



## Arizona Medical Board

9545 E. Doubletree Ranch Road, Scottsdale AZ 85258 • website: [www.azmd.gov](http://www.azmd.gov)  
Phone (480) 551-2700 • Toll Free (877) 255-2212 • Fax (480) 551-2707

August 6, 2014

The Honorable Janice Brewer  
Governor, State of Arizona  
1700 W Washington 9th Floor  
Phoenix, AZ 85007

### Re: FY 2013-14 ANNUAL REPORT

Dear Governor Brewer,

Please accept this Annual Report on behalf of the Arizona Medical Board, submitted pursuant to A.R.S. 32-1402(G).

Fiscal Year 2013-14 was a year of new beginnings for the Medical Board. In January and February, the Board selected and put in place a new Executive team – Executive Director, Deputy Director and Legal Advisor. In March and April, half of the membership of the Medical Board changed. We will miss the experience and insights of the departing members, but look forward to the new dynamics and perspectives of the incoming members.

The Board worked closely with legislative leaders to address significant issues. Working closely with the Health and Welfare Committees of each chamber, we were able to address some of the concerns regarding our licensing process. Taking advantage of the statutory exemption from the rule-making process, the Board has adopted a rule to implement relevant provisions of SB 1380.

Our Board sent a clear message that statutory and regulatory compliance is its top priority. With that in mind, we have implemented processes to ensure appropriate board involvement and oversight, as well as full compliance with applicable statutes and rules. This is an ongoing process.

The Medical Board is fully committed to its statutory charge to protect patients and the public. In order to carry out this statutory charge in the areas of licensing and regulation in the manner expected by the public and the Executive and Legislative Branches, we have recognized that staffing must return to previous levels. To accomplish this goal and meet statutory responsibilities, the Board and its staff have begun working with ADOA, stakeholders and others to ensure approval and appropriate funding for full staffing.

Finally, the Board heard the message this year that everyone in Arizona is invested in ensuring that Arizona is “open for business” for physicians around the country who would like to establish some level of practice here. To that end, the Board has adopted a 3-part strategy to ensure that its application and licensing processes are customer-friendly, efficient and compliant with all laws:

1. Prepare and submit a legislative package for the 2015 legislative session. Take all necessary steps to appropriately amend the application rules as promptly as possible.
2. Staff has been meeting with stakeholder groups to review the processes, statutes and rules. Staff has also canvassed the licensing and application laws and created a compendium of those laws for use in preparing the legislative and rule proposals.

#### Governor

Janice Brewer

#### Members

Gordi Khera, M.D.  
Chair  
Physician Member

Richard Perry, M.D.  
Vice-Chair  
Physician Member

Ram R. Krishna, M.D.  
Secretary  
Physician Member

Jodi Bain, Esq.  
Public Member

Marc Berg, M.D.  
Physician Member

Donna Brister  
Public Member

R. Screven Farmer, M.D.  
Physician Member

Robert E. Fromm, M.D.  
Physician Member

Paul S. Gerding, Esq.  
Public Member

James Gillard, M.D.  
Physician Member

Edward G. Paul, M.D.  
Physician Member

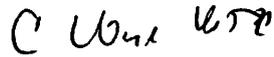
Wanda Salter, R.N.  
Public Member/R.N.

Executive Director  
C. Lloyd Vest, II

3. The Board has committed to converting its paper application process for initial licensing to an on-line process which will allow applicants to access their application any time to determine current status and which will automatically generate emails to applicants as each stage of the process is completed. This online process will be more user-friendly and more efficient, by reducing the number of inquiries and telephone conversations about current status and deficiencies.

We are all energized by these new beginnings. During FY 2014-15, we expect to complete the initiatives begun in FY 2013-14. The Board also expects to examine and enhance the investigative and regulatory processes, particularly in the area of opioid prescribing and dispensing. We will continue to work toward more effective ways of protecting the patients and public of Arizona. All Board members appreciate the opportunity to serve Arizona in this effort.

Respectfully,



C. LLOYD VEST II  
EXECUTIVE DIRECTOR

Cc:

The Arizona Regulatory Board of Physician Assistants

Rep. Heather Carter, Chairman of House Health

Rep. Paul Boyer

Rep. Kate Brophy McGee

Rep. Sally Ann Gonzales

Rep. Phil Lovas

Rep. Eric Meyer

Rep. Victoria Steele

Rep. Kelly Townsend

Sen. Nancy Barto, Chairman of the Senate Health and Human Services Committee

Sen. Ed Ableser

Sen. David Bradley

Sen. Judy Burges

Sen. Katie Hobbs

Sen. Kelli Ward

Sen. Kimberly Yee

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**Leadership**

**Gordi S. Khera, M.D.**

*Arizona Medical Board  
Chair*

**Richard T. Perry, M.D.**

*Arizona Medical Board  
Vice-Chair*

**Ram R. Krishna, M.D.**

*Arizona Medical Board  
Secretary*

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Jodi A. Bain, Esq.

*Public Member*

Marc D. Berg, M.D.,

*Physician Member*

Donna Brister

*Public Member*

R. Screven Farmer, M.D.

*Physician Member*

Robert Fromm, M.D.

*Physician Member*

Paul S. Gerding, Esq.

*Public Member*

James Gillard, M.D.

*Physician Member*

Edward G. Paul, M.D.

*Physician Member*

Wanda J. Salter, R.N.

*Public Member*

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**C. Lloyd Vest, II**

*Executive Director*

**Patricia E. McSorley**

*Deputy Executive Director*

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# Arizona Medical Board



## 2013 - 2014 Annual Report

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# Arizona Medical Board Membership

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The Arizona Medical Board is comprised of 12 members – eight physicians and four public members, including a licensed registered nurse. They are as follows:



**Gordi S. Khera, M.D., F.A.C.C.**

Physician Member - Chair

Dr. Khera is a Board-Certified Cardiologist currently in private practice in Glendale. Dr. Khera obtained his Medical Degree from King George Medical College in Lucknow, India. He completed his residency and fellowship training at Maricopa Medical Center and University Medical Center Tucson. He has been practicing medicine in Arizona since 1995.

Dr. Khera is a fellow of the American College of Cardiology. He is a member of the Arizona Medical Association. He has served as the Chairman of Cardiology, member of the Executive Committee, Vice Chairman of Cardiovascular Disease, member of P&T committee, member of Quality Assurance committee at Banner Thunderbird Medical Center.

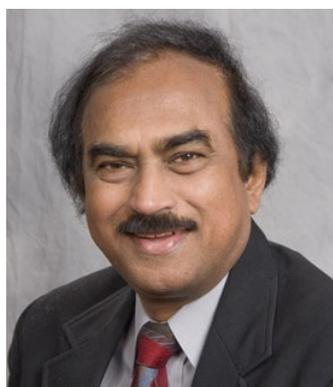
Dr. Perry is a board certified general surgeon practicing at Banner Good Samaritan Regional Medical Center in Phoenix, Arizona. Dr. Perry received his medical degree from the University of Arizona College Of Medicine in 1976. Dr. Perry completed his surgical internship and residency at Emory University and affiliated hospitals in Atlanta, Georgia.

Dr. Perry returned to Phoenix, Arizona and began private practice in general surgery in 1981. Dr. Perry recently joined the faculty at Banner Good Samaritan Regional Medical Center. He is the division director of general surgery for the Phoenix Integrated Surgical Residency.



**Richard T. Perry, M.D., F.A.C.S.**

Physician Member - Vice Chair



**Ram R. Krishna, M.D.**

Physician Member - Secretary

Dr. Krishna is an orthopedic surgeon who is currently in private practice in Yuma and was formerly the chief of surgery at Yuma Regional Medical Center. Dr. Krishna served as chair of the Yuma Regional Medical Center Board of Trustees and as president of the Yuma County Medical Society. Currently, he is a member of the Arizona Orthopedic Society and the Arizona Medical Association. Dr. Krishna was awarded the Arizona Medical Association's Distinguished Service Award in 2000 for his exceptional work in the community.

He obtained his medical degree from Bangalore University Medical College in Bangalore, India. He did his internship, a one-year residency in general surgery and a four-year residency in orthopedics at the University of Massachusetts Medical Center.

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# Arizona Medical Board Membership

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**Jodi A. Bain, Esq.**  
Public Member

Ms. Bain brings extensive experience in law, business operations, finance and consulting. Ms. Bain worked with Barnes Jewish Hospital and the Missouri Baptist Hospital Ethical Oversight Review Board in the Saint Louis area. She then lived abroad for several years before moving back to Tucson, Arizona where she previously attended high school.

Ms. Bain is an AV® Preeminent Rated attorney among her peers and is licensed to practice law in Arizona & New York. She also speaks Spanish. Her client practice spans commercial law, real estate development, incubator innovation programs, partnerships, banking, mining, medical, food services and a variety of other regulatory, legislative and business matters.

Dr. Berg is a Board Certified Pediatric Critical Care Medicine specialist practicing academic medicine at the University of Arizona in Tucson. He completed his undergraduate and medical education at the University of Minnesota. He trained in Pediatrics at the University of Arizona and completed 3 additional years of training in Pediatric Critical Care at Primary Children's Medical Center/University of Utah in 2000.

Dr. Berg serves as the Division Director of Pediatric Critical Care at the University of Arizona and is active in the teaching of medical students and resident physicians (physicians in training).



**Marc D. Berg, M.D., F.A.A.P.**  
Physician Member



**Donna Brister**  
Public Member

Ms. Brister has served on the City Council of Lake Havasu City, Arizona since November of 2013. She is a Licensed and Board Certified Aesthetician, and Certified as a Permanent Makeup Artist since 1993.

Ms. Brister worked from 1972 until approx. 1990 as a Cardiovascular Technician and Medical Office Manager working with multiple physicians and staff. She serves on the Board of WACOG (Western Arizona Council of Governments). The Executive Board of WACOG, and the WACOG Area Agency on Aging. Ms. Brister has served on the WIFA Board (Water Infrastructure Finance Authority).

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# Arizona Medical Board Membership

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**R. Screven Farmer, M.D.**  
Physician Member

Dr. Farmer has practiced Anesthesiology in Tucson, Arizona for over 30 years. Dr. Farmer has had extensive clinical experience in multiple areas of anesthesia practice including cardiac, neurosurgical, intensive care and outpatient anesthesia and has interests in neuropharmacology and the neurobiology of consciousness. He has extensive background and long-standing interest in healthcare quality measurement and improvement.

Dr. Farmer is currently President of Southern Arizona Anesthesia Services, President of the Arizona Anesthesia Society, and sits on the board of directors of the Arizona Medical Association and of the Carondelet Foundation in Tucson.

Dr. Fromm is a practicing intensivist who obtained his medical degree from Northwestern University in Chicago, IL. He completed internal Medicine residency at the University of Iowa Hospitals and Clinics and completed fellowships at the University of Pittsburgh and the National Institutes of Health in Bethesda MD. He has practiced medicine in Arizona since 2008 and currently serves as Chief Medical Officer for Maricopa Integrated Health System where he has responsibility for Medical staff, research, academic programs and quality/risk among other duties.

Dr. Fromm also holds MPH and MS degrees from the University of Texas School of Public Health and studied for his MBA degree at Arizona State University. He is a Professor in the Department of Internal Medicine at the University of Arizona College of Medicine and a Fellow of the American College of Critical Care Medicine and several other professional colleges.



**Robert E. Fromm, Jr., M.D., M.P.H.**  
Physician Member



**Paul S. Gerding, Esq.**  
Public Member

Mr. Gerding is a partner in the Scottsdale, Arizona office of Kutak Rock LLP. For more than 40 years Mr. Gerding has concentrated his practice in the areas of commercial business litigation and governmental regulatory compliance. Formerly he served as assistant general counsel in charge of commercial litigation and home health care for Baxter Healthcare Corporation. He represented the employer community in litigation before the Arizona Supreme Court in a case testing the constitutionality of the Arizona Employment Protection Act, which was upheld.

Mr. Gerding has served as Chairman of the Institutional Review Board of the Arizona Heart Hospital, and in that capacity has handled many investigations by the FDA as well as negotiations with the FDA regarding possible violations of its regulations. He also has served as Vice-Chair of the Board of Directors of the Arizona Heart Foundation.

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# Arizona Medical Board Membership

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**James M. Gillard, M.S., M.D.,  
F.A.C.E.P., F.A.A.E.M.**  
Physician Member

Dr. Gillard is a Board Certified Emergency Physician, practicing in Southern Arizona. He received his medical degree from the University of Arizona College of Medicine in 1975 and has post-graduate training at both the University of Arizona and the University of California, San Diego. He is a Life Fellow of the American College of Emergency Physicians and a Founding Member and Fellow of the American Academy of Emergency Medicine.

Dr. Gillard also earned a Master of Science in Biochemistry from the University of Arizona in 2010 and is an active member of the Arizona Emergency Medicine Research Center at the University. In addition, he holds a part-time faculty appointment as Instructor, Clinical Emergency Medicine with the University of Arizona College of Medicine.

Dr. Paul is a board certified family physician and currently the Director of Medical Education at Yuma Regional Medical Center. He is a graduate of Southern Illinois University School of Medicine and completed his residency training in Family Medicine at St. Joseph's Hospital and Medical Center in Phoenix. He is a Clinical Associate Professor of Family & Community Medicine at The University of Arizona College of Medicine.

Dr. Paul has worked in and has directed residency programs at Phoenix Baptist Hospital, Penn State University/Hershey Medical Center, The University of Arizona in Tucson, and now in Yuma. He continues in active clinical practice in office and hospital settings. Dr. Paul was honored as Arizona Family Physician of the Year for 2012 and he received the Distinguished Alumni Award from Southern Illinois University School of Medicine for 2014.



**Edward G. Paul, M.D.**  
Physician Member



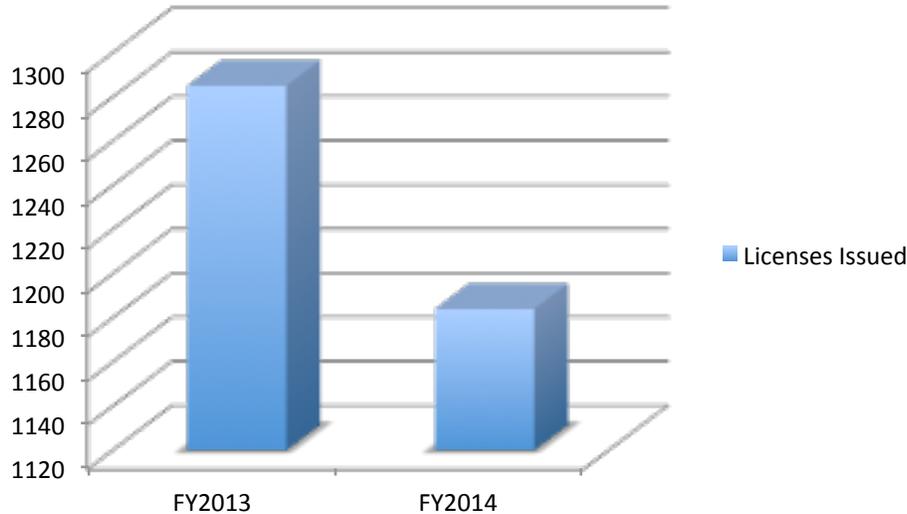
**Wanda Salter, R.N., BScN**  
Public Member and Registered Nurse

Ms. Salter recently retired after a forty plus year career in nursing ranging from the bedside to nursing management. Most recently, Ms. Salter was Nurse Manager of a medical surgical unit at Scottsdale Healthcare's Shea campus.

Ms. Salter graduated as a Registered Nurse from the Ottawa Civic Hospital School of Nursing (Ottawa, Ontario, Canada) and she holds a Bachelor of Science Nursing degree from Chamberlain College of Nursing (DeVry University). She started her nursing career in Ottawa at the Ottawa Civic Hospital and moved to the Province of Alberta in 1973, where she worked in several acute care hospitals. She joined Scottsdale Healthcare in 1995 following a move to Arizona. Ms. Salter's career included a lengthy tenure in the area of women's health, with a focus on labor and delivery, and more recently in the area of bariatric surgery for patients afflicted with morbid obesity.

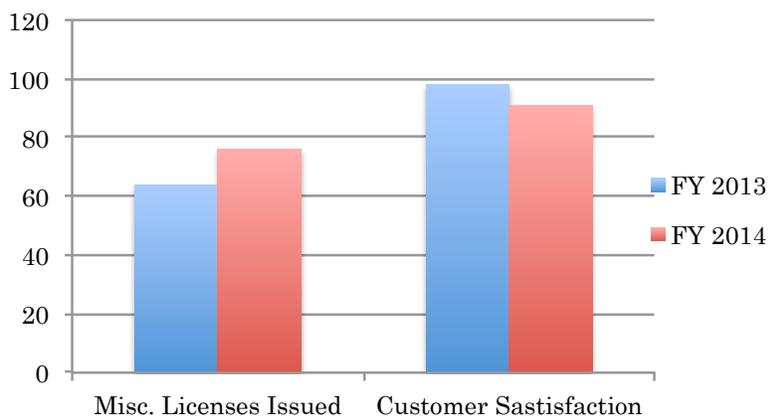
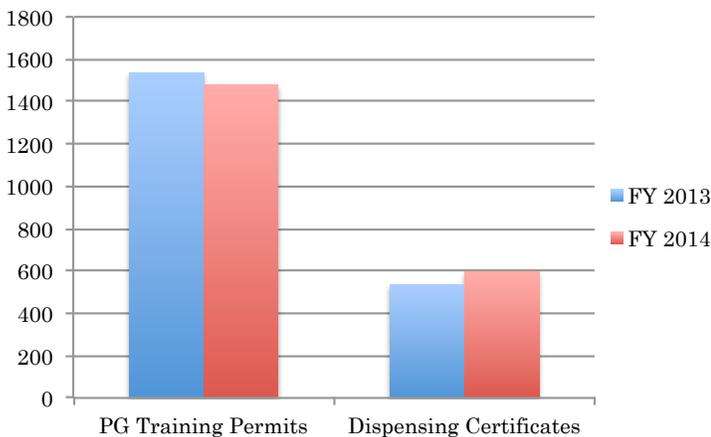
# Licensing

The Arizona Medical Board (Board) now has more than 22,430 physicians licensed to practice medicine; approximately 13,508 have Arizona practice addresses. The Board saw a 9% decrease in the number of initial full MD licenses issued in FY 2014 (1,184) compared to FY 2013 (1,285).



During FY 2014, the Licensing Department consisted of eight permanent employees and three temporary employees. The Licensing Department's focus is a strict and literal compliance to all statutes and rules which govern the licensing process. Compliance with law has included a review by the Auditor General's Office in FY 2014. Due to internal changes in the licensing process, during January of 2014, the Licensing Department experienced a backlog in the number of days to approve an initial or endorsement license application. However, the Licensing Department ended the year with improved time frames, averaging 23 days and 15 days to approve a license application during the months of May and June 2014, respectively.

The Board issued 1,477 Post Graduate (PG) Training Permits in FY 2014, which is a 4% decrease when compared to 1,535 PG Training Permits that were issued in FY 2013. An additional 76 miscellaneous licenses, consisting of Pro Bono, Locum Tenens and Teaching licenses, were issued during FY 2014, representing a 19% increase. There were 11% more Dispensing Certificates issued than a year earlier.



# Regulation

The Board regulates the allopathic (MD) medical profession and is responsible for investigating patient complaints against physicians and, when appropriate, taking action against their licenses. The complaint process is structured to ensure a fair and impartial investigation to resolve cases in a timely manner while maintaining the objective of the Board, to protect the public health and safety.

For the FY 2014, the Investigations Department had one permanent employee transfer to another department, hired three new permanent employees and hired three temporary employees. The three new permanent employees have all completed the Council on Licensure, Enforcement and Regulation (CLEAR) training as required by A.R.S. § 32-1405.

Kim Graham - Permanent employee hired in September 2013; Attended CLEAR Basic training in October 2013.

Tony Cimino - Permanent employee hired in December 2013; Attended CLEAR Basic training in May 2014.

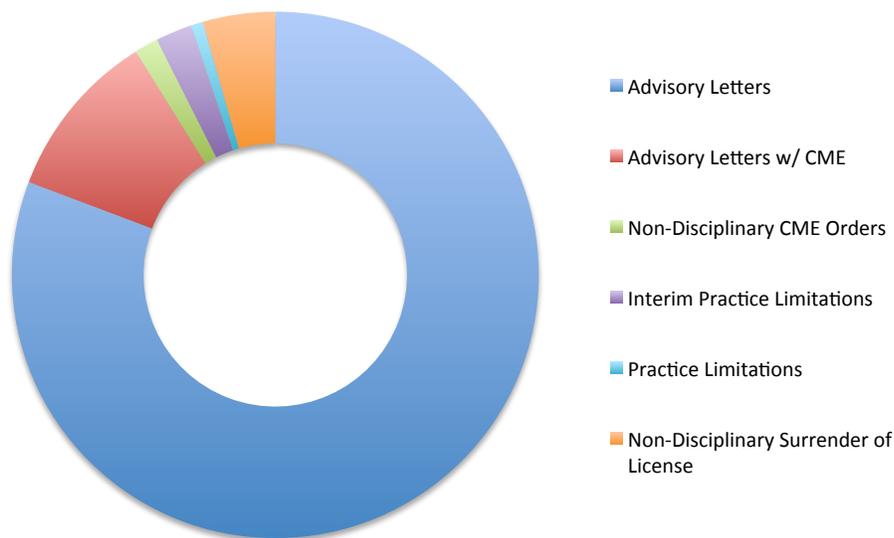
RaeAnne Blaski - Permanent employee hired in April 2014; Attended CLEAR Basic training in May 2014.

Rachel Sheperd - Permanent employee transferred to the Special Projects Department in June 2014.

The Investigations Department opened a total of 1,292 complaints during FY 2014, showing a 27% increase in the number of opened cases compared to FY 2013 (944). The department ended the fiscal year with 665 open investigations with an average of 135 days to complete an investigation.

The Board issued a total of 178 actions this fiscal year. The vast majority of these actions were non-disciplinary, including 109 advisory letters, 14 advisory letters with continuing medical education (CME), 2 orders for CME, 3 interim practice limitations, 1 final practice limitation and 6 non-disciplinary surrenders of license.

**FY2014 Non-Disciplinary Actions**

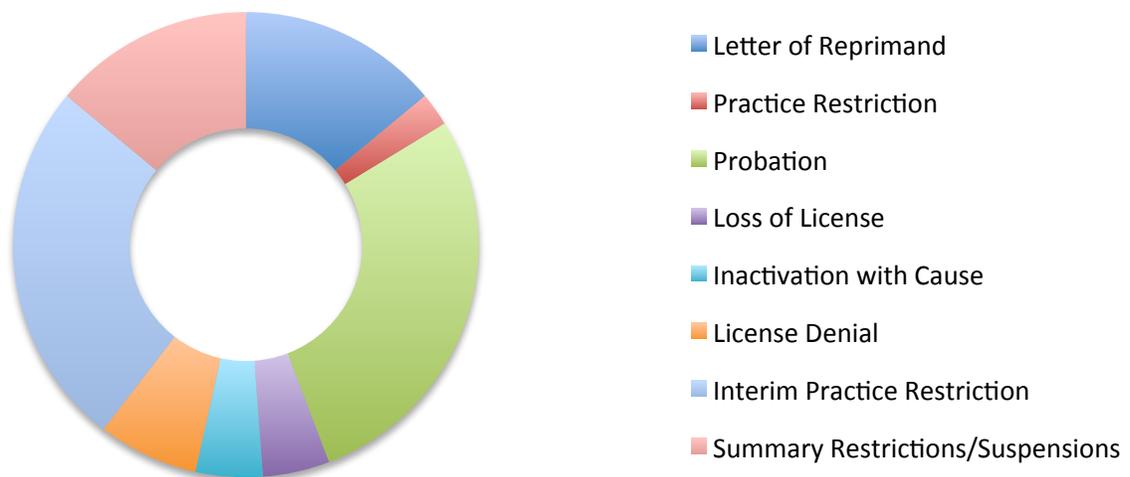


# Regulation

If an investigation substantiates a violation of the Medical Practice Act, the Board may use its authority to discipline a license. When faced with this possibility, the Board must weigh the nature of the offense with public health and protection. Since the effect of these actions on a physician are long-lasting, the Board takes all complaints against a licensee seriously. The Board is bound by its primary duty to protect the public from unlawful, incompetent, unqualified, impaired or unprofessional practitioners. The actions the Board takes are reflective of that mission.

After careful consideration, the Board took 43 disciplinary actions in FY 2014. Of those actions there were 6 Letters of Reprimand, 1 Practice Restriction, 12 Probationary Orders, 2 Inactivation of License with Cause, and 6 Summary Actions. The Board's Executive Director (ED) also issued 11 Interim Practice Restrictions in accordance with the ED's delegated authority. The Board also denied 2 licenses in FY 2014. In partnership with the Attorney General's Office, the Board resolved 77% of all disciplinary actions through consent agreements.

## FY2014 Disciplinary Actions



\* Some Board Orders are issued with multiple sanctions. For the purpose of this Annual Report, these actions are counted as the highest level of discipline. For example, a Letter of Reprimand with Probation would be counted as a probationary action. Of the actions that can be combined, they are ranked as follows:

- Practice Restriction
- Probation
- Decree of Censure
- Letter of Reprimand

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# Human Resources

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The Board had a turnover of 1 full-time employee from the Executive Office in FY 2014. This is a 2.5% turnover ratio of the Board's 40 employees.

The Board also had a total of 25 contracted employees for FY 2014 with a turnover of 5 contracted employees from the Licensing Department, 4 contracted employees from the Information Technology Department, 3 contracted employees from the Board Operations Department, the Executive Office and the Support Services Department. This resulted in a 48% turnover ratio of the Board's contracted employees.

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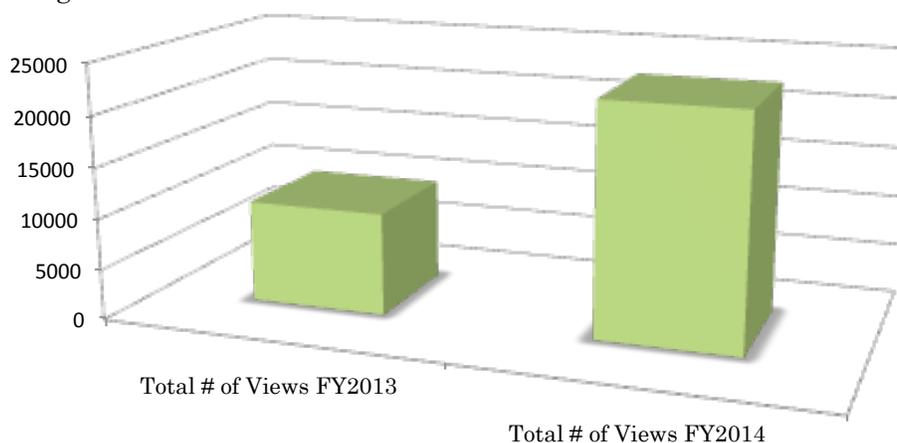
## Information Technology

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The Information Technology (IT) Office remains committed to serving the business operations of the Board by providing agency-wide, intergrated solutions with an emphasis on superior customer service. The IT Office continues to exceed internal and external service expectations by the implementation of leading-edge solutions in line with established best practices. There have been many technological advances made in FY 2014, as highlighted below.

Much time and effort was spent on protecting the confidentiality and integrity, and improving the availability of our Agency's information resources. The IT Office made many network improvements that were implemented including: an Agency Decision Support System that helped improve agency efficiency and expediting problem solving; a Virtual Desktop solution that improves application and data security and allows simplified remote access; a new highly available, reliable, redundant and scalable network storage solution; and a Windows Phone App that was developed and released allowing Doctor Search functionality similar to our public facing web site on Windows Phones.

The Board received a total of 22,727 views to its Meeting Streaming Media Archive, including live and prior Board meetings. This was a 125% increase from FY 2013.



The Board's physician database is more than a compilation of information, it is the primary application from which the Agency operates and through which public information is disseminated. There were many advancement's made over the course of the past year that focused on improving the overall functionality of the business driven application.

The IT Office plans to continue developing technological methods to automate and streamline current processes and intends to find more ways to leverage the Web for additional online service delivery which will promote increased efficiency.

Honorable Jan Brewer, Governor

State of Arizona,

Re: FY 2013-2014 ANNUAL REPORT

Dear Governor Brewer,

As one of the new Public Members of the Arizona Medical Board, I would like to take this opportunity to thank you for my appointment. It is an honor to be involved with this board, and the impressive team of Board Members and the many employees of the Medical Board. With half of the members being new to this board, we rely on the experience and insight of members that have served previously. The help of all the staff and legal council allow us to bring to the table our different perspectives and life experiences.

We are all committed to comply with the regulatory and statutory charge to protect the public and patients, and with the skilled Executive Team, I feel the staff and board have been more efficient and cognizant of all the laws. I know that we all take this position to heart and are committed to the pursuit of truth and fairness while keeping the ethics established at hand.

Respectfully,

Donna Brister

Lake Havasu City Councilmember