

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

Gerald Joseph Taitague, M.D.

Holder of License No. 26182
For the Practice of Allopathic Medicine
In the State of Arizona.

Case No. MD-07-1052A
MD-08-0121A
MD-08-0333A

**INTERIM CONSENT AGREEMENT
FOR PRACTICE RESTRICTION**

INTERIM CONSENT AGREEMENT

By mutual agreement and understanding, between the Arizona Medical Board ("Board") and Gerald Joseph Taitague, M.D., ("Respondent") the parties agree to the following disposition of this matter.

1. Respondent has read and understands this Interim Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Interim Consent Agreement"). Respondent acknowledges that he understands he has the right to consult with legal counsel regarding this matter.

2. By entering into this Interim Consent Agreement, Respondent voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged, or to challenge this Interim Consent Agreement in its entirety as issued by the Board, and waives any other cause of action related thereto or arising from said Interim Consent Agreement.

3. This Interim Consent Agreement will not become effective until signed by the Executive Director.

4. All admissions made by Respondent are solely for interim 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 use, such as in the context of another state or federal government regulatory agency

1 proceeding, civil or criminal court proceeding, in the State of Arizona or any other state or
2 federal court.

3 5. Respondent may not make any modifications to the document. Upon signing this
4 agreement, and returning this document (or a copy thereof) to the Executive Director,
5 Respondent may not revoke acceptance of the Interim Consent Agreement. Any modifications
6 to this Interim Consent Agreement are ineffective and void unless mutually approved by the
7 parties.

8 6. This Interim Consent Agreement, once approved and signed, is a public record that
9 will be publicly disseminated as a formal action of the Board and will be reported to the National
10 Practitioner Databank and on the Board's website.

11 7. If any part of the Interim Consent Agreement is later declared void or otherwise
12 unenforceable, the remainder of the Interim Consent Agreement in its entirety shall remain in
13 force and effect.

14 
15 _____
16 Gerald Joseph Taitague, M.D.

Dated: 10-27-08

1 **FINDINGS OF FACT**

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

4 2. Respondent is the holder of License No. 26182 for the practice of allopathic
5 medicine in the State of Arizona.

6 3. Investigations by Board Staff revealed that Respondent prescribed controlled
7 substances with frequent early refills and unexplained dose escalations without obtaining
8 patients' past medical records or communicating with their current prescribing physicians.

9 4. Based on the information in the Board's possession there is evidence that if
10 Respondent were to prescribe controlled substances in Arizona, there would be a danger to the
11 public health and safety.

12 **CONCLUSIONS OF LAW**

13 1. The Board possesses jurisdiction over the subject matter hereof and over
14 Respondent.

15 2. The Executive Director may enter into a consent agreement with a physician if
16 there is evidence of danger to the public health and safety. A.R.S. § 32-1405(C)(25); A.A.C.
17 R4-16-504.

18 **ORDER**

19 IT IS HEREBY ORDERED THAT:

20 1. Respondent shall not prescribe controlled substances until Respondent applies to
21 the Board and receives permission to do so.

22 2. This is an interim order and not a final decision by the Board regarding the pending
23 investigative file and as such is subject to further consideration by the Board.

24 DATED AND EFFECTIVE this 27 day of OCTOBER 2008.



ARIZONA MEDICAL BOARD

By *L. S. Wynn*
LISA S. WYNN
Executive Director

ORIGINAL of the foregoing filed this
day of *October*, 2008 with:

The Arizona Medical Board
9545 East Doubletree Ranch Road
Scottsdale, AZ 85258

EXECUTED COPY of the foregoing mailed by
US Certified Mail this *9th* day of *October*
2008 to:

Gerald Joseph Taitague, M.D.
(address of record)

Gerald Joseph Taitague