

**BEFORE THE ARIZONA MEDICAL BOARD**

In the Matter of

**RICHARD J. LEWIS, M.D.**

Holder of License No. 35079  
For the Practice of Allopathic Medicine  
in the State of Arizona.

Case No. MD-09-0713A  
MD-08-1520A

**INTERIM CONSENT AGREEMENT  
FOR PRACTICE RESTRICTION**

**INTERIM CONSENT AGREEMENT**

By mutual agreement and understanding, between the Arizona Medical Board ("Board") and Richard J. Lewis, M.D., ("Respondent") the parties agree to the following disposition of this matter.

1. Respondent has read and understands this Interim Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Interim Consent Agreement"). Respondent acknowledges that he understands he has the right to consult with legal counsel regarding this matter.

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

3. This Interim Consent Agreement will not become effective until signed by the Executive Director.

*SLM*

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1           4.       All admissions made by Respondent are solely for interim 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  
 6 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or  
 6 any other state or federal court.

7           5.       Respondent may not make any modifications to the document. Upon  
 8 signing this agreement, and returning this document (or a copy thereof) to the Executive  
 9 Director, Respondent may not revoke acceptance of the Interim Consent Agreement.  
 10 Any modifications to this Interim Consent Agreement are ineffective and void unless  
 11 mutually approved by the parties.

12           6.       This Interim Consent Agreement, once approved and signed, is a public  
 13 record that will be publicly disseminated as a formal action of the Board and will be  
 14 reported to the National Practitioner Databank and on the Board's website.

15           7.       If any part of the Interim Consent Agreement is later declared void or  
 16 otherwise unenforceable, the remainder of the Interim Consent Agreement in its entirety  
 17 shall remain in force and effect.

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 20 RICHARD J. LEWIS, M.D.

Dated: 6/9/2009

*Sum*

**FINDINGS OF FACT**

1  
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 No. 35079 for the practice of allopathic  
5 medicine in the State of Arizona.

6 3. On June 5, 2009, Respondent was arrested for two counts of sex abuse for  
7 allegedly inappropriately touching two female patients during medical examinations.  
8 Specifically, on October 30, 2008, Respondent is alleged to have fondled the breasts of a  
9 female patient, DL. Additionally, it is alleged that on June 4, 2009, after performing  
10 surgery on another female patient, JS, the patient became aware as the sedation wore off  
11 that Respondent's hand was under her gown and he was fondling her breast.  
12 Subsequently, the medical center summarily suspended Respondent's medical privileges.

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15 **CONCLUSIONS OF LAW**

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

18 2. The Executive Director may enter into a consent agreement with a physician  
19 if there is evidence of danger to the public health and safety. A.R.S. § 32-1405(C)(25);  
20 A.A.C. R4-16-504.

21 3. Based on the information in the Board's possession there is evidence that if  
22 Respondent were to practice medicine in Arizona there would be a danger to the public  
23 health and safety.

24 **ORDER**

25 IT IS HEREBY ORDERED THAT:



1           1.       Respondent shall not practice clinical medicine or any medicine involving  
2 direct patient care, and is prohibited from prescribing any form of treatment including  
3 prescription medications, until Respondent applies to the Board and receives permission  
4 to do so.

5           2.       This is an interim order and not a final decision by the Board regarding the  
6 pending investigative file and as such is subject to further consideration by the Board.

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8           DATED AND EFFECTIVE this 9th day of June, 2009.



ARIZONA MEDICAL BOARD

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13           By Lisa S. Wynn  
              Lisa S. Wynn  
              Executive Director

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15           ORIGINAL of the foregoing filed this  
              9th day of June, 2009 with:

16           The Arizona Medical Board  
17           9545 East Doubletree Ranch Road  
              Scottsdale, AZ 85258

18           EXECUTED COPY of the foregoing  
19           Mailed this 9th day of June, 2009 to:

20           Richard J. Lewis, M.D.  
21           Address of Record

22           Chris Bangs  
              Arizona Medical Board Staff

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