





1 agreement or stipulation issued or entered into by the board or its executive director under  
2 the provisions of this chapter.").

3  
4 **ORDER**

5 IT IS HEREBY ORDERED THAT:

6 I. Respondent is issued a Letter of Reprimand.

7 II. Respondent is placed on Probation for **five years** with the following terms  
8 and conditions:

9 1. **Participation<sup>1</sup>**. Respondent shall promptly enroll in and participate in the  
10 Board's Physician Health Program (PHP) monitoring service which is administered by a  
11 private contractor. ("Monitor").

12 2. **Relapse Prevention Group**. Respondent shall attend the Monitor's relapse  
13 prevention group therapy sessions one time per week for the duration of this Order, unless  
14 excused by the relapse prevention group facilitator for good cause. Individual relapse  
15 therapy may be substituted for one or more of the group therapy sessions, if Monitor pre-  
16 approves substitution. The relapse prevention group facilitators or individual relapse  
17 prevention therapist shall submit monthly reports to the Monitor regarding attendance and  
18 progress.

19 3. **12 Step or Self-Help Group Meetings**. If applicable, Respondent shall  
20 attend ninety 12-step meetings or other self-help group meetings appropriate for  
21 substance abuse and approved by the Monitor, for a period of ninety days. Upon  
22 completion of the ninety meetings in ninety days, Respondent shall participate in a 12-step  
23 recovery program or other self-help program appropriate for substance abuse as  
24

25 \_\_\_\_\_  
<sup>1</sup> Respondent's PHP participation is retroactive to December 21, 2010.

1 recommended by the Monitor. Respondent shall attend a minimum of three 12-step or  
2 other self-help program meetings per week.. Two meetings per month must be Caduceus  
3 meetings. Respondent must maintain a log of all self-help meetings.

4       4.     Approved Primary Care Physician. Respondent shall promptly obtain a  
5 primary care physician and shall submit the name of the physician to the Monitor in writing  
6 for approval. The approved primary care physician ("PCP") shall be in charge of providing  
7 and coordinating Respondent's medical care and treatment. Except in an *Emergency*,  
8 Respondent shall obtain medical care and treatment only from the PCP and from health  
9 care providers to whom the PCP refers Respondent. Respondent shall promptly provide  
10 a copy of this Order to the PCP. Respondent shall also inform all other health care  
11 providers who provide medical care or treatment that Respondent is participating in PHP.  
12 "*Emergency*" means a serious accident or sudden illness that, if not treated immediately,  
13 may result in a long-term medical problem or loss of life.

14       5.     Medication. Except in an *Emergency*, Respondent shall take no *Medication*  
15 unless the PCP or other health care provider to whom the PCP refers Respondent  
16 prescribes the *Medication*. Respondent shall not self-prescribe any *Medication*.  
17 "*Medication*" means a prescription-only drug, controlled substance, and over-the counter  
18 preparation, other than plain aspirin, plain ibuprofen, and plain acetaminophen. If a  
19 controlled substance is prescribed, dispensed, or administered to Respondent by any  
20 person other than PCP, Respondent shall notify the PCP in writing within 48 hours and  
21 notify the Monitor immediately.

22       6.     No Alcohol or Poppy Seeds. Respondent shall not consume alcohol, any  
23 food, or other substance containing poppy seeds or alcohol.

24       7.     Biological Fluid Collection. Respondent shall provide the Monitor in  
25 writing with one telephone number that shall be used to contact Respondent on a 24 hour

1 per day/seven day per week basis to submit to biological fluid collection. For the purposes  
2 of this section, telephonic notice shall be deemed given at the time a message to appear is  
3 left at the contact telephone number provided by Respondent. Respondent authorizes any  
4 person or organization conducting tests on the collected samples to provide testing results  
5 to the Monitor. Respondent shall comply with all requirements for biological fluid  
6 collection.

7       8.     Out of State Travel and/or Unavailability at Home/Office Telephone  
8 Number. Respondent shall provide the Monitor with written notice of any plans to travel  
9 out of state.

10       9.     Payment for Services. Respondent shall pay for all costs, including Monitor  
11 costs, associated with participating in PHP at time service is rendered, or within 30 days of  
12 each invoice sent to Respondent.

13       10.    Interviews. Respondent shall appear in person before the Monitor for  
14 interviews upon request, upon reasonable notice.

15       11.    Address and Phone Changes, Notice. Respondent shall immediately notify  
16 the Monitor in writing of any change in office or home addresses and telephone numbers.

17       12.    Relapse, Violation. In the event of chemical dependency relapse by  
18 Respondent or Respondent's use of drugs or alcohol in violation of the Order,  
19 Respondent's license shall be summarily suspended pending a hearing for  
20 revocation. In the alternative, Respondent may SURRENDER HIS LICENSE if he agrees  
21 in writing to being impaired by alcohol or drug abuse. A.R.S. § 32-1452(G).

22       13.    Notice Requirements. Respondent shall immediately provide a copy of this  
23 Order to all current and future employers and all hospitals and free standing surgery  
24 centers where Respondent has privileges. Within 30 days of the date of this Order,  
25 Respondent shall provide the Monitor with a signed statement of compliance with this

1 notification requirement. Respondent is further required to notify, in writing, all employers,  
2 hospitals and free standing surgery centers where Respondent currently has or in the  
3 future gains employment or privileges, of a chemical dependency relapse.,

4 14. Out-of-State. In the event Respondent resides or practices as a physician  
5 in a state other than Arizona, Respondent shall participate in the rehabilitation program  
6 sponsored by that state's medical licensing authority or medical society. Respondent shall  
7 cause the monitoring state's program to provide written quarterly reports to the Monitor  
8 regarding Respondent's attendance, participation, and monitoring. The monitoring state's  
9 program and Respondent shall immediately notify the Monitor if Respondent: a) is non-  
10 compliant with any aspect of the monitoring requirements; b) relapses; c) tests positive for  
11 controlled substances; d) has low specific gravity urine drug test(s), missed and/or late  
12 urine drug tests, or otherwise rejected urine drug tests; and e) is required to undergo any  
13 additional treatment.

14 15. Respondent shall immediately obtain a treating psychotherapist approved by  
15 the Monitor and shall remain in treatment with the psychotherapist until further order.  
16 Respondent shall instruct the psychotherapist to release to the Monitor, upon request, all  
17 records relating to Respondent's treatment, and to submit quarterly written reports to the  
18 Monitor regarding diagnosis, prognosis, medications, and recommendations for continuing  
19 care and treatment of Respondent. Respondent shall provide the psychotherapist with a  
20 copy of this order. Respondent shall pay the expenses of all the psychotherapy care and  
21 for the preparation of the quarterly reports. After twelve months, Respondent may submit  
22 a written request to the Monitor requesting termination of the requirement that Respondent  
23 remain in treatment with a psychotherapist. The decision to terminate will be based, in  
24 part, upon the treating psychotherapist's recommendation for continued care and  
25 treatment.

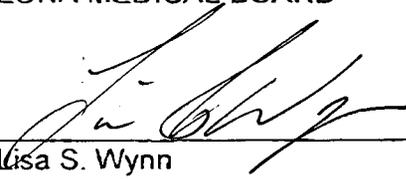
1 16. This Order supersedes all previous consent agreements and stipulations  
2 between the Board and/or the Executive Director and Respondent.

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

5 DATED AND EFFECTIVE this 7th day of April, 2011.



ARIZONA MEDICAL BOARD

9 By   
10 Lisa S. Wynn  
11 Executive Director

12

13 **CONSENT TO ENTRY OF ORDER**

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

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

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

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

25 5. All admissions made by Respondent are solely for final disposition of this  
matter and any subsequent related administrative proceedings or civil litigation involving

1 the Board and Respondent. Therefore, said admissions by Respondent are not intended  
2 or made for any other use, such as in the context of another state or federal government  
3 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or  
4 any other state or federal court.

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

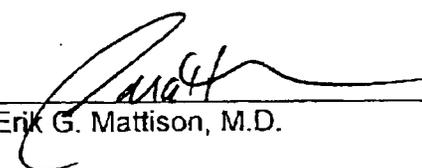
10 7. This Order is a public record that will be publicly disseminated as a formal  
11 disciplinary action of the Board and will be reported to the National Practitioner's Data  
12 Bank and on the Board's web site as a disciplinary action.

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

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

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

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

23  
24   
25 Erik G. Mattison, M.D.

DATED: 2/23/11

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

EXECUTED COPY of the foregoing mailed  
this 17th day of April, 2011 to:

Erik G. Mattison  
Address of Record

Sucher & Greenberg, P.C.  
Address on file

ORIGINAL of the foregoing filed  
this 17th day of April, 2011 with:

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

  
Arizona Medical Board Staff