

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **MICHAEL E. SCOTT, M.D.**

4 Holder of License No. 14234
5 For the Practice of Medicine
6 In the State of Arizona.

Case No. MD-10-0678A

**ORDER FOR SURRENDER OF LICENSE
AND CONSENT TO SAME**

7 Michael E. Scott, M.D. ("Respondent") elects to permanently waive any right to a hearing
8 and appeal with respect to this Order for Surrender of License; admits the jurisdiction of the
9 Arizona Medical Board ("Board"); and consents to the entry of this Order by the Board.

10 **FINDINGS OF FACT**

11 1. The Board is the duly constituted authority for the regulation and control of the
12 practice of allopathic medicine in the State of Arizona.

13 2. Respondent is the holder of license number 14234 for the practice of allopathic
14 medicine in the State of Arizona.

15 3. On April 11, 1984, Respondent entered into a Stipulation and Order with the Board
16 regarding his substance abuse rehabilitation. The Stipulation and Order was terminated on
17 September 13, 1986. Respondent relapsed in the use of drugs or alcohol and entered into another
18 Stipulation and Order with the Board regarding his substance abuse rehabilitation. The second
19 Stipulation and Order was terminated on June 22, 1991. Respondent relapsed in the use of drugs
20 or alcohol and his license was inactivated on November 24, 1997. On March 9, 1998, Respondent
21 entered into an Order of Probation. The Order of Probation was terminated on March 9, 2003.

22 4. On May 13, 2010 and May 18, 2010, the Board received anonymous complaints
23 alleging that Dr. Scott was impaired while practicing medicine and was inappropriately prescribing.
24 However, the complainants did not provide any patient names. Therefore, there was insufficient
25 evidence to sustain either the allegation of being impaired in the performance of his duties or

1 improperly prescribing. Respondent admitted to the Physician Health Program contractor that he
2 had relapsed by using alcohol and by taking unauthorized prescriptions for suboxone. On May 18,
3 2010, Respondent entered into a Consent Agreement for Practice Restriction ("Agreement").
4 Pursuant to the terms of the Agreement, Respondent is required to not practice clinical medicine or
5 any medicine involving direct patient care, and is prohibited from prescribing any form of treatment
6 including prescription medications, until Respondent applied to the Board and receive permission
7 to do so.

8 5. Respondent admits to the acts described above and that they constitute
9 unprofessional conduct pursuant A.R.S. §32-1401(27)(r) ("[v]iolating a formal order, probation,
10 consent agreement or stipulation issued or entered into by the board or its executive director under
11 this chapter.").

12 6. The conduct and circumstances described above constitute unprofessional conduct
13 pursuant to A.R.S. §32-1401(27)(f) ("[h]abitual intemperance in the use of alcohol or habitual
14 substance abuse.").

15 CONCLUSIONS OF LAW

16 1. The Board possesses jurisdiction over the subject matter hereof and over
17 Respondent.

18 2. The Board possesses statutory authority to enter into a consent agreement with a
19 physician and accept the surrender of an active license from a physician who admits to having
20 committed an act of unprofessional conduct. A.R.S. § 32-1451(T)(2).
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ORDER

IT IS HEREBY ORDERED THAT Respondent immediately surrender License Number 14234, issued to Michael E. Scott, M.D. for the practice of allopathic medicine in the State of Arizona, and return his wallet card and certificate of licensure to the Board.

DATED and effective this 11TH day of AUGUST, 2010.

ARIZONA MEDICAL BOARD



By: _____

Lisa S. Wynn
Executive Director

CONSENT TO ENTRY OF ORDER

1. Respondent has read and understands this Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent acknowledges he has the right to consult with legal counsel regarding this matter.
2. Respondent acknowledges and agrees that this Order is entered into freely and voluntarily and that no promise was made or coercion used to induce such entry.
3. By consenting to this Order, Respondent voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged, or to challenge this Order in its entirety as issued by the Board, and waives any other cause of action related thereto or arising from said Order.
4. The Order is not effective until approved by the Board and signed by its Executive Director.
5. All admissions made by Respondent are solely for final disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Respondent. Therefore, said admissions by Respondent are not intended or made for any other

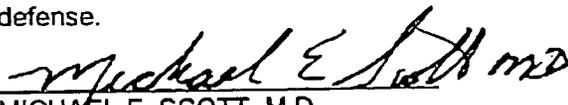
1 use, such as in the context of another state or federal government regulatory agency proceeding,
2 civil or criminal court proceeding, in the State of Arizona or any other state or federal court.

3 6. Upon signing this agreement, and returning this document (or a copy thereof) to the
4 Board's Executive Director, Respondent may not revoke the consent to the entry of the Order.
5 Respondent may not make any modifications to the document. Any modifications to this original
6 document are ineffective and void unless mutually approved by the parties.

7 7. This Order is a public record that will be publicly disseminated as a formal
8 disciplinary action of the Board and will be reported to the National Practitioner's Data Bank and on
9 the Board's web site as a disciplinary action.

10 8. If any part of the Order is later declared void or otherwise unenforceable, the
11 remainder of the Order in its entirety shall remain in force and effect.

12 9. If the Board does not adopt this Order, Respondent will not assert as a defense that
13 the Board's consideration of the Order constitutes bias, prejudice, prejudgment or other similar
14 defense.

15  Dated: 8-2-10
16 MICHAEL E. SCOTT, M.D.

17 EXECUTED COPY of the foregoing mailed by
18 US Mail this ~~8-4-10~~ day of July, 2010 to:
Aug 11, 2010
19 Michael E. Scott, MD
Address of Record

20 ORIGINAL of the foregoing filed this
21 *11/11* day of July, 2010 with:
11/11
22 The Arizona Medical Board
9545 East Doubletree Ranch Road
Scottsdale, AZ 85258

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24 Arizona Medical Board Staff
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