

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

KENNETH M. JONES, M.D.

Holder of License No. 29766
For the Practice of Allopathic Medicine
In the State of Arizona.

Case No. MD-10-0469A

**ORDER FOR LETTER OF REPRIMAND,
PRACTICE RESTRICTION AND
CONSENT TO THE SAME**

Kenneth M. Jones, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Order for Letter of Reprimand and Practice Restriction; 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 No. 29766 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-10-0469A after receiving a report that Respondent entered into a disciplinary agreement with the Washington Department of Health (Washington Board). Respondent's license was suspended for 30 days and he was placed on probation for five years with a permanent practice restriction in the State of Washington.

4. In April 2010, Respondent entered into a disciplinary agreement with the Washington Board and his license was suspended for 30 days. Respondent was placed on probation for five years and is restricted indefinitely from prescribing, administering, dispensing or otherwise providing thyroid hormones, human growth hormone (HGH), human chorionic gonadotropin (HCG) and testosterone or other anabolic steroids.

1 Respondent was also required to complete CME in ethics, is subject to periodic practice
2 reviews, and was assessed a fine of \$10,000. Respondent was found to have fallen below
3 the standard of care in his treatment of eight patients. All eight patients were diagnosed
4 by Dr. Jones as having growth hormone deficiency (GHD) without documented evidence
5 of pituitary or hypothalamic disease. Additionally, the patients did not show evidence of
6 any other pituitary hormonal deficiencies. Each of the patients had IGF-1 levels within the
7 labs normal range, except for one patient. According to the Washington Board,
8 endocrinologists do not rely upon IGF-1 levels to make a correct diagnosis of GHD.

9 5. Respondent diagnosed four of the eight patients with clinically low
10 testosterone levels despite levels within the laboratory reference range, and prescribed
11 testosterone to three of the four patients despite other health issues that included sleep
12 apnea and high blood pressure. According to the Finding of Fact contained in the
13 Washington State's Order, there were no documented physical exams for two patients and
14 Respondent did not request prior records from either patient's primary care physicians.
15 However, according to Respondent, examinations were performed. The fourth patient,
16 who had reported in his medical history a liver biopsy and that he was cured of Hepatitis
17 C, was prescribed human chorionic gonadotropin. Respondent did not perform an
18 extensive physical on this patient and did not request prior records from the patient's
19 primary care physician.

20 CONCLUSIONS OF LAW

21 1. The Board possesses jurisdiction over the subject matter hereof and over
22 Respondent.

23 2. The conduct and circumstances described above constitutes unprofessional
24 conduct pursuant to A.R.S. §32-1401(27)(o)("[a]ction that is taken against a doctor of
25 medicine by another licensing or regulatory jurisdiction due to that doctor's mental or

1 physical inability to engage safely in the practice of medicine, the doctor's medical
2 incompetence or for unprofessional conduct as defined by that jurisdiction and that
3 corresponds directly or indirectly to an act of unprofessional conduct prescribed by this
4 paragraph. The action taken may include refusing, denying, revoking or suspending a
5 license by that jurisdiction or a surrendering of a license to that jurisdiction, otherwise
6 limiting, restricting or monitoring a licensee by that jurisdiction or placing a licensee on
7 probation by that jurisdiction").

8 3. If the Board finds that it can take rehabilitative or disciplinary action without
9 the presence of the doctor at a formal interview it may enter into a consent agreement with
10 the doctor to limit or restrict the doctor's practice or to rehabilitate the doctor in order to
11 protect the public and ensure the doctor's ability to safely engage in the practice of
12 medicine. A.R.S. § 32-1451(F).

13 4. The Board finds that a practice restriction is needed in order to protect the
14 public.

15 **ORDER**

16 IT IS HEREBY ORDERED THAT:

- 17 1. Respondent is issued a Letter of Reprimand.
- 18 2. Respondent is placed on probation and his practice is restricted for a period
19 of ten years pursuant to the following terms and conditions:
- 20 a. Respondent shall notify the Board's Executive Director in writing within
21 thirty days prior to commencing practice in the state of Arizona.
 - 22 b. Upon notification of his intent to practice medicine in Arizona, Respondent
23 shall enter into a contract with a Board approved monitoring company to
24 provide all monitoring services at his expense.
 - 25 c. Respondent is prohibited from prescribing, administering or dispensing

1 thyroid hormones, HGH, HCG and testosterone or other anabolic steroids.

2 d. After five years, Respondent may petition the Board to request that the
3 Practice Restriction be lifted.

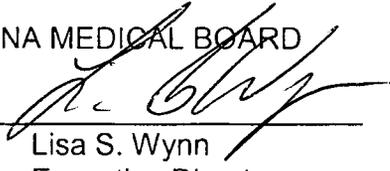
4 3. If Respondent fails to comply with the this order, Respondent's practice shall
5 remain restricted and the Executive Director shall refer this matter to a Formal Hearing for
6 Revocation of Respondent's license.

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8 DATED AND EFFECTIVE this 15th day of October, 2010.



ARIZONA MEDICAL BOARD

By


Lisa S. Wynn
Executive Director

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12 **CONSENT TO ENTRY OF ORDER**

13 1. Respondent has read and understands this Consent Agreement for Letter of
14 Reprimand, Practice Restriction and Consent to Same and the stipulated Findings of
15 Fact, Conclusions of Law and Order ("Order"). Respondent acknowledges she has the
16 right to consult with legal counsel regarding this matter.

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

19 3. By consenting to this Order, Respondent voluntarily relinquishes any rights
20 to a hearing or judicial review in state or federal court to challenge this Order in its entirety
21 as issued, and waives any other cause of action related thereto or arising from said
22 Order.

23 4. The Order is not effective until approved and signed by the Executive
24 Director.

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

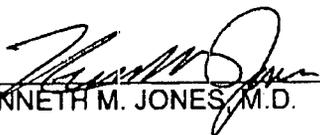
7 6. Upon signing this Order, and returning this document (or a copy thereof) to
8 the Board's Executive Director, Respondent may not revoke the consent to the entry of
9 the Order. Respondent may not make any modifications to the document. Any
10 modifications to this original document are ineffective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

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

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

17 9. Any violation of this Order constitutes unprofessional conduct and may
18 result in disciplinary action. A.R.S. § § 32-1401(27)(r) ("[v]iolating a formal order,
19 probation, consent agreement or stipulation issued or entered into by the board or its
20 executive director under this chapter") and 32-1451.

21 10. ***Respondent has read and understands the conditions of the restriction.***

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KENNETH M. JONES, M.D.

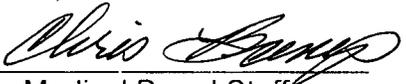
DATED: 9/14/10

1 EXECUTED COPY of the foregoing mailed
this 15th day of October, 2010 to:

2 Kenneth M. Jones, MD
3 ADDRESS OF RECORD

4 ORIGINAL of the foregoing filed
this 15th day of October 2010 with:

5 Arizona Medical Board
6 9545 E. Doubletree Ranch Road
7 Scottsdale, AZ 85258

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Arizona Medical Board Staff

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