

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

Case No. 12A-19218-MDX

3 **GALEN BRUCE JOHNSON, M.D.**

**ORDER FOR PRACTICE RESTRICTION  
AND PROBATION AND CONSENT TO  
THE SAME**

4 Holder of License No. 19218  
5 For the Practice of Allopathic Medicine  
6 In the State of Arizona.

7 Galen Bruce Johnson, M.D. ("Respondent") elects to permanently waive any right to  
8 a hearing and appeal with respect to this Order for Practice Restriction and Probation;  
9 admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of  
10 this Order by the Board.

11 **FINDINGS OF FACT**

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

14 2. Respondent is the holder of license number 19218 for the practice of  
15 allopathic medicine in the State of Arizona.

16 3. On or about June 14, 2010, Respondent was arrested for sexual abuse of  
17 patient DR. Subsequently, additional patients reported that they had been inappropriately  
18 touched by Respondent. Although criminal charges were filed, in or about August, 2012,  
19 the Superior Court dismissed the criminal case without prejudice. Although Board staff  
20 was unable to substantiate the allegations as to the other patients, there were continued  
21 concerns regarding the allegations pertaining to patients DR and CL based upon staff's  
22 own investigation.

23 4. On August 4, 2010, the Board's Executive Director issued a confidential  
24 Interim Order that required Respondent to participate in a psychosexual evaluation at a  
25 Board-approved facility within fourteen days. Respondent did not participate in said  
evaluation.



1           instruct the female chaperone to document her presence by signing,  
2           dating, and legibly printing her name on each patient's chart at the time of  
3           the examination. Respondent shall instruct the female chaperone to  
4           immediately report any inappropriate behavior to Respondent and the  
5           Board.

6           b. Respondent may request that the board lift this practice restriction at such  
7           time as he completes a psychosexual evaluation at a board-approved  
8           facility and is determined, to the satisfaction of the Board, to be safe to  
9           practice without a female chaperone.

10          c. The Interim Order for Practice Restriction of June 18, 2010, is terminated  
11          upon the effective date of this Order.

12          2.    Monitoring Contract

13               Respondent shall within 30 days of the effective date of this order, enter into  
14               a contract with a Board pre-approved monitoring company to provide all  
15               monitoring services. Respondent shall bear all costs of monitoring  
16               requirements and services.

17          3.    Probation

18               Respondent is placed on probation with the following terms and conditions:

19               a.   Continuing Medical Education

20               Respondent shall within six months of the effective date of this Order obtain  
21               10-20 hours of Board Staff pre-approved Category I Continuing Medical  
22               Education (CME) in a boundaries course and 10 hours of CME in his field of  
23               practice. The CME requirement may be completed online. Respondent shall  
24               within **thirty days** of the effective date of this Order submit his request for  
25               CME to the Board for pre-approval. Upon completion of the CME,

1 Respondent shall provide Board Staff with satisfactory proof of attendance.  
2 The CME hours shall be in addition to the hours required for the biennial  
3 renewal of medical license. The probation shall terminate upon successful  
4 completion of the CME.

5 b. Obey All Laws

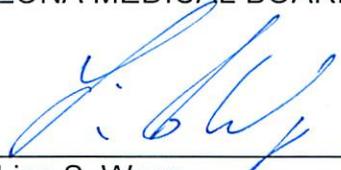
6 Respondent shall obey all state, federal and local laws, all rules governing  
7 the practice of medicine in Arizona, and remain in full compliance with any  
8 court ordered criminal probation, payments and other orders.

9 c. Tolling

10 In the event Respondent should leave Arizona to reside or practice outside  
11 the State or for any reason should Respondent stop practicing medicine in  
12 Arizona, Respondent shall notify the Executive Director in writing within ten  
13 days of departure and return or the dates of non-practice within Arizona.  
14 Non-practice is defined as any period of time exceeding thirty days during  
15 which Respondent is not engaging in the practice of medicine. Periods of  
16 temporary or permanent residence or practice outside Arizona or of non-  
17 practice within Arizona, will not apply to the reduction of the probationary  
18 period.

19 DATED AND EFFECTIVE this 31<sup>st</sup> day of JANUARY, 2013.

20 ARIZONA MEDICAL BOARD

21  
22  
23 By   
24 Lisa S. Wynn  
25 Executive Director

1 **CONSENT TO ENTRY OF ORDER**

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

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

7 3. By consenting to this Order, Respondent voluntarily relinquishes any rights to  
8 a hearing or judicial review in state or federal court on the matters alleged, or to challenge  
9 this Order in its entirety as issued by the Board, and waives any other cause of action  
10 related thereto or arising from said Order.

11 4. The Order is not effective until approved by the Board and signed by its  
12 Executive Director.

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

19 6. Upon signing this agreement, and returning this document (or a copy  
20 thereof) to the Board's Executive Director, Respondent may not revoke the consent to the  
21 entry of the Order. Respondent may not make any modifications to the document. Any  
22 modifications to this original document are ineffective and void unless mutually approved  
23 by the parties.

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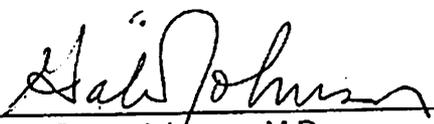
1 7. This Order is a public record that will be publicly disseminated as a formal  
2 disciplinary action of the Board and will be reported to the National Practitioner's Data  
3 Bank and on the Board's web site as a disciplinary action.

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

6 9. If the Board does not adopt this Order, Respondent will not assert as a  
7 defense that the Board's consideration of the Order constitutes bias, prejudice,  
8 prejudgment or other similar defense.

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

13 11. ***Respondent has read and understands the conditions of probation.***

14  
15   
16 Galen Bruce Johnson, M.D.

DATED: 1/9/2013

17  
18 EXECUTED COPY of the foregoing mailed  
this 31<sup>st</sup> day of January, 2013 to:

19 Kimberly A. Kent  
20 David J. Klink  
21 KENT LAW GROUP PLLC  
22 341 East Camelback Road, Suite 100  
Phoenix, AZ 85012  
Attorneys for Respondent

23 ORIGINAL of the foregoing filed  
24 this 31<sup>st</sup> day of January, 2013 with:  
25

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

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Arizona Medical Board Staff  
5 AF:yfl - #2944456

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