

1 BEFORE THE ARIZONA MEDICAL BOARD

2 In the Matter of

3 **EDGAR F. LIVINGSTONE, M.D.**

4 Holder of License No. 31013
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Case No. MD-15-1374A

**ORDER FOR LETTER
OF REPRIMAND; AND
CONSENT TO THE SAME**

7 Edgar F. Livingstone, M.D. ("Respondent"), elects to permanently waive any right to
8 a hearing and appeal with respect to this Order for a Letter of Reprimand; admits the
9 jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order
10 by the Board.

11 **FINDINGS OF FACT**

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

14 2. Respondent is the holder of license number 31013 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-15-1374A after receiving a non-
17 compliance report from Affiliated Monitors, Inc. ("AMI") stating that Respondent treated five
18 female patients on October 1, 2015 without an Arizona licensed healthcare provider
19 chaperone in violation of his practice restriction.

20 4. On May 5, 2012, Respondent entered into a Consent Agreement for a Letter
21 of Reprimand, Practice Restriction and Probation which requires Respondent to have a
22 female chaperone who is an Arizona licensed healthcare provider present when treating
23 female patients. Respondent engaged AMI to monitor his practice per the Consent
24 Agreement. The Probation was terminated on August 1, 2012; however, the Practice
25 Restriction for a chaperone remains in place.

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2 **CONSENT TO ENTRY OF ORDER**

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

6 2. Respondent acknowledges and agrees that this Order is entered into freely
7 and voluntarily and that no promise was made or coercion used to induce such entry.

8 3. By consenting to this Order, Respondent voluntarily relinquishes any rights to
9 a hearing or judicial review in state or federal court on the matters alleged, or to challenge
10 this Order in its entirety as issued by the Board, and waives any other cause of action
11 related thereto or arising from said Order.

12 4. The Order is not effective until approved by the Board and signed by its
13 Executive Director.

14 5. All admissions made by Respondent are solely for final disposition of this
15 matter and any subsequent related administrative proceedings or civil litigation involving
16 the Board and Respondent. Therefore, said admissions by Respondent are not intended
17 or made for any other use, such as in the context of another state or federal government
18 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
19 any other state or federal court.

20 6. Upon signing this agreement, and returning this document (or a copy thereof)
21 to the Board's Executive Director, Respondent may not revoke the consent to the entry of
22 the Order. Respondent may not make any modifications to the document. Any
23 modifications to this original document are ineffective and void unless mutually approved
24 by the parties.
25

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

4 8. If the Board does not adopt this Order, Respondent will not assert as a
 5 defense that the Board's consideration of the Order constitutes bias, prejudice,
 6 prejudgment or other similar defense.

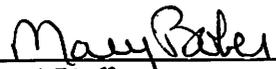
7 9. ***Respondent has read and understands the terms of this agreement.***

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 10 EDGAR F. LIVINGSTONE, M.D.

DATED: 3/23/2016

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 12 EXECUTED COPY of the foregoing mailed
 13 this ~~23rd~~ day of ~~March~~, 2016 to:
 6th May
 14 Edgar F. Livingstone, M.D.
 15 Address of Record

16 ORIGINAL of the foregoing filed
 17 this 6th day of May, 2016 with:
 18 Arizona Medical Board
 19 9545 E. Doubletree Ranch Road
 20 Scottsdale, AZ 85258

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 Board Staff