

**ARIZONA STATE  
BOARD OF HOMEOPATHIC AND INTEGRATED  
MEDICINE EXAMINERS**

**MINUTES**

**Minutes of Teleconference Meeting  
Held at 1400 West Washington, Ste 230, Phoenix, Arizona  
on  
Tuesday, November 10, 2009**

**I. Call to Order, Roll Call**

Presiding officer, Dr. Todd Rowe, called the teleconference meeting to order at 8:06 a.m. and requested that Board members respond to their names in a roll call to indicate their attendance.

**Roll Call**

**Present:**

Todd Rowe, MD, MD(H)  
Don Farris  
Les Adler, MD, MD(H)  
Alan Kennedy

Christine Springer, Executive Director was also present in the conference room as were members of the public.

David Rupley, Jr., MD(H) ( joined the meeting by telephone at 8:10 a.m. following agenda item II. Review, Consideration and Action on minutes)

Martha Grout, MD, MD(H) ( joined the meeting by telephone at 8:57 a.m. following initial discussion of agenda item VI.(2) Review, Consideration, and Action of Rules and Legislation.

Mona Baskin, Assistant Attorney General joined the meeting in the conference room at 8:20 a.m. during the discussion of agenda item IV.(1) Review of Yavapai Regional Medical Center medical record of P.T.

**II. Review, Consideration, and Action on Minutes**

Mrs. Springer explained that she had not completed the Executive and Regular Meeting Minutes of October 20, 2009. This item was tabled to the next regularly scheduled meeting.

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

**A. Medical Assistants**

Stephanie Reece

Mrs. Springer presented information on the training submitted by the applicant. She explained that Ms. Reece will administer the *Brain Advantage* program under Dr. Grout's supervision. Ms. Reece holds a Ph.D. in Cognitive Science and has allied health training in Radiology and EEG Biofeedback and meets the registration requirements.

Dr. Adler made a motion approving the application. Mr. Kennedy seconded the motion that passed with a majority vote.

Roll Call to approve: 5 – 0

Rowe, Adler, Kennedy, Farris and Rupley

Grout absent

**IV. Review, Consideration and Action on Complaints and Investigations**

**1. Review of Yavapai Regional Medical Center medical record of P.T.**

Mr. Kennedy recused himself from this discussion. Mr. Farris and other board members requested a hard copy of the file stating they had been unable to review the digital file. It was agreed that large medical records files should be transmitted in hard copy rather than in digital format. Several of the board members noted that hand written notes were not legible in digital format.

The agenda item was tabled to the next regular meeting.

**2. 10-01 N.M. vs. David Korn, DO, MD(H) – Status Update**

Mrs. Springer informed the Board that the complaint information had been transmitted to the medical consultant and would be available for their review at the January 10, 2010 regular meeting.

**V. Review, Consideration and Action on Previous Board Orders**

Dr. Rowe noted the quarterly report filed by Dr. Charles Crosby in accordance with the Board's Consent Agreement and Order of Probation was timely and that Dr. Crosby was in compliance. No additional action was taken.

**VI. Review, Consideration and Action on Rules and Legislation**

**1. Discussion – Committee of Reference hearing held November 9, 2009**

Mrs. Springer stated that the Joint Committee of Reference had recommended a ten-year extension for the Board at their November 9, 2009 hearing. She indicated that she would find a legislative sponsor for the continuation bill and that the next hearing would occur sometime in January, 2010 before the Senate Health Committee.

**2. Article 1. General, Sections R4-38-101 through 115 - status of rulemaking and discussion of Section 115. Use of Title and Abbreviation**

Mrs. Springer explained that Article 1 had been granted an exemption to the rulemaking moratorium on October 21, 2010. The Board may move forward on the rules to describe continuing education procedures and criteria as well as delete the existing requirement for an oral examination of new applicants. She stated that Dr. Grout had expressed concern

about the current language in AAC R4-38-115 regarding the use of the title 'MD, MD(H)' or 'DO, MD(H)' and commented that the end result is to ensure that the use of the initials intended to designate the conferred education level of licensees does not mislead the public into thinking they are also an Arizona licensed MD or DO.

There was discussion about the current language of the rule and the use of the written designation "Homeopathic Physician" immediately following the MD or DO initials if a licensee is not also licensed by the Arizona Medical or Osteopathic licensing boards.

Mr. Farris commented that the law, as written, is very clear that licensees must first have the M.D. or D.O. education and be licensed in one of the 50 states. Additionally, he stated that a licensee has a right to designate their educational attainment in their title.

Dr. Rupley commented that in his experience, the Arizona Medical Board does not allow a physician not also licensed in Arizona to use the MD credential. He stated that in his opinion, the current language of Section 115 is confusing.

*(The Board took a 3 minute break at this point after which, Dr. Grout joined the meeting by phone)*

AAG Baskin agreed to review the issue and report back to the Board in January.

Mrs. Springer described the rulemaking process and indicated she would research the effect of the rulemaking moratorium delay to determine if a new rulemaking docket would have to be opened.

Dr. Grout stated that it may be more effective to consider any changes to Section 115 in a separate rulemaking package. In her understanding of the rule she had found subsection ( C ) to be in conflict with subsection (B). Dr. Rupley agreed and indicated that C allows him to use 'M.D., MD(H)' in Arizona, since he holds an M.D. license in both California and Minnesota, but that (B) does not.

There was additional discussion regarding the rule and general agreement that the educational title and term 'Homeopathic Physician' should be on one line. AAG Baskin agreed to review the issue and to attend a Rules Committee Meeting to further discuss the issue.

**3. Legislative Council Memorandum regarding draft legislation for introduction in regular session**

Mrs. Springer, noted that the memorandum for Legislative Council indicated a deadline of November 15 to profile legislation. She agreed to contact Representative Barto to request she sponsor the Board's continuation bill.

## **VI. Review, Consideration, and Action on Professional Business**

**1. Geoffrey Radoff MD, MD(H) Protocols and Informed Consent related to Chelation Therapy for Autistic Children.**

The Board expressed concern about the informed consent and protocols submitted by Dr. Radoff. Dr. Grout requested documentation concerning the adequacy of the porphyrine test stating that if it is utilized information should be placed in the informed consent.

Additionally, the protocol as written is unclear about which substance shall be administered and whether the protocol for each substance is based on a daily or aggregate dosage for a week. Dr. Adler noted that if DMSA is utilized it should be on a schedule of 3 days on and 11 days off. Finally, there must be a place for the legal guardian to sign on the consent form.

Dr. Adler commented that the protocol information for DMSA, as presented, appears to be calculated at an adult recommended dosage, but that the dosages for the DMPS and EDTA appear to be calculated for a child.

Mrs. Springer indicated she would contact Dr. Radoff with the Board's comments.

## 2. Status Report – Investigator Training

The Executive Director provided a brief overview of her progress regarding obtaining investigator training. She stated she had been in contact with a previous trainer who may be willing to provide his instruction handbook. Dr. Rowe indicated he would ultimately want to create an instructional DVD that could be provided to new investigators to accompany a handbook.

## VIII. Future Agenda Items

- Teleconference Meetings
- Newsletter

## IX. Future Meeting Dates

Rules Committee – date to be determined

## X. Adjournment

The meeting adjourned at 10:00 a.m. following a motion by Mr. Farris. The motion was seconded by Mr. Kennedy and passed unanimously. The next **Regular Meeting** of the Board will convene at the Occupational Licensing Building located at 1400 W. Washington, Phoenix, Arizona. The meeting will be held in Room 230, Phoenix, Arizona, beginning at 9:00 A.M. on **January 12, 2010**.

Respectfully Submitted,

Christine Springer  
Executive Director

**Approved in Regular Meeting on 1-12-2010**