

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **HERMAN B. SMITH, M.D.**

4 Holder of License No. **21590**
5 For the Practice of Allopathic Medicine

6 In the State of Arizona.

Case No. MD- 10-0061A
ORDER FOR CONTINUING MEDICAL
EDUCATION
(NON-DISCIPLINARY)

7
8 At its public meeting on August 11, 2010, the Arizona Medical Board ("Board") voted to
9 issue Herman B. Smith, M.D. ("Physician") a non-disciplinary Continuing Medical Education (CME)
10 Order for failing to maintain adequate medical records in violation of A.R.S. § 32-1401(27)(e). The
11 Board ordered Physician to complete the PACE medical recordkeeping course within six months
12 pursuant to A.R.S. §32-1451(E)(2). The CME hours shall be in addition to the hours required for
13 the biennial renewal of medical licensure. This matter does not rise to the level of discipline.

14 **ORDER**

15 IT IS HEREBY ORDERED that Physician shall, within six months, complete the PACE
16 medical recordkeeping course, and provide Board Staff with satisfactory proof of attendance. The
17 CME hours shall be in addition to the hours required for biennial renewal of his medical license.
18 Respondent's failure to complete the CME will subject him to future disciplinary action by the
19 Board. A.R.S. § 32-1401(27)(r).

20 **RIGHT TO APPEAL**

21 **NOTICE IS HEREBY GIVEN** that, pursuant to A.R.S. § 41-1092.03, any person aggrieved by this
22 decision may apply to the Board, in writing, within thirty (30) days of receipt and request a public
23 hearing with respect to this order. You may request a hearing by filing a notice of appeal. The
24 notice of appeal must be filed with the Board's Executive Director, and should include your name,
25 address, the action being appealed, and a concise statement of the reasons for the appeal. If you

1 request a public hearing, the hearing will be scheduled within sixty (60) days of receipt of your
2 request. If you request a public hearing, you also have the right to request an informal settlement
3 conference by filing a written request with the Board, pursuant to A.R.S. § 41-1092.06, no later than
4 twenty (20) days before the scheduled hearing. The conference will be held within fifteen (15) days
5 after receipt of your request. Please note that you waive any right to object to the participation of
6 the Board's representative in the final administrative decision of the matter if it is not settled at the
7 conference.

8 DATED this 13th day of August, 2010.

9 ARIZONA MEDICAL BOARD



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20 By _____
21 LISA S. WYNN
22 Executive Director

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26 ORIGINAL of the foregoing filed this
27 13th day of August, 2010 with:

28 Arizona Medical Board
29 9545 East Doubletree Ranch Road
30 Scottsdale, Arizona 85258

31 EXECUTED COPY of the foregoing
32 Mailed by US Mail this 13th day of August, 2010 to:

33 Jim Goodwin
34 Sanders & Parks
35 3030 N. 3rd Street
36 Suite 1300
37 Phoenix, AZ 85012

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