

1 BEFORE THE ARIZONA MEDICAL BOARD

2 In the Matter of

3 **ROSS E. LEVATTER, M.D.**

4 Holder of License No. 18681
5 For the Practice of Allopathic Medicine
6 In the State of Arizona

Case No. MD-08-0993A

**CONSENT AGREEMENT FOR
LETTER OF REPRIMAND**

7 **CONSENT AGREEMENT**

8 By mutual agreement and understanding, between the Arizona Medical Board
9 ("Board") and Ross E. Levatter, 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.

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.

25 5. This Consent Agreement does not constitute a dismissal or resolution of other
matters currently pending before the Board, if any, and does not constitute any waiver,

1 express or implied, of the Board's statutory authority or jurisdiction regarding any other
2 pending or future investigation, action or proceeding. The acceptance of this Consent
3 Agreement does not preclude any other agency, subdivision or officer of this State from
4 instituting other civil or criminal proceedings with respect to the conduct that is the subject
5 of this Consent Agreement.

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

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

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

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

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

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

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7 
8 ROSS E. LEVATTER, M.D.

DATED: June 27, 2009

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 18681 for the practice of
5 allopathic medicine in the State of Arizona.

6 3. The Board initiated case number MD-08-0993A after receiving a report from
7 Respondent that he pled guilty to attempted money laundering.

8 4. In August 2008, Respondent was indicted on several felony counts that also
9 included an allegation of money laundering. Subsequently, the Board opened an
10 investigation; however, it was closed in December 2008 due to insufficient evidence to
11 sustain a violation of the Medical Practice Act. The Board later reopened the investigation
12 after receiving notification from Respondent that on April 16, 2009, he entered into a plea
13 agreement. Specifically, Respondent pled guilty to attempted money laundering, a class
14 four felony, which is in violation of the statute that governs committing a felony in Arizona.

15 **CONCLUSIONS OF LAW**

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

18 2. The conduct and circumstances described above constitute unprofessional
19 conduct pursuant to A.R.S. §32-1401(27)(d) (“[c]ommitting a felony, whether or not involving
20 moral turpitude, or a misdemeanor involving moral turpitude. In either case, conviction by
21 any court of competent jurisdiction or a plea of no contest is conclusive evidence of the
22 commission”).

23 **ORDER**

24 IT IS HEREBY ORDERED THAT:

25 1. Respondent is issued a Letter of Reprimand.

2. This Order is the final disposition of case number MD-08-0993A.

DATED AND EFFECTIVE this 5TH day of AUGUST, 2009.



ARIZONA MEDICAL BOARD

By *Lisa S. Wynn*
Lisa S. Wynn
Executive Director

ORIGINAL of the foregoing filed
this 6 day of August, 2009 with:

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

EXECUTED COPY of the foregoing mailed
this 6 day of August, 2009 to:

Calvin Raup, PLLC
Raup & Hergenroether
One Renaissance Square
Two N. Central Avenue, Suite 1100
Phoenix, Arizona 85004-0001

EXECUTED COPY of the foregoing mailed
this 6 day of August, 2009 to:

Ross E. Levatter, M.D.
Address of Record

Kennada Corley
Arizona Medical Board Staff