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Fife Symington

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Barry A. Friedman, M.D.

Secretary
Burton N. Drucker

THE ARIZONA BOARD OF MEDICAL EXAMINERS

2001 West Camelback Road, Suite 300 • Phoenix, Arizona 85015

Telephone (602) 255-3751

Executive Director
Douglas N. Cerf

Assistant Director for
Licensure and
Administration
Mark R. Speicher



CERTIFIED MAIL/RETURN RECEIPT REQUESTED

March 12, 1992

Joel B. Bettigole, M.D.
[REDACTED]

Re: *BOMEX Inquiry (08-29-91) - Joel B. Bettigole, M.D.*

Dear Doctor Bettigole:

During the course of its meeting of Friday, January 24, 1992, the Board of Medical Examiners considered the above-referenced matter.

Following a complete and detailed review of all pertinent and available information, the Board concluded in Open Session that this matter should be filed with an advisory Letter of Concern.

Specifically, the Board was concerned that during your employment with the A-Z Women's Clinic you failed to file fetal death certificates in accordance with A.R.S. §36-329(A) and A.A.C. R9-19-302.

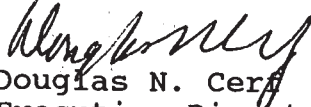
Please be advised that the Board will retain this file for future reference should similar problems arise. The Board determined to take no other formal action at this time.

On behalf of the Board of Medical Examiners, please accept my appreciation for your assistance and cooperation in this matter.

The Letter of Concern sent to you on March 5, 1992 in this matter was in error and is superceded by this letter.

Sincerely,

BOARD OF MEDICAL EXAMINERS
STATE OF ARIZONA


Douglas N. Cerf
Executive Director

DNC/bnm

*Arizona Board of Medical Examiners Meeting Minutes
Friday, January 24, 1992*

Following the Board's review and discussion of the matter as it related to Doctor McCabe's inappropriate treatment and care for breast cancer in this patient, it was moved by Doctor Voss, seconded by Doctor Keen, and carried via majority vote with Doctors Holsey and Vigil voting in opposition to the motion, that the matter be filed with a Letter of Concern to Doctor McCabe for his inappropriate care of breast cancer in this patient. The Board further instructed staff to advise Doctor McCabe that the above action was taken following its review of all information presented and in his absence when he failed to appear as requested by the Board.

(a) BOMEX Inquiry (10-17-89) (A-Z Women's Center) - Moshe Hachamovitch, M.D.

(b) BOMEX Inquiry (06-04-90) (Good Samaritan Medical Center) - Moshe Hachamovitch, M.D.

(c) Attorney General's Office (06-28-90) vs. Moshe Hachamovitch, M.D. - Informal Interview

On motion by Doctor Keen, seconded by Doctor Friedman and unanimously carried, the Board moved to reopen for discussion at this time the interview with Doctor Hachamovitch as it relates to Doctors Joel Bettigole.

On motion by Doctor McClurg, seconded by Doctor Keen, and unanimously carried that the Board refer the actions of the Nurse Practitioner in this matter to the Nursing Board for their investigation.

It was further moved by Doctor Zonis, seconded by Doctor Voss, and unanimously carried that the matter as it related to Doctor Bettigole's participation in the A-Z Women's Clinic, be filed with a Letter of Concern for failure to file fetal death certificates in accordance with A.R.S. §36-329(A).

On further motion by Doctor Vigil, seconded by Doctor Keen, and unanimously carried the Board initiated an investigation into Biskind and Afan's participation and whether they have filed appropriate fetal death certificates, and that staff conduct a practice survey in six (6) months to determine whether the clinic's medical records are in compliance with the statutes as it relates to filing of fetal death certificates.

New Business (continued)

4) HIV/HBV Transmission to Patients - RE: Policy Statement Related to the Prevention of HIV/HBV Transmission to Patients

Mister Cerf presented information to the members of the Board as it related to the policy statements of the Center for Disease Control Board of Directors of the Federation of State Medical Boards and how this has been incorporated into legislative amendments contained in H.B. 2024, which if passed, will prescribe standards for deterring the spread of the HIV/HBV by health care providers that conform with all

Arizona Board of Medical Examiners Agenda
Tuesday, July 14, 1992

with A.R.S. §36-329(A)," should have included the following language in conclusion of paragraph six, line 38, "...and A.A.C. R9-19-302."

Amendment to the January 24, 1992 Minute Entry, page 90, captioned as "(a) BOMEX Inquiry (10-17-89)(A-Z Women's Center) - Moshe Hachamovitch, M.D.; (b) BOMEX Inquiry (06-04-90)(Good Samaritan Medical Center) - Moshe Hachamovitch, M.D.; and (c) Attorney General's Office (06-28-90) vs. Moshe Hachamovitch, M.D. - Informal Interview," line 13, should have properly reflected the following caption line "BOMEX Inquiry (08-29-91) - Joel B. Bettigole, M.D.," and should have included the following language in conclusion of the third paragraph on line 25, " *and A.A.C. R9-19-302.*"

It is recommended that the Board approve the above-noted Minutes as printed and circulated among the members.

Board Orientation

Mssrs. Cerf and Speicher

Complaints & Malpractice Reviews for Discussion and Board Action

(The Board, upon a majority vote of a quorum of the members, may hold an ***Executive Session*** for the purpose of discussion or consultation for legal advice with the Board's attorney(s) per A.R.S. §38-431.03(A)(3) and (A)(4), as amended, or for the purpose of discussion or consideration of records exempt by law from public inspection per A.R.S. §38-431.03(A)(2) and A.R.S. §32-1451.03(C), (D), (E).)

(As time allows, discussion of the complaint and malpractice reviews will be interwoven throughout today's meeting and, if necessary, will be interwoven throughout the remainder of the Board's meetings through Saturday, July 18, 1992.)

"A" - Complaint Reviews for Discussion and Board Action

1. BOMEX Inquiry (05-28-91) - Harvey Bigelsen, M.D.
2. BOMEX Inquiry (11-04-91) - Ranjit S. Bisla, M.D.
3. BOMEX Inquiry (12-26-91) - William M. Fosdick, M.D.
4. BOMEX Inquiry (01-23-92) - Ranjit S. Bisla, M.D. & Willard S. Hunter, M.D.
5. BOMEX Inquiry (12-02-91) - Ross D. Henderson, M.D.
6. BOMEX Inquiry (10-28-91) - John H. Crothers, M.D.
7. BOMEX Inquiry (07-22-91) - George E. Stavros, M.D. and Michelle Mango, M.D.
8. BOMEX Inquiry (01-22-92) - Willard S. Hunter, M.D.
9. BOMEX Inquiry (12-27-89) - Joseph W. Patterson, M.D.
10. BOMEX Inquiry (02-21-91)(Patient: V.S.C.) - Willard S. Hunter, M.D.
11. BOMEX Inquiry (11-19-91) - Patti J. Perry, M.D.
12. BOMEX Inquiry (08-23-90) - Jogeswar Rath, M.D. & Jon E. Mazursky, M.D.



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CERTIFIED MAIL/RETURN RECEIPT REQUESTED

March 5, 1992

Joel B. Bettigole, M.D.
[REDACTED]

SUPERCEDED BY LETTER OF
CONCERN DATED MARCH 12, 1992

RE: BOMEX Inquiry (08-29-91) - Joel B. Bettigole, M.D.

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On behalf of the Board of Medical Examiners, please accept my appreciation for your assistance and cooperation in this matter.

Sincerely,

BOARD OF MEDICAL EXAMINERS
STATE OF ARIZONA

Douglas N. Cerf
Executive Director

DNC/vj