



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- Draft

BOARD MEETING

Thursday September 10, 2015 • 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 1:07 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	6	x		x	x	x	x	x
Absent	1		x					

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

Present were: Ms. Elizabeth Campbell, 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

The Executive Director gave a brief overview of the report. No action required.

4. Call to the Public

No member of the public wished to address the Board.

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.**

No conflict of interest was declared or request to remove any consent agenda item.

- E. **Discussion, Consideration, Possible Action and by Board of Regular and Executive Session Minutes of August 13, 2015.** Dr. Terlisner made a motion to accept the minutes of the August 13, 2015 Board meeting. Seconded by Mr. Logan. Motion Carried 6 Ayes, 1 Absent

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec./Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	6	x		x	x	x	x	x
No								
Abstain								
Absent	1		x					
Recused								

- F. **Discussion, Consideration, Possible Action by the Board of Application(s) for Certificate to Dispense (initial)**
Beck, Forrest
Krause, Apryl
Lioce, Luca
- G. **Discussion, Consideration, Possible Action by the Board of Application(s) for Renewal of Certificate to Dispense.**
D'Armata, Annette
Gustavson, Rebecca
Rodriquez, Yolanda
- H. **Discussion, Consideration, Possible Action by the Board of Application(s) for Preceptorship Certificate**
Khakham, Chil - Preceptor
- I. **Discussion, Consideration, Possible Action by the Board of Application(s) for Initial and Renewal of Medical Assistant Certificate.**
Diaz, Lucia (initial)
Granado, Cecilia (Renewal)
Tanori, Maria (initial)
- J. **Discussion, Consideration, Possible Action by the Board of Application(s) for Certificate to Engage in a Clinical Training Program.**
Fuller, Michelle
Kodjo, Christelle
Krick, Kira
- K. **Discussion, Consideration, Possible Action by the Board of Application(s) for Renewal of Certificate to Engage in a Clinical Training Program.**
Alvarez, Wilbert-John
Amen-Sebek, Nemmsaiu
Bailey, Stephanie
Brooks, Vernesha
Dean, Vanessa
Eickhorst, Leighanna

Erath, Laurel
 Goff, Vince
 Hawes, Courtney
 Johnston, Warwick
 Koorjee, Fareen
 Lara, Ana
 Majors, Sara
 McPherson, Michael
 Moreno, Celaine
 Palasio, Myleen
 Wayne, Emilee
 Weickert, Cassandra
 Youngblood, Kelly

CONSENT AGENDA VOTE

Ms. Bennett made a motion to accept the consent agenda items 5 F-K. Seconded by Dr. Terlisner.
 Motion Carried 6 Ayes, 1 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec./Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	6	x		x	x	x	x	x
No								
Abstain								
Absent	1		x					
Recused								

6. Regulatory Matters

- L. **Discussion, Consideration, Possible Action by the Board of Investigations and Complaints.**
(1) Dr. Sharon Stills, Case No. 15-008 - Formal Interview.

Dr. Stills was present along with council Ms. Lauren Weinzweig, and addressed the allegations of failure to perform a physical examination on the patient and failure to provide the board with a consent to treat form, signed by the patient. Dr. Stills stated she did not perform a physical examination because the patient presented "only for a thermography scan". She also stated she does not know why a signed consent to treat form is not in the patient chart, but that having a patient sign a consent to treat form is her normal process. Dr. Stills indicated that from now on, she will confirm the proper paperwork is in the patient chart. Dr. Terlisner pointed out that Dr. Stills went beyond running a thermography scan, when she prescribed supplements and ordered labs. She cautioned Dr. Stills to always follow up with the patient in person when providing laboratory results, which could alleviate confusion on the part of the patient later on. Dr Stills stated she agreed.

The Complainant was present and commented that one of the issues was her inability to reach the physician for follow up questions, and that every time she called the office, the answer machine would pick up and inform the caller the Doctor was out of the Country. Respondent stated she now has an answering service in place. The Complainant stated Dr. Stills requested blood work totaling \$5,000, and that she had no idea the bill would be so high. Dr. Stills provided a form to the Board she said she gives to her patients regarding the fact that insurance may or may not cover the laboratory bill.

Dr. Sadilek suggested from now on, she should have the patients sign the form providing proof the patient was presented with the form. Dr. Stills expressed agreement with the suggestion.

Dr. Eldridge made a motion to dismiss the case. Seconded by Dr. Terlisner. Motion Carried 6 Ayes, 1 Absent.

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

Yes	6	x		x	x	x	x	x
No								
Abstain								
Absent	1		x					
Recused								

(2) Dr. Andrew Dickens, Case No. 15-004 - Formal Interview.

Dr. Dickens was present with Council; Mr. Steve Mahaffey. Dr. Dickens said he was trying to help this patient out, because he knew she was having financial difficulties. That he put aside his usual course of treatment, by not performing a physical examination prior to prescribing medication and not performing testing prior to providing chelation therapy. Dr. Dickens admitted to using a substance for IV use, which he had purchased from a source that did not meet the standards as outlined in statute, but that he was confused over the requirements. Dr. Terlisner made a motion to issue a letter of concern for the follow: 1. Use of IV medication which was not manufactured and supplied for intravenous use by a manufacturer registered with the United States Food and drug administration or compounded by a pharmacy licensed by the state board of pharmacy, 2. For failing to collect physical and laboratory data prior to writing a prescription or initiating IV therapy. Dr. Dickens response to the IV medication violation was, that it was unintentional, and keeping with seminar education he had recently received. Dr. Eldridge seconded the motion. Motion Carried 5 Ayes, 1 Nay, 1 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec./Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	5			x	x	x	x	x
No	1	x						
Abstain								
Absent	1		x					
Recused								

The Board took a 10 minute break.

The Board was called back into regular session at 2:55 pm.

(3) Dr. Sarah Marshall, Case No. 15-007 - Investigative Interview.

Dr. Marshall was not present. The allegation made by the complainant was Dr. Marshall charged excessive fees. Dr. Terlisner made a motion to move the matter to Formal Interview. Seconded by Mr. Logan. Motion Carried 5 Ayes, 1 Nay, 1 Absent. After further discussion by the Board, it was determine that a doctor/patient relationship was never established, and no fees were paid. Dr. Terlisner made a motion to dismiss the case. Seconded by Ms. Bennet. Motion Carried 6 Ayes, 1 Absent

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec./Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	6	x		x	x	x	x	x
No								
Abstain								
Absent	1		x					
Recused								

(4) Lisa Newman, Case No. 15-018 - Unlawful Use of Title.

The Board reviewed the cease and desist letter sent to Respondent, and the signed intent to comply. Ms. Anthony indicated she will follow up on compliance in 3-6 months. If Ms. Newman is still in compliance, no other action is taken. If Ms. Newman is found to be non-compliant, the matter will be brought back to the Board for further action. Ms. Anthony indicated she had forwarded the complaint on to the State of Arizona Veterinary Board. No action necessary by the Board.

M. Discussion, Consideration, Possible Action by the Board on Applications.

(1) Sarah McLeod, Application for Clinical Training.

Ms. McLeod was present and addressed her 2011 and 2014 DUI convictions. Board members stated concern if she would be able to handle the stressors of the education process without turning to alcohol. Ms. McLeod stated she has support and did not feel it would be an issue. She was cautioned again that if she needed help, she should seek out help. Dr. Eldridge made a motion to approve the application for clinical training. Seconded by Dr. Terlisner. Motion Carried 6 Ayes, 1 Absent

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec./Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	6	x		x	x	x	x	x
No								
Abstain								
Absent	1		x					
Recused								

(2) Andrea Colon, Application for Clinical Training.

Ms. Colon was present and addressed a prior arrest in the State of Connecticut for DUI. Ms. Colon stated she had satisfied all court orders. Dr. Sadilek made a motion to approve the application for clinical training. Seconded by Dr. Eldridge. Motion Carried. 6 Ayes, 1 Absent

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec./Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	6	x		x	x	x	x	x
No								
Abstain								
Absent	1		x					
Recused								

(3) James Spurgeon, Application for Clinical Training.

Mr. Spurgeon was present and addressed his failure to disclose a 2010 arrest on his application, which subsequently showed up on source documents. According to Ms. Spurgeon, the arrest did not result in a conviction. Mr. Spurgeon submitted a letter of support from the Attorney he had retained in 2010. According to the letter, although Mr. Spurgeon was arrested, the evidence to support the arrest was eventually proven to be his roommates, and the charges were dropped. Dr. Sadilek made a motion to approve the application for clinical training. Seconded by Dr. Terlisner. Motion Carried 6 Ayes, 1 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec./Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	6	x		x	x	x	x	x
No								
Abstain								
Absent	1		x					
Recused								

(4) Scott Maymon, Application for Preceptorship Training.

Mr. Maymon was present and addressed a 2002 arrest for speeding. Although Mr. Maymon disclosed the arrest on his preceptorship application, it was discovered while review of his file by Board staff, that Mr. Maymon had failed to disclose this arrest on his previous application submitted to the Board for clinical training. Source documents showed no prior history. According to Mr. Maymon, he was confused at the time he completed his application for clinical training. While completing this application, it was mentioned by other individuals, it was necessary to mark yes to any prior arrest. Dr. Terlisner made a motion to approve the application for preceptorship training. Seconded by Dr. Eldridge. Motion Carried. 6 Ayes, 1 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec./Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	6	x	x	x	x	x	x	x
No								
Abstain								
Absent	1		x					

Recused								
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(5) Sarah Stone, Application for Preceptorship Training.

Ms. Stone was present and addressed the reason she indicated a prior arrest on her application, was because in 1995, she was detained by police, along with several other friends at the mall. It was discovered one of the friends had shoplifted an item. It was determined Ms. Stone was not involved and no charges were filed. Source documents indicate no history of arrest. Dr. Sadilek made a motion to approve the application for preceptorship training. Seconded by Dr. Terlisner. Motion Carried 6 Ayes, 1 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec./Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	6	x		x	x	x	x	x
No								
Abstain								
Absent	1		x					
Recused								

(6) Keshia Tate, Application for Clinical Training.

Ms. Tate disclosed an arrest on her application for clinical training. Source documents indicate no history. According to Ms. Tate, the arrest took place over 30 years ago, and the involved her riding in a car with someone who had a weapon. Dr. Terlisner made a motion to approve the application for clinical training. Seconded by Dr. Eldridge. Motion Carried 6 Ayes, 1 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec./Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	6	x		x	x	x	x	x
No								
Abstain								
Absent	1		x					
Recused								

(7) Carlos Rios, Application for Clinical Training.

Mr. Rios was present and address his failure to disclose a 2004 arrest in the State of California. Source documents showed a history of the arrest. Mr. Rios stated it was a juvenile conviction for which he believed was expunged, and he was confused when he completed the application and failed to disclose it. Dr. Terlisner made a motion to approve the application for clinical training. Seconded by Dr. Eldridge. Motion Carried, 6 Ayes, 1 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec./Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	6	x		x	x	x	x	x
No								
Abstain								
Absent	1		x					
Recused								

(8) Dr. Amy Terlisner, Application for Renewal of Certificate to Dispense.

Dr. Terlisner recused herself. Dr. Sadilek made a motion to approve the application for certificate to dispense. Seconded by Ms. Bennett. Motion Carried 5 Ayes, 1 Recused, 1 Absent.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec./Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	5	x			x	x	x	x
No								
Abstain								
Absent	1		x					
Recused	1			x				

7. **Discussion, Consideration, Possible Action by the Board of Complaint Prioritizing, Category and Sanction Range Document.**
 The Executive Director gave a brief overview of the document. Further review was tabled until the next meeting.

8. **Board Training.**
 Tabled

9. **Discussion, Consideration, Possible Action by the Board of Moving to a Monthly Meeting Schedule.**
 The Board discussed the possibility of moving to monthly meetings as a way to shorten the length of time spent in each meeting. A suggestion to keep the schedule on a bi-monthly meeting calendar, and in the event the agenda becomes overloaded, the Executive Director would call for an interim meeting.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	TIBBITTS
Yes	6	x		x	x	x	x	x
No								
Abstain								
Absent	1		x					
Recused								

10. **Discussion, Consideration, Possible Action by the Board of the use of electronic devices to replace paper board packets.**
 The Board requested the Executive Director to move forward with investigating options for electronic devices and report back.

11. **Discussion, Consideration, Possible Action by the Board Regarding Correspondence with NABNE.**
 No action required.

ADJOURNMENT

The meeting was adjourned at 4:20 pm.

State of Arizona Naturopathic Physicians Medical Board

Date