO THE PUBLIC

No Requests.

10. ADJOURNMENT

The meeting was adjourned at 2:12 p.m.