

Arizona State Board of Homeopathic and Integrated Medicine Examiners

Regular Meeting Minutes

May 12, 2015

I. Call to Order, Roll Call

Presiding officer, Dr. Bruce Shelton, called the meeting to order at 9:00 a.m. and confirmed the attendance of the following board members:

Present:

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

Christine Springer, Executive Director, Mona Baskin, Assistant Attorney General, and members of the public were also present at the meeting.

II. Review, Consideration, and Action on Minutes

Board members considered the minutes of the March 10, 2015 *Regular Meeting*. Dr. Adler made a motion to approve the minutes and Mr. Kennedy seconded the motion. The motion passed with a majority vote of the members, 5 - 0. Mrs. Gillette abstained from voting on this agenda item.

III. Review, Consideration, and Action on New Applications *Physicians*

The application of Tamarah Fratianni, D.O. was considered. Board members invited Dr. Fratianni to describe her training in homeopathic modalities and her plans to utilize the license in Arizona. Noting that she had completed all components of the application process and had passed her written examination Dr. Warner made a motion approving the application. Dr. Adler seconded the motion.

Roll Call – Voting Aye 6 - 0:

Warner, Adler, Gillette, Kennedy, Shelton, Schwengel

Motion passed unanimously.

Medical Assistants

Janira Ramos and Dr. Martha Grout, MD, MD(H) were present for a board interview as required by AAC R4-38-307(A). Ms. Ramos, who completed training as a physician in the Dominican Republic, made application to work as a homeopathic medical assistant and will be supervised by Dr. Grout at the Arizona Center for Advanced Medicine. Board members questioned her about her training in medicine in the Dominican Republic and asked why she would want to serve in the capacity of a homeopathic medical assistant rather than completing training as a physician. Ms. Ramos answered that while she may practice as a general

practitioner (G.P.) in the Dominican, to advance above that level it would be necessary to return to that country and complete a residency. At this time she has no plans to return to that country.

Responding to a question from a board member, Dr. Grout stated she would serve as Ms. Ramos' supervisor and as indicated in the job description, Ms. Ramos would practice natural medicine. Board members inquired about Ms. Ramos' title and Dr. Grout stated that her name tag would indicate 'homeopathic medical assistant'.

Dr. Adler made a motion to approve the application. Dr. Warner seconded the motion

Roll Call – Voting Aye 6 - 0:

Warner, Adler, Gillette, Kennedy, Shelton, Schwengel

Motion passed unanimously.

IV. Rules, Legislation, Substantive Policy Statements, Legislation

The executive director informed the board that legislation contained in SB1214 that amended certain sections of *A.R.S. § 32-2901 et.seq.* relating to an 'approved school of medicine' and other homeopathic board statutes had been signed by the Governor on April 1, 2015.

She also updated the board on the legislation contained in SB1370 which requires health professional boards to collect information from applicants and licensees and provide the information to the Arizona Pharmacy Board for the purpose of registering for and providing access to the controlled substances prescription monitoring program (CSPMP).

V. Review, Consideration and Action on Complaints and Investigations

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

Mrs. Springer informed the Board that there were no new complaints to consider.

B. Ongoing Investigations – Review, Consideration and Action

Case No. 14-03 Martha Grout, MD, MD(H) (M.B.)

Dr. Schwengel recused himself from this agenda item and did not participate in the discussion. He stated that his wife was an employee of Dr. Grout.

Mrs. Springer indicated that the Arizona Medical Board had declined jurisdiction and had agreed that the Homeopathic Board would conduct the investigation pursuant to ARS 32-2907. The Board considered whether to open an investigation and commented in general about the standard of care for Lyme disease.

Mr. Kennedy made a motion to open an investigation and have a third party review the documentation to determine if a violation occurred regarding the standard of care and the therapies provided to patient M.B. Dr. Warner seconded the motion.

Roll Call Vote to open an Investigation: 5 – 0

Warner, Adler, Shelton, Kennedy, Gillette – Aye

Schwengel - recused

VI. Review, Consideration, and Action on Professional Business

1. Board members considered an application requesting approval of a 40-hour distance learning continuing education course submitted by the British Institute of Homeopathy. Dr. Shelton commented that although he had graduated from the British Institute of Homeopathy a number of years ago, he believed he could be fair and impartial in considering the application. He stated he had no financial interest or educational roll in the institute.

Mr. Kennedy moved to approve the 40 hour course of homeopathy. Dr. Warner seconded the motion that passed unanimously.

Roll Call Vote to approve the continuing education application submitted by the British Institute of Classical Homeopathy. 6 – 0

Adler, Kennedy, Shelton, Schwengel, Gillette, Warner – Aye

2. and 3. Dr. Todd Rowe was present for the discussion relative to the re-opening of the American Medical School of Homeopathy (AMCH) as well as a discussion of the revision to the statutory definition of an ‘approved school of medicine’ and the impact upon licensure of homeopathic doctors.

Dr. Rowe briefed members concerning the new location of the AMCH which is now housed with the Phoenix Institute of Herbal Medicine and Acupuncture (PIHMA). Individuals that had been students of AMCH at the time of the closure and bankruptcy are receiving ‘teach-outs’ at PIHMA to complete their education. He stated that the Acute Care Training and the Practitioner Program will continue and that it is their intention to restart the doctoral program in 2018.

Dr. Rowe commented on the recent legislative change that will give the Board the capability to review accreditation standards of international homeopathic programs to determine if they are substantially similar to the standards set forth for the doctoral level program for the Accreditation Commission for Homeopathic Education in North America (ACHENA).

Board members thanked Dr. Rowe for his time in speaking with them.

4. Dr. Shelton presented an overview of his testimony, on behalf of the Arizona Homeopathic and Integrative Medical Association (AHIMA) that was held before the FDA. The hearings were held in Washington D.C. and concerned a proposal for more stringent regulation of homeopathic products. He noted that current enforcement policies regarding Homeopathic medications were effective and that the public is currently protected by the FDA, 400.400 CPG, GMP practices and the FTC. Dr. Shelton provided a copy of his testimony which will be made a part of the board files should anyone desire a copy. Additionally, he said that testimony will continue to be taken by the FDA through June 22, 2015.

5. Drs. Adler and Warner presented a progress report on ongoing work of the Examination Committee. They commented that questions had been prepared for the pharmacology section of the examination and questions relating to nutrition and orthomolecular medicine were in process. Dr. Warner commented about the number of homeopathic remedies and stated she had further revised her recommended list and would seek input from the Examination Committee concerning the selected remedies. Committee members agreed to hold a future meeting to further address these matters.

VII. Review, Consideration and Action on Informed Consents/Protocols – (AAC R4-38-111)

1. Board members reviewed informed consents submitted by **Dr. Robert Zieve, MD, MD(H)** Following discussion on each of the consent forms the board voted as follows with regard to the forms: *IPT Informed Consent*. Dr. Schwengel made the motion approving the form. Dr. Warner seconded the motion that passed unanimously.

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The vouchers for the *supervision of the use of Helixor Mistletoe* and *Patient Voucher for the Supervision of the Use of B17* were not approved. The board commented that the terminology of the term 'voucher' was unclear and should be discussed with a personal attorney.

Mrs. Gillette moved to approve the form of the *Informed Consent for major auto-hemotherapy with ozone*. Dr. Warner seconded the motion that passed unanimously.

Mr. Kennedy made a motion to accept the form of the consent entitled *Sodium Selenite IV Consent Form*. His motion was seconded by Mrs. Gillette and passed unanimously.

The *Consent for IV Administration of Alpha Lipoic Acid Therapy* was approved after a motion from Mr. Kennedy, seconded by Mrs. Gillette and passed unanimously.

2. Following a brief discussion, the review of the informed consents submitted by **Dr. Dean Silver, MD, MD(H)** was tabled to the next meeting following a motion by Mr. Kennedy that was seconded by Dr. Shelton. Motion passed unanimously.

Dr. Shelton directed Mrs. Springer to request Dr. Silver amend the form relative to his use of the term 'preceptee'. The board questioned whether this term referred to an employee and whether the 'preceptee' would provide hands on assistance for the physician. Dr. Shelton directed that the consents be evenly divided and sent to the physician board members for their review in preparation for the next regular meeting.

3. Informed consents entitled *ATMC Consent, terms and conditions of admission* and the *Chelation Challenge Protocol* submitted by **Dr. Michael Loes, MD, MD(H)** were reviewed and approved. Dr. Adler made the motion approving the format. Dr. Warner seconded the motion that passed unanimously.

VIII. Review, Consideration, and Action on Other Business

1. Financial Report

Mrs. Springer presented information regarding the current board financial report. She indicated that as of April 30, 2015, revenues were \$71,464 and expenditures were \$76,845. The legislative appropriation for FY2015 is \$102,100. The current ending cash balance is \$13,066. There are potentially 15 renewals that will be due by July 30, 2015. Revenues are \$2700 less than the same time last year and as a result she indicated her work hours would reduce to 20 per week beginning June 1.

IX. Call to the Public

No members of the public made comments

X. Future Agenda Items

Dr. Silver consent forms

Homeopathic accreditation entities at the international level

Board authority to outsource examination for homeopathic doctor

XI. Future Meeting Dates

June 9, 2015 Examination Committee

July 14, 2015 Regular Meeting

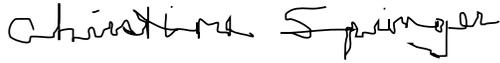
XII. Adjournment

The meeting adjourned at 11:35 a.m. following a motion by Dr. Warner. The motion was seconded by Mr. Kennedy and passed with an unanimous vote. The next Regular Meeting of

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the Board will convene at 1400 W. Washington, in Conference Room B-1, Phoenix, Arizona, at 9:00 a.m. on July 14, 2015.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Christine Springer".

Christine Springer
Executive Director

Board reviewed and approved the regular minutes of May 12, 2015 at their Regular Meeting held on September 8, 2015