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BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of:

No. 13A-12231-MDX

**REYNALDO ADRILLANA
DE LOS ANGELES, M.D.**
Holder of License #12231

**FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER**

For the Practice of Allopathic Medicine
In the State of Arizona

(Revocation)

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On December 11, 2013, this matter came before the Arizona Medical Board ("Board") for consideration of the Administrative Law Judge (ALJ) Diane Mihalsky's proposed Findings of Fact, Conclusions of Law and Recommended Order. Reynaldo Adrillana de los Angeles, M.D., ("Respondent") did not appear before the Board. Assistant Attorney General Sarah Selzer, represented the State. Christopher Munns with the Solicitor General's Section of the Attorney General's Office, was available to provide independent legal advice to the Board.

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The Board, having considered the ALJ's decision and the entire record in this matter, hereby issues the following Findings of Fact, Conclusions of Law and Order.

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FINDINGS OF FACT

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1. The Arizona Medical Board ("the Board") is the duly constituted authority for licensing and regulating the practice of allopathic medicine in the State of Arizona.

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2. The Board issued of License #12231 to Reynaldo Adrillana de Los Angeles, M.D. ("Respondent") for the practice of allopathic medicine in the State of Arizona.

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3. In August 2012, the Board received notice that the Nebraska Board of Medicine and Surgery ("NBMS") had suspended Respondent's license to practice medicine for one year because he had failed to conform to minimal standards of acceptable medical practice. Based on this notification, Board staff began an investigation.

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4. NBMS filed an Amended Petition which alleged that Patient A saw Respondent for psychiatric care and Respondent prescribed Patient A opioids to address her complaints of leg discomfort due to varicose veins, restless leg syndrome, and lower back

1 pain. According to the Amended Petition, Respondent fell below the standard of care in
2 treating Patient A because:

3 4.1 Respondent did not appropriately perform physical examinations of Patient A
4 as one component of the initial diagnostic assessment prior to initiating opiates and he
5 failed to provide a discernible diagnosis to support the use of opiates;

6 4.2 Respondent noted but failed to react to Patient A's adverse effects to the
7 medications, specifically, physical and cognitive impairment;

8 4.3 Respondent noted but failed to react to a decrease in Patient A's activities of
9 daily living during the course of her hydrocodone and benzodiazepine use;

10 4.4 Respondent ignored or disregarded, for an extended period of time, very
11 pronounced and widespread documentation of Patient A's aberrant behaviors; and

12 4.5 Respondent had a poor understanding of the relative risk of the medications
13 that he was providing to Patient A, despite all of the observed aberrant behaviors.

14 5. Respondent consented to the entry of a final disciplinary order by NBMS that
15 found the allegations of the Amended Petition to be true and suspended Respondent's
16 license to practice medicine in Nebraska for one year. Reinstatement of Respondent's
17 Nebraska license at the end of the one-year suspension was at the discretion of NBMS.
18 The suspension began in June 2012.

19 6. The Board referred the matter to the Office of Administrative Hearings, an
20 independent agency, for an evidentiary hearing.

21 7. On August 12, 2013, the Board issued a Complaint and Notice of Hearing in
22 this matter, charging that Respondent had committed unprofessional conduct as defined
23 by A.R.S. § 32-1401(27)(e), (q), (ll), and (ss), and setting a hearing on October 17, 2013,
24 at the OAH. The Board mailed a copy of the Complaint and Notice of Hearing to
25 Respondent at his last known address.

26 8. A hearing was held on the date and time set forth in the Complaint and Notice
27 of Hearing, October 17, 2013, at 8:00 a.m.

28 9. Respondent did not request to appear telephonically at the hearing.
29 Respondent did not appear personally or through an attorney, did not contact the OAH
30 to request a continuance or that the time for the hearing be delayed, and did not
present any evidence to defend his license to practice allopathic medicine in Arizona.

1 5. The Board established by clear and convincing evidence that NBMS's action
2 against Respondent's Nebraska license constituted unprofessional conduct pursuant to
3 A.R.S. § 32-1401(27)(o), which provides as follows:

4 Action that is taken against a doctor of medicine by another
5 licensing or regulatory jurisdiction due to that doctor's mental
6 or physical inability to engage safely in the practice of
7 medicine or the doctor's medical incompetence or for
8 unprofessional conduct as defined by that jurisdiction and
9 that corresponds directly or indirectly to an act of
10 unprofessional conduct prescribed by this paragraph. The
11 action taken may include refusing, denying, revoking or
suspending a license by that jurisdiction or a surrendering of
a license to that jurisdiction, otherwise limiting, restricting or
monitoring a licensee by that jurisdiction or placing a
licensee on probation by that jurisdiction.

12 6. The Board also established by clear and convincing evidence that if
13 Respondent had treated Patient A in Arizona, he would have committed unprofessional
14 conduct pursuant to the following statutes:

15 6.1 A.R.S. § 32-1401(27)(e) ("Failing or refusing to maintain adequate records
16 on a patient");

17 6.2 A.R.S. § 32-1401(27)(q) ("Any conduct or practice that is or might be
18 harmful or dangerous to the health of the patient or the public");

19 6.3 A.R.S. § 32-1401(27)(ll) ("Conduct that the board determines is gross
20 negligence, repeated negligence or negligence resulting in harm to or the death of a
21 patient"); and

22 6.4 A.R.S. § 32-1401(27)(ss) ("Prescribing, dispensing or furnishing a
23 prescription medication . . . to a person unless the licensee first conducts a physical
24 examination of that person or has previously established a doctor-patient relationship").

25 7. The legislature created the Board to protect the public.⁷ Given Respondent's
26 errors in his prescribing practices of Patient A, failures to adequately monitor Patient A,
27 and failure to appear for the hearing in Arizona, protection of the public requires that the
28 Board revoke Respondent's license to practice allopathic medicine in Arizona.

ORDER

1 IT IS ORDERED that the Board revoke License No. 12231 for the practice of
2 allopathic medicine in Arizona previously issued to Respondent Reynaldo Adrillana de
3 Los Angeles, M.D.
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RIGHT TO PETITION FOR REHEARING OR REVIEW

5 Respondent is hereby notified that he has the right to petition for a rehearing or
6 review. The petition for rehearing or review must be filed with the Board's Executive
7 Director within thirty (30) days after service of this Order. A.R.S. § 41-1092.09(B). The
8 petition for rehearing or review must set forth legally sufficient reasons for granting a
9 rehearing or review. A.A.C. R4-16-103. Service of this order is effective five (5) days
10 after date of mailing. A.R.S. § 41-1092.09(C). If a petition for rehearing or review is not
11 filed, the Board's Order becomes effective thirty-five (35) days after it is mailed to
12 Respondent.

13 Respondent is further notified that the filing of a motion for rehearing or review is
14 required to preserve any rights of appeal to the Superior Court.

15 DATED this 12th day of December, 2013.
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17 THE ARIZONA MEDICAL BOARD

18
19 By Patricia McSorley
20 Patricia McSorley
21 Interim Acting Executive Director
22

23 ORIGINAL of the foregoing filed this
24 12th day of December, 2013 with:

25 Arizona Medical Board
26 9545 East Doubletree Ranch Road
27 Scottsdale, Arizona 85258

28 COPY OF THE FOREGOING FILED
29 this 12th day of December, 2013 with:
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⁷ See Laws 1992, Ch. 316, § 10.

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Cliff J. Vanell, Director
Office of Administrative Hearings
1400 W. Washington, Ste 101
Phoenix, AZ 85007

Executed copy of the foregoing
mailed by U.S. Mail this
10th day of December, 2013 to:

Reynaldo de los Angeles, M.D.
Address of Record

Sarah Selzer
Assistant Attorney General
Office of the Attorney General
CIV/LES
1275 W. Washington
Phoenix, AZ 85007

Mary Baker