

Arizona State Board of Homeopathic Medical Examiners

Minutes of Teleconference Meeting

July 11, 2006

I. CALL TO ORDER AND ROLL CALL

Presiding officer, Dr. Charles Schwengel, called the meeting to order at 9:08 a.m.

ROLL CALL

Present:

Charles Schwengel, DO, MD(H)
Annemarie Welch, MD, MD(H)
Don Farris
Todd Rowe, MD, MD(H)

Absent:

Garry Gordon, MD, DO, MD(H)

Elizabeth Miles, Assistant Attorney General, Christine Springer, Executive Director and members of the public were also present.

II. REVIEW/APPROVAL OF MINUTES

A motion to approve the meeting minutes of May 9, 2006 was made by Dr. Welch and seconded by Dr. Rowe. The motion passed unanimously.

The executive session minutes of March 14, 2006 were tabled to the next regular meeting for lack of a quorum.

III. REVIEW, CONSIDERATION AND ACTION REGARDING INVESTIGATIONS/COMPLAINTS

Initial Reviews

06-02 Board review concerning Jeffrey Beeley, M.D.

A discussion of this matter was held in relation to ARS §32-2931(A) and (B). Dr. Schwengel noted that Dr. Beeley does not hold a homeopathic medical license but advertises that he provides homeopathic services. Dr. Rowe and Mr. Farris expressed concern that an allopathically trained physician practicing homeopathy may violate the board's statutes unless they are also licensed by this board. Assistant Attorney General Miles directed the Board's attention to the Board's statutes governing advertisements and exemptions of professionals holding other professional licenses. Dr. Welch moved to continue the investigation and requested that the executive director correspond with Dr. Beeley to obtain additional information relating to his practice of homeopathy. Additionally, she requested that the matter be referred to the Naturopathic and Arizona Medical Board for their review. The motion was seconded by Mr. Farris and passed unanimously.

06-14 Joseph Sherman DO, MD(H)

There was discussion related to jurisdiction in the matter. Dr. Schwengel stated that the type of therapy utilized was not a homeopathic therapy and was a common osteopathic practice. Drs. Welch and Rowe concurred. Dr. Rowe made

a motion to table the matter and forward the information to the Board of Osteopathic Medical Examiners. Dr. Welch seconded the motion that passed unanimously.

06-16 Jeffrey Baird DO, MD(H)]

The Board considered the jurisdictional issue relating to Dr. Baird's dual medical licenses in Arizona. Dr. Welch stated that cosmetic procedures do not typically fall within the definition of the practice of homeopathic medicine and more appropriately belong within the jurisdiction of the allopathic or osteopathic medical boards. Were Dr. Baird licensed exclusively with homeopathic board it would be their duty to review the matter, but that in this instance where the physician also holds an osteopathic medical license, a review of cosmetic procedures belongs within that jurisdiction.

Dr. Welch made a motion to table the matter and forward the information to the Board of Osteopathic Medical Examiners. Mr. Farris seconded the motion that passed unanimously.

Ongoing Reviews

06-09 Murray Susser MD(H)

The discussion of this matter was postponed to the next regular meeting for lack of a quorum.

V. RULES, LEGISLATION, SUBSTANTIVE POLICY STATEMENTS

1. Mrs. Springer discussed the status of the proposed rules relating to medical assistants A.A.C. R4-38-301 through R4-38-311. Drs. Rowe and Schwengel agreed to assist in formulating standards the board will use to approve formal educational programs and practical training programs.

VI. REVIEW, CONSIDERATION, and ACTION ON PROFESSIONAL BUSINESS

1. Members of the Auditor General's Office presented an overview of the performance audit process and a general time-frame that they will utilize to present their preliminary and final audit report findings. They stated that a preliminary survey of the board's licensing and complaint processes would be completed by mid-August and that field work would be complete by mid-October. There was general discussion to respond to board member questions.

2. Mrs. Springer reported on the status of current and upcoming board member vacancies and stated that she had been informed by Governor's staff that their recommendations to the Governor would be made within the next week.

3. Discussion of the Arizona Medical Board Pain Management Guidelines. Drs. Schwengel and Rowe agreed that a similar guideline for the homeopathic board would be helpful in the review of complaint matters and would provide a guideline for physicians involved in pain management. Assistant Attorney General Miles stated that she would do additional research and provide additional information to the Board in September.

4. Mrs. Springer gave a brief overview of a recent meeting held with stakeholders, the Arizona Pharmacy Board, and other interested parties regarding a proposal to institute a Prescription Drug Monitoring Program in the state.

VII. Review, Consideration and Action On Other Business

Mrs. Springer gave a brief update of the current status of the board funds. She noted that while the fiscal year 2006 appropriated fund amount had not been exceeded by expenditures, there was cause for concern regarding the current cash balance which stands at \$28,700 as of June 30, 2006. Renewal statements will be mailed to licensees in November, 2006 but she indicated that the number of new applications received by the board was not consistent with previous years. She discussed her ongoing efforts to address a possible shortfall of cash funds.

VIII. Future Agenda Items

Complaint Status Report
Teleconference Meetings
September Annual Meeting and Elections
Term Limits

IX. Call to the Public

No members of the public wished to make a statement.

X. Future Meeting Dates

A meeting will be scheduled with the Rules Committee to address the issues discussed in agenda item V. relating to the proposed medical assistant rules.

XI. Adjournment

The meeting adjourned at 10:31 a.m. following a motion by Dr. Welch. Mr. Farris seconded the motion that passed unanimously. The next Regular Meeting of the Board will convene at the State Board's Offices, 1400 W. Washington, Basement Conference Room B-1, Phoenix, Arizona, 9:00 AM, on **September 12, 2006**.

Respectfully Submitted,

Christine Springer
Executive Director