

1 by nursing staff in the post anesthesia care unit that an ablation had been included. SP
2 became upset as she had not consented to the ablation procedure. A permit request from
3 Respondent's office as well as a consent form signed at the hospital included the D&C and
4 hysteroscopy procedures only. On July 25, 2013, SP was seen for postoperative follow-up
5 and no complications were noted.

6 6. The standard of care required Respondent to obtain informed consent prior
7 to performing any gynecologic procedures on a patient. Respondent deviated from this
8 standard of care by failing to obtain informed consent prior to performing an ablation
9 procedure.

10 7. Actual patient harm was identified in that an ablation was carried out without
11 SP's consent which notably reduces the possibility for a pregnancy.

12 8. There was the potential for patient harm in that SP faced increased surgical
13 risks from the ablation. There is also an increased risk of miscarriage and pregnancy
14 complications if the patient became pregnant after the ablation.

15 **CONCLUSIONS OF LAW**

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

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

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1 ORDER

2 IT IS HEREBY ORDERED THAT:

3 1. Respondent is issued a Letter of Reprimand.

4 DATED AND EFFECTIVE this 5th day of August, 2016.

5 ARIZONA MEDICAL BOARD

6
7 By Patricia E. McSorley
8 Patricia E. McSorley
9 Executive Director

10 CONSENT TO ENTRY OF ORDER

11 1. Respondent has read and understands this Consent Agreement and the
12 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent
13 acknowledges she has the right to consult with legal counsel regarding this matter.

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

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

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

22 5. All admissions made by Respondent are solely for final disposition of this
23 matter and any subsequent related administrative proceedings or civil litigation involving
24 the Board and Respondent. Therefore, said admissions by Respondent are not intended
25 or made for any other use, such as in the context of another state or federal government

1 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
2 any other state or federal court.

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

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

11 8. If the Board does not adopt this Order, Respondent will not assert as a
12 defense that the Board's consideration of the Order constitutes bias, prejudice,
13 prejudgment or other similar defense.

14 9. *Respondent has read and understands the terms of this agreement.*

15
16  DATED: 6/29/2016
17 MICHELLE M. MULDER, M.D.

18 EXECUTED COPY of the foregoing mailed
19 this 5th day of August, 2016 to:

20 Michelle M. Mulder, M.D.
21 Address of Record

22 ORIGINAL of the foregoing filed
23 this 5th day of August, 2016 with:

24 Arizona Medical Board
25 9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258


Board Staff