

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2
3 In the Matter of

4 **DAVID R. BOLICK, M.D.**

5 Holder of License No. 33101
6 For the Practice of Medicine
In the State of Arizona.

Case No. MD-08-0882A

**CONSENT AGREEMENT FOR
SURRENDER OF LICENSE**

7 **CONSENT AGREEMENT**

8 By mutual agreement and understanding, between the Arizona Medical Board
9 ("Board") and David R. Bolick, M.D. ("Respondent"), the parties agree to the following
10 disposition of this matter.

11 1. Respondent has read and understands this Consent Agreement and the
12 stipulated Findings of Fact, Conclusions of Law and Order ("Consent Agreement").
13 Respondent acknowledges that he has the right to consult with legal counsel regarding
14 this matter and has done so or chooses not to do so.

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

20 3. This Consent Agreement is not effective until approved by the Board and
21 signed by its Executive Director.

22 4. The Board may adopt this Consent Agreement or any part thereof. This
23 Consent Agreement, or any part thereof, may be considered in any future disciplinary
24 action against Respondent.
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1 5. This Consent Agreement does not constitute a dismissal or resolution of other
2 matters currently pending before the Board, if any, and does not constitute any waiver,
3 express or implied, of the Board's statutory authority or jurisdiction regarding any other
4 pending or future investigation, action or proceeding. The acceptance of this Consent
5 Agreement does not preclude any other agency, subdivision or officer of this State from
6 instituting other civil or criminal proceedings with respect to the conduct that is the subject
7 of this Consent Agreement.

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

14 7. Upon signing this agreement, and returning this document (or a copy thereof) to
15 the Board's Executive Director, Respondent may not revoke the acceptance of the
16 Consent Agreement. Respondent may not make any modifications to the document. Any
17 modifications to this original document are ineffective and void unless mutually approved
18 by the parties.

19 8. If the Board does not adopt this Consent Agreement, Respondent will not
20 assert as a defense that the Board's consideration of this Consent Agreement constitutes
21 bias, prejudice, prejudgetment or other similar defense.

22 9. This Consent Agreement, once approved and signed, is a public record that will
23 be publicly disseminated as a formal action of the Board and will be reported to the
24 National Practitioner Data Bank and to the Arizona Medical Board's website.

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1 10. If any part of the Consent Agreement is later declared void or otherwise
 2 unenforceable, the remainder of the Consent Agreement in its entirety shall remain in
 3 force and effect.

4 11. Any violation of this Consent Agreement constitutes unprofessional conduct
 5 and may result in disciplinary action. A.R.S. § § 32-1401(27)(r) ("violating a formal order,
 6 probation, consent agreement or stipulation issued or entered into by the board or its
 7 executive director under this chapter") and 32-1451.

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 9 David R. Bolick M.D.

Dated: Feb 7, 2009

10 DAVID R. BOLICK, M.D.

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1 **FINDINGS OF FACT**

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

4 2. Respondent is the holder of license number 33101 for the practice of
5 allopathic medicine in the State of Arizona.

6 3. The Board initiated case number MD-08-0882A after Respondent reported
7 that on December 5, 2007 he was indicted in another state for attempted fraud and
8 conspiracy to commit fraud for providing false and misleading information to lenders in
9 support of loan applications for real estate ventures from 2004 through 2006. Specifically,
10 Respondent participated in supplementing buyers' loan applications with false and
11 misleading verifications of bank deposits and false documents pertaining to the buyers'
12 assets. As a result, large sums of loan funds were electronically transferred to the account
13 of a real estate title company's bank account. On July 31, 2008, Respondent pled guilty to
14 attempt and conspiracy.

15 4. Respondent admits to the acts described above and that they constitute
16 unprofessional conduct pursuant to A.R.S. §32-1401(27)(d) ("[c]ommitting a felony, whether
17 or not involving moral turpitude. In either case, conviction by any court of competent
18 jurisdiction or a plea of no contest is conclusive evidence of the commission").

19 **CONCLUSIONS OF LAW**

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

22 2. The Board possesses statutory authority to enter into a consent agreement
23 with a physician and accept the surrender of an active license from a physician who
24 admits to having committed an act of unprofessional conduct. A.R.S. § 32-1451(T)(2).
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1 **ORDER**

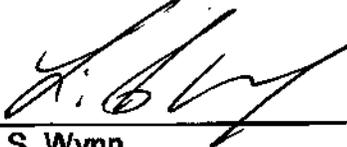
2 IT IS HEREBY ORDERED THAT Respondent immediately surrender License
3 Number 33101, issued to David R. Bolick, M.D. for the practice of allopathic medicine in
4 the State of Arizona, and return his wallet card and certificate of licensure to the Board.

5 DATED and effective this 2nd day of April, 2009.

6 ARIZONA MEDICAL BOARD



By:



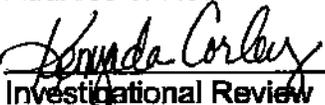
11 Lisa S. Wynn
12 Executive Director

13 ORIGINAL of the foregoing filed
14 this 2nd day of April, 2009 with:

15 Arizona Medical Board
16 9545 E. Doubletree Ranch Road
17 Scottsdale, AZ 85258

18 EXECUTED COPY of the foregoing mailed
19 this 2nd day of April, 2009 to:

20 David R. Bolick, M.D.
21 Address of Record

22 

23 Investigational Review
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