BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of **HOWARD J. ROLINS, M.D.** Holder of License No. 24625 For the Practice of Allopathic Medicine In the State of Arizona.	**Case No. MD-14-0613A** **ORDER FOR LETTER OF REPRIMAND; AND CONSENT TO THE SAME**

Howard J. Rolins, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Order for a Letter of Reprimand; admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order by the Board.

FINDINGS OF FACT

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

2. Respondent is the holder of license number 24625 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-14-0613A after receiving a complaint regarding Respondent's care and treatment of an 84 year-old male patient ("RK") alleging failure to diagnose prostate cancer leading to the patient's death.

4. RK had been a long term patient of Respondent starting in September of 1997. An initial PSA was obtained in December of 1997 after a digital rectal examination. The PSA was repeated in March of 1998 and was noted to be lower than the December 1997 PSA. Respondent recommended a re-check in 6 months at that time.

5. Between March of 1998 and the time of the next PSA in June 2003, RK was seen infrequently. In June of 2003, RK's PSA was elevated and Respondent referred him to a urologist who saw RK and recommended a biopsy. Between June of 2003 and October of 2012, Respondent saw RK infrequently for unrelated matters.

6. In April and May, 2013, RK was admitted to a hospital with declining health symptoms, including an elevated PSA. RK was diagnosed with prostate cancer with metastatic disease. RK passed away on June 11, 2013

7. The standard of care required Respondent to perform yearly PSA level checks to screen for prostate cancer in male patients starting at age 50. Respondent deviated from this standard of care by failing to re-check RK's PSA.

8. The standard of care required Respondent to follow-up with referrals for consultations and to obtain records relating to consultations. Respondent deviated from this standard of care by failing to follow-up with RK's urologist following a consultation..

9. Actual patient harm was identified in that RK was diagnosed with metastatic prostate cancer which led to his death.

CONCLUSIONS OF LAW

a. The Board possesses jurisdiction over the subject matter hereof and over Respondent.

b. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(q) ("[A]ny conduct or practice that is or might be harmful or dangerous to the health of the patient or the public.").

ORDER

IT IS HEREBY ORDERED THAT:

1. Respondent is issued a Letter of Reprimand.

DATED AND EFFECTIVE this 6th day of May, 2016.

ARIZONA MEDICAL BOARD

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

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

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

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

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

HOWARD J. ROLINS, M.D.

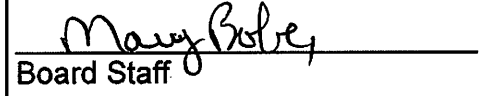
DATED: 3/25/2016

EXECUTED COPY of the foregoing mailed this 6th day of May, 2016 to:

Howard J. Rolins, M.D.
Address of Record

ORIGINAL of the foregoing filed this 6th day of May, 2016 with:

Arizona Medical Board
9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258



Board Staff