

1 Hospital (Board Investigation Number PA-05-0012A), and (2) by writing a 30-day
2 prescription for Vicodin, a schedule III drug, at a time when Mr. King did not have Board
3 approval to perform health care tasks under the supervision of the patient's physician and
4 in that Mr. King did not have approval to prescribe controlled substances for more than 72
5 hours (Board Investigation Number PA-05-0034A).

6 4. The hearing was convened as scheduled on December 18, 2008 but did not
7 conclude on that date and further hearing was held on February 2, 2009.

8 5. The State presented the testimony of Investigator Elle Steger; Mr. King was
9 represented by counsel but did not appear personally or testify at the hearing because he
10 is out of the country. Mr. King submitted an affidavit that was admitted into evidence over
11 the objection of the State. See King's Exhibit 26. Although the affidavit was accepted into
12 evidence it can be given very limited weight because Mr. King was not subject to cross-
13 examination about the statements therein.

14 Theft of Ophthalmoscopes (PA-05-0012A)

15 6. In an interview with Board staff on July 24, 2008, Mr. King admitted that
16 between January and June 2005 he stole between 12 and 15 ophthalmoscopes from
17 Banner and sold these on the internet. See State's Exhibit 40 (transcript of Examination
18 Under Oath conducted by the Board on July 24, 2008).

19 7. Mr. King paid Banner \$9,321.28 in restitution.

20 8. Given the reported value of the ophthalmoscopes, \$9,321.28 would cover
21 the cost of 29 ophthalmoscopes, which is the number Banner could not account for when
22 Mr. King's thefts were discovered.

23 Practicing Without Supervision and Vicodin Prescription (PA-05-0034A)

1 9. Mr. King admits that in October 2005 he wrote a prescription for Vicodin at a
2 time when he did not have Board approval to perform health care tasks under the
3 supervision of the patient's physician. See State's Exhibit 40.

4 10. In October 2005 Mr. King was working for Dr. Rodney Iancovici. According to
5 Mr. King and Dr. Iancovici, Dr. Iancovici's office manager was supposed to turn in the
6 required paperwork, but did not do so in a timely manner because there was not enough
7 money in the account to cover the expense. Once Mr. King learned of the problem he
8 personally took the required paperwork to the Board for approval.

9 11. A physician's assistant must receive the Board's approval of his supervising
10 physician before engaging in professional activity (i.e., he may not begin work based on
11 submission of the paperwork, but must wait until he is notified of approval). See State's
12 Exhibits 40 and 25 (letter from Mr. King dated October 24, 2005).

13 12. Mr. King has explained that based on his work with cardiology patients, he
14 thought that the number of Vicodin tablets was within his authority to prescribe, although
15 he knew that it was a month's supply and, also that he did not originally know for how long
16 the prescription would be.

17 13. At the time Mr. King wrote the prescription for Vicodin, the patient had
18 regularly been receiving 30-day prescriptions written by Dr. Iancovici. Ms. Steger testified
19 that there was no evidence in the Board's files to suggest that the patient suffered any
20 harm as a result of Mr. King's action, which information would typically be in the file had
21 any harm occurred.

22 14. The Board has adopted the Arizona Medical Board's Substantive Policy
23 Statement 9 (SPS 9), which is an advisory policy with respect to complaints and the
24 appropriate level of discipline. See State's Exhibit 50.

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1 4. The Board retains jurisdiction and may initiate new action based upon any
2 violation of this Order.

3 **RIGHT TO PETITION FOR REHEARING OR REVIEW**

4 Respondent is hereby notified that he has the right to petition for a rehearing or
5 review. The petition for rehearing or review must be filed with the Board's Executive
6 Director within thirty (30) days after service of this Order. A.R.S. § 41-1092.09(B). The
7 petition for rehearing or review must set forth legally sufficient reasons for granting a
8 rehearing or review. A.A.C. R4-16-103. Service of this order is effective five (5) days after
9 date of mailing. A.R.S. § 41-1092.09(C). If a petition for rehearing or review is not filed,
10 the Board's Order becomes effective thirty-five (35) days after it is mailed to Respondent.

11 Respondent is further notified that the filing of a motion for rehearing or review is
12 required to preserve any rights of appeal to the Superior Court.

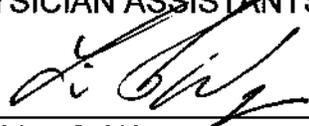
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15 DATED 21st day of May, 2009.



16 THE ARIZONA REGULATORY BOARD OF
17 PHYSICIAN ASSISTANTS

18 By 
19 Lisa S. Wynn
20 Executive Director

21 ORIGINAL of the foregoing filed this
22 21st day of May, 2009 with:

23 Arizona Regulatory Board of Physician Assistants
24 9545 East Doubletree Ranch Road
25 Scottsdale, Arizona 85258

26 COPY OF THE FOREGOING FILED
27 this 21st day of May, 2009 with:

1 Cliff J. Vanell, Director
2 Office of Administrative Hearings
3 1400 W. Washington, Ste 101
4 Phoenix, AZ 85007

5 Executed copy of the foregoing
6 mailed by U.S. Mail this
7 21st day of May, 2009 to:

8 Steven J. King, P.A.
9 Address of Record

10 Michael Golder, Esq.
11 Raup & Hergenroether PLLC
12 One Renaissance Square, Suite 1100
13 Two N. Central Avenue
14 Phoenix, Arizona 85004

15 Emma Mamaluy
16 Assistant Attorney General
17 Office of the Attorney General
18 CIV/LES
19 1275 W. Washington
20 Phoenix, AZ 85007

21 
22 _____
23 Investigational Review
24
25

1 taken from this decision pursuant to title 12, chapter 7, article 6 of Arizona Revised
2 Statutes.

3 DATED this 19TH day of August, 2009.



5 THE ARIZONA REGULATORY BOARD OF
6 PHYSICIAN ASSISTANTS

7
8 By 
9 Lisa S. Wynn
10 Executive Director

11 ORIGINAL of the foregoing filed this
12 19 day of August, 2009 with:

13 Arizona Medical Board
14 9545 East Doubletree Ranch Road
15 Scottsdale, Arizona 85258

16 Executed copy of the foregoing
17 mailed by U.S. Mail this
18 19 day of August, 2009 to:

19 Steven J. King, P.A.
20 Address of Record

21 Michael Golder
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Physician Assistants Staff