

**Janice K. Brewer**  
Governor

**Brian Mach, O.D.**  
President

**Rick Krug, Public Member**  
Vice President



*Arizona State Board of Optometry*  
1400 West Washington, Suite 230  
Phoenix, AZ 85007

**Margaret Whelan**  
Executive Director

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## **FINAL MINUTES FOR REGULAR SESSION MEETING: JULY 15, 2011**

### **Board Members**

Brian Mach, O.D., President  
Rick Krug, Public Member, Vice-President  
Marla Husz, O.D.  
John Chrisagis, O.D.  
Michael Lamb, O.D.  
Vacant, M.D.

### **Staff:**

Margaret Whelan, Executive Director  
Paula Hollins, Licensing Administrator

### **Legal Counsel:**

Camila Alarcon, Assistant Attorney General

### **A. CALL TO ORDER:**

**Dr. Mach**

Dr. Mach called the meeting to order at 9:00 a.m.

### **B. ROLL CALL:**

**Ms. Hollins**

Board Members Present: Brian Mach O.D., President  
Rick Krug, Public Member, Vice President  
Marla Husz, O.D.  
John Chrisagis, O.D.  
Michael Lamb, O.D.

Legal Counsel Present: Camila Alarcon, Assistant Attorney General

Staff Present: Margaret Whelan, Executive Director  
Paula Hollins, Licensing Administrator

### **C. PRESIDENT'S REPORT:**

None.

**D. FORMAL HEARING:**

**9:00 a.m.**

1. ASBOO vs. Baseem Wahab, O.D. IR#201002

**Allegation:** Criminal/felony charges for wire fraud, aggravated identity theft, receipt of stolen goods

Dr. Mach summarized the facts in the case: In July 2009, Dr. Wahab was charged with forty-eight (48) counts of felony, fraud, and theft. In September 2010, Dr. Wahab pled guilty to some of the counts and cooperated with the federal investigation. Dr. Wahab did not report the original arrest to the Board pursuant to A.R.S. §32-3208, which requires a doctor report an arrest within ten (10) working days of the incident. On or about July 14, 2009, Dr. Wahab was indicted by a Federal Grand Jury on five counts of Wire Fraud and one count of Conspiracy to Commit Wire Fraud. Secondly, pursuant to A.R.S. 32-3208, Dr. Wahab did not notify the Board in writing within ten working days after the charges against him were filed. On or about September 27, 2010 Respondent pled guilty in federal court to violating Title 18 U.S.C. 4, Misprision of a Felony, a Class E Felony offense.

**MOTION:** Dr. Chrisagis moved to accept the findings of fact and conclusions of law in the notice of charges and revoke the license of Dr. Baseem Wahab. Dr. Husz seconded the motion.

	Vote	Brian Mach, O.D. President	Rick Krug, Public Member Vice-President	Marla Husz, O.D.	John Chrisagis, O.D.	Michael Lamb, O.D.
YES	5	X	X	X	X	X
NO	0					
ABSTAIN	0					
ABSENT	0					

**VOTE:** Motion passed 5-0.

**E. REVIEW, DISCUSSION AND VOTE ON INVESTIGATIVE REVIEWS/COMPLAINTS:**

None

**F. REVIEW, DISCUSSION AND POSSIBLE ACTION ON PENDING REGULAR LICENSE APPLICATIONS:**

2. Bisembina, Mira
3. Borrego, Shannon
4. Dinh, Mai
5. Flint, Michelle
6. Go, Lenna
7. Hammons, Trevor
8. Kozlowski, Michael
9. Mida, Asinech
10. Nguyen, Thien Kim

- 11. Patel, Nilam
- 12. Pham, Mailyynn
- 13. ~~Ratra, Shilpi~~ Withdrawn
- 14. Sicks, Lindsay
- 15. Waters, Tilena
- 16. Whipple, Destin

**MOTION:** Dr. Mach moved to approve items 2, 4, 6, and 7 for licensure contingent upon negative FBI/DPS reports. Dr. Chrisagis seconded the motion.

**VOTE:** Motion passed 5-0.

**MOTION:** Dr. Lamb moved to approve items 3, 5, 8, 9, 10, 11, 12, 14, 15, and 16 for licensure. Dr. Husz seconded the motion.

**VOTE:** Motion passed 5-0.

**G. REVIEW, DISCUSSION AND POSSIBLE ACTION ON PENDING ENDORSEMENT APPLICATIONS:**

None

**H. REVIEW, DISCUSSION, AND POSSIBLE ACTION TO OPEN A COMPLAINT:**

- 17. Vincent Pennipede, O.D.

**MOTION:** Dr. Husz moved to open a complaint for item 17. Dr. Chrisagis seconded the motion.

**VOTE:** Motion passed 5-0.

**I. REVIEW, DISCUSSION, AND POSSIBLE ACTION ON APPROVAL OF CONTINUING EDUCATION AS PROVIDED BY A.R.S. §32-1704(D) and A.A.C. R4-21-210:**

**Fiscal Year 2012**

	<b>Continuing Education</b>	<b>Date</b>	<b>No. of hours requested</b>
a.	“Uveitis Update 2011”- Newman Eye Center	7/26/11	1 Regular

**MOTION:** Dr. Husz moved to approve item a. Dr. Lamb seconded the motion.

**VOTE:** Motion passed 5-0.

**J. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF BOARD MEETING MINUTES:**

- 18. June 10, 2011 Regular Session Minutes

**MOTION:** Dr. Husz moved to approve item 18 with amendments. Dr. Chrisagis seconded the motion.

**VOTE:** Motion passed 5-0.

**K. EXECUTIVE DIRECTOR'S REPORT:**

19. Budget
20. New Board members/position
21. Future agenda items

Ms. Whelan reported on the ending budget for FY2011. The Board finished the year with expenditures at 97% of the appropriated budget with an ending cash balance of \$117,086. The newly established optometrist board member position will commence on July 19, 2011 and will be filled by Mark Peller, O.D. The Board will now have 5 O.D. members, 1 public member and 1 physician member. A future agenda item was requested. The Board would like to discuss the use of the term "medical optometrist".

**L. CALL TO PUBLIC:**

Dr. Mach made a call to the public at 9:40 a.m. No one addressed the Board.

Dr. Mach moved to adjourn the meeting at 9:41 a.m. Mr. Krug seconded the motion.

Meeting adjourned at 9:41 a.m.

**END OF MINUTES:**

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Margaret Whelan, Executive Director

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Date