

1 in interpretation of results were discovered. Specifically, Respondent failed to properly
2 identify the right fallopian tube segment during the procedure, and tied off a vessel instead
3 of the tube. The mistake was identified in the pathologic report that Respondent signed.
4 CG resumed routine obstetrical care on June 7, 2011, and had a successful fifth delivery
5 on November 19, 2011.

6 7. The standard of care required Respondent to pay proper attention to
7 anatomy and identification of the fallopian tube at the time of post-partum tubal ligation.
8 Respondent deviated from the standard of care by incorrectly performing CG's post-
9 partum tubal ligation by tying a vessel off instead of the patient's right fallopian tube.

10 8. The standard of care when the fallopian tube is misidentified and other tissue
11 is inadvertently ligated resulting in a failed sterilization procedure requires a physician to
12 recognize the deviation and inform the patient of such as soon as possible. Respondent
13 deviated from the standard of care by failing to recognize and inform patient CG of the
14 failed sterilization procedure.

15 9. As a result of Respondent's actions, the tubal ligation procedure did not
16 render patient CG sterilized. CG was not informed of the mistake and assumed that the
17 procedure had been successful, leading to an unintended pregnancy.

18 19 CONCLUSIONS OF LAW

20 a. The Board possesses jurisdiction over the subject matter hereof and over
21 Respondent.

22 b. The conduct and circumstances described above constitute unprofessional
23 conduct pursuant to A.R.S. § 32-1401(27)(q) ("[a]ny conduct that is or might be harmful or
24 dangerous to the health of the patient or the public.").

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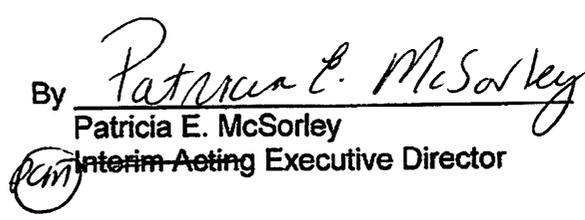
ORDER

IT IS HEREBY ORDERED THAT:

1. Respondent is issued a Letter of Reprimand.

DATED AND EFFECTIVE this 2nd day of April, 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

1 or made for any other use, such as in the context of another state or federal government
2 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
3 any other state or federal court.

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

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

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

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

17 10. ***Respondent has read and understands the terms of this agreement.***

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19
20 David L. Eldredge, M.D.
DAVID L. ELDREDGE, M.D.

DATED: February 20, 2015

21
22 EXECUTED COPY of the foregoing mailed
this 2nd day of April, 2015 to:

23 David L. Eldredge, M.D.
24 Address of Record

25 ORIGINAL of the foregoing filed
this 2nd day of April, 2015 with:

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

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Board Staff