

1 BEFORE THE ARIZONA MEDICAL BOARD

2 In the Matter of

3 **ADAM W. LEVINSON, M.D.**

4 Holder of License No. 37231
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Case No. MD-12-0960A

**ORDER FOR LETTER OF REPRIMAND
AND PROBATION; AND CONSENT TO
THE SAME**

7 Adam W. Levinson, M.D. ("Respondent"), elects to permanently waive any right to a
8 hearing and appeal with respect to this Order for a Letter of Reprimand 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 37231 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-12-0960A after receiving a self-report
17 from Respondent stating that he had been arrested in New York City on July 31, 2012.

18 4. On July 31, 2012, Respondent was arrested in New York City for unlawful
19 surveillance in the second degree, for allegedly inappropriately filming female subway
20 passengers.

21 5. On August 23, 2012, Respondent entered into a Non-Disciplinary Interim
22 Order by the New York Medical Board ("NYMB") restricting him from practicing medicine.
23 Respondent also resigned from his faculty employment at the Mount Sinai School of
24 Medicine. Mount Sinai concluded that there was no indication that Respondent acted
25 inappropriately at Mount Sinai.

1 6. Respondent completed a forensic evaluation on August 7, 2012. The
2 evaluation concluded that Respondent, following successful outpatient treatment, could
3 safely return to the practice of medicine. Respondent underwent inpatient treatment on
4 August 23-September 25, 2012.

5 7. Following his treatment, Respondent began treatment and was assessed by
6 psychologists and mental health professionals. Each assessment has concluded that
7 Respondent's behavior did not cross over into his medical practice and did not involve any
8 patients.

9 8. Respondent entered into monitoring through the Committee for Physician
10 Health in New York in March 2013. On May 22, 2013, Respondent entered into a Non-
11 Disciplinary Interim Order by the New Jersey Medical Board restricting him from practicing
12 medicine.

13 9. On January 15, 2014, Respondent pled guilty to unlawful surveillance in the
14 second degree, a Class E Felony, for which on March 12, 2014 the Respondent was
15 sentenced to 5 years' probation.

16 10. On March 16, 2015, Respondent entered into a Non-Disciplinary Interim
17 Order with the Maryland medical Board restricting him from practicing medicine.

18 11. On June 19, 2015, the NYMB entered into a Consent Order with Respondent
19 in which the NYMB placed his New York medical license on probation for 60 months with a
20 36-month stayed suspension.

21 12. Respondent has been limited from the practice of medicine in Arizona since
22 August of 2012, and continues to be in compliance with his monitoring by the Committee
23 for Physician Health in New York.

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1 **CONCLUSIONS OF LAW**

2 a. The Board possesses jurisdiction over the subject matter hereof and over
3 Respondent.

4 b. The conduct and circumstances described above constitute unprofessional
5 conduct pursuant to A.R.S. § 32-1401(27)(d) ("[c]ommitting a felony, whether or not
6 involving moral turpitude, or a misdemeanor involving moral turpitude. In either case,
7 conviction by any court of competent jurisdiction or a plea of no contest is conclusive
8 evidence of the commission.").

9 c. The conduct and circumstances described above constitute unprofessional
10 conduct pursuant to A.R.S. § 32-1401(27)(o) ("[a]ction that is taken against a doctor of
11 medicine by another licensing or regulatory jurisdiction due to that doctor's mental or
12 physical inability to engage safely in the practice of medicine, the doctor's medical
13 incompetence or for unprofessional conduct as defined by that jurisdiction and that
14 corresponds directly or indirectly to an act of unprofessional conduct prescribed by this
15 paragraph. The action taken may include refusing, denying, revoking or suspending a
16 license by that jurisdiction or a surrendering of a license to that jurisdiction, otherwise
17 limiting, restricting or monitoring a licensee by that jurisdiction or placing a licensee on
18 probation by that jurisdiction.").

19 **ORDER**

20 IT IS HEREBY ORDERED THAT:

- 21 1. Respondent is issued a Letter of Reprimand.
22 2. Respondent is placed on Probation with the following terms and conditions:

23 a. **Compliance with New York Medical Board Order BPMC No. 15-155**

24 Respondent shall remain in compliance with the terms and conditions of the
25 NYMB Order entered on June 19, 2015. Respondent shall make arrangements to obtain

1 biannual reports from the NYMB or directly from his treating physicians to Board staff
2 demonstrating that he remains in compliance with the conditions of his probation. Any
3 violation of the NYMB Order will be deemed non-compliance with this Order.

4 **b. Obey All Laws**

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

8 **c. Probation Termination**

9 Prior to the termination of Probation, Respondent must submit a written
10 request to the Board for release from the terms of this Order. Respondent's request for
11 release will be placed on the next pending Board agenda, provided a complete submission
12 is received by Board staff no less than 14 days prior to the Board meeting. Respondent's
13 request for release must provide the Board with evidence establishing that he has
14 successfully satisfied all of the terms and conditions of the NYMB Order. The Board has
15 the sole discretion to determine whether all of the terms and conditions of this Order have
16 been met or whether to take any other action that is consistent with its statutory and
17 regulatory authority.

18 3. The Board retains jurisdiction and may initiate new action against
19 Respondent based upon any violation of this Order.

20 DATED AND EFFECTIVE this 3rd day of December, 2015.

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23 ARIZONA MEDICAL BOARD
24 By Patricia E. McSorley
25 Patricia E. McSorley
Executive Director

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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.

