BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of **JAMES W. JOHNSON, M.D.** Holder of License No.15433 For the Practice of Allopathic Medicine In the State of Arizona	Case No. MD-14-0473A **ORDER FOR LETTER OF REPRIMAND AND CONSENT TO THE SAME**

James W. Johnson, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Order for 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 15433 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-14-0473A after receiving Respondent's license renewal application in which he disclosed that he was disciplined by the Tennessee Medical Board ("TMB"). Respondent additionally disclosed that he had been under investigation by a peer review body and the TMB resulting in the revocation of his hospital privileges.

4. The TMB reviewed Respondent's care and treatment of patient BW and on July 24, 2013, entered into a consent order with Respondent, finding unprofessional care in the course of medical practice including gross malpractice, or a pattern of continued or repeated malpractice, or incompetence in the course of medical practice. Respondent was reprimanded and ordered to obtain an evaluation from the Tennessee Medical

Foundation, which reported that no recommendations were warranted. Respondent was also assessed the cost of the TMB investigation in the amount of $591.07.

CONCLUSIONS OF LAW

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

2. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(o) ("[a]ction that is taken against a doctor of medicine by another licensing or regulatory jurisdiction due to that doctor's mental or physical inability to engage safely in the practice of medicine, the doctor's medical incompetence or for unprofessional conduct as defined by that jurisdiction and that corresponds directly or indirectly to an act of unprofessional conduct prescribed by this paragraph. The 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 license by that jurisdiction or placing a licensee on probation by that jurisdiction.").

3. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(l) ("[c]onduct that the board determines is gross malpractice, repeated malpractice or any malpractice resulting in the death of a patient.").

4. 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 Respondent is issued a Letter of Reprimand.

DATED AND EFFECTIVE this 5th day of February, 2015.

ARIZONA MEDICAL BOARD

By Patricia E. McSorley
Patricia E. McSorley
Interim Acting 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 any part of the Order is later declared void or otherwise unenforceable, the remainder of the Order in its entirety shall remain in force and effect.

9. 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.

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

James W. Johnson MD

James W. Johnson, M.D.

DATED: 12/10/2014

EXECUTED COPY of the foregoing mailed this 5th day of February, 2015 to:

James W. Johnson, M.D.
Address of Record

SHANNON M. FOWLER
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF SHELBY
MY COMM. EXP. MARCH 23, 2016

EXECUTED COPY of the foregoing mailed
this 5th day of February, 2015 to:

ORIGINAL of the foregoing filed
this 5th day of February, 2015 with:

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

Mary Baker
Arizona Medical Board Staff