

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **GARY W. HALL, M.D.**

4 Holder of License No. 12977
5 For the Practice of Medicine
6 In the State of Arizona.

Case No. MD-09-0562A

**CONSENT AGREEMENT FOR
SURRENDER OF LICENSE**

7 **CONSENT AGREEMENT**

8 By mutual agreement and understanding, between the Arizona Medical Board
9 ("Board") and Gary W. Hall, M.D. ("Respondent"), the parties agree to the following
10 disposition of this matter.

11 1. Respondent has read and understands this Consent Agreement and the
12 stipulated Findings of Fact, Conclusions of Law and Order ("Consent Agreement").
13 Respondent acknowledges that he has the right to consult with legal counsel regarding
14 this matter and has done so or chooses not to do so.

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

20 3. This Consent Agreement is not effective until approved by the Board and
21 signed by its Executive Director.

22 4. The Board may adopt this Consent Agreement or any part thereof. This
23 Consent Agreement, or any part thereof, may be considered in any future disciplinary
24 action against Respondent.

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1 5. This Consent Agreement does not constitute a dismissal or resolution of other
2 matters currently pending before the Board, if any, and does not constitute any waiver,
3 express or implied, of the Board's statutory authority or jurisdiction regarding any other
4 pending or future investigation, action or proceeding. The acceptance of this Consent
5 Agreement does not preclude any other agency, subdivision or officer of this State from
6 instituting other civil or criminal proceedings with respect to the conduct that is the subject
7 of this Consent Agreement.

8 6. All admissions made by Respondent are solely for final disposition of this
9 matter and any subsequent related administrative proceedings or civil litigation involving
10 the Board and Respondent. Therefore, said admissions by Respondent are not intended
11 or made for any other use, such as in the context of another state or federal government
12 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
13 any other state or federal court.

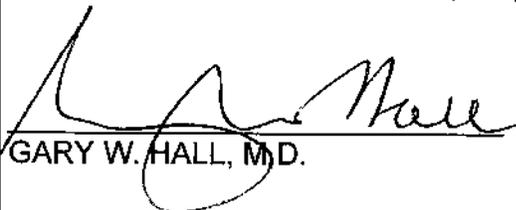
14 7. Upon signing this agreement, and returning this document (or a copy thereof) to
15 the Board's Executive Director, Respondent may not revoke the acceptance of the
16 Consent Agreement. Respondent may not make any modifications to the document. Any
17 modifications to this original document are ineffective and void unless mutually approved
18 by the parties.

19 8. If the Board does not adopt this Consent Agreement, Respondent will not
20 assert as a defense that the Board's consideration of this Consent Agreement constitutes
21 bias, prejudice, prejudgment or other similar defense.

22 9. This Consent Agreement, once approved and signed, is a public record that will
23 be publicly disseminated as a formal action of the Board and will be reported to the
24 National Practitioner Data Bank and to the Arizona Medical Board's website.
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1 10. If any part of the Consent Agreement is later declared void or otherwise
2 unenforceable, the remainder of the Consent Agreement in its entirety shall remain in
3 force and effect.

4 11. Any violation of this Consent Agreement constitutes unprofessional conduct
5 and may result in disciplinary action. A.R.S. §§ 32-1401(27)(r) (“[v]iolating a formal order,
6 probation, consent agreement or stipulation issued or entered into by the board or its
7 executive director under this chapter”) and 32-1451.

8
9 
10 GARY W. HALL, M.D.

Dated: Aug 27, 2009

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 12977 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-09-0562A because of Respondent's
17 failure to pay an administrative civil penalty and formal hearing costs.

18 4. On February 5, 2009, Respondent was ordered to pay a civil penalty and
19 formal hearing costs as a result of a Board Order for case number MD-05-1133A in which
20 the Board found that Respondent violated a previous Board Order prohibiting him from
21 performing surgery. Respondent was ordered to pay the fees by April 26, 2009 or to
22 request an extension if he was unable to do so. Respondent did not pay the civil penalty
23 and costs and he did not request an extension. In response to the Board's investigation,
24 Respondent stated that he could not comply with the Board's order because he does not
25

1 have the resources available to pay the penalty. Respondent failed to supply any
2 documentation to support his claim that he is unable to pay the penalty.

3 5. Respondent admits to the acts described above and that they constitute
4 unprofessional conduct pursuant to A.R.S. §32-1401(27)(r) (“[v]iolating a formal order,
5 probation, consent agreement or stipulation issued or entered into by the board or its
6 executive director under the provisions of this chapter.”).

7 **CONCLUSIONS OF LAW**

8 1. The Board possesses jurisdiction over the subject matter hereof and over
9 Respondent.

10 2. The Board possesses statutory authority to enter into a consent agreement
11 with a physician and accept the surrender of an active license from a physician who
12 admits to having committed an act of unprofessional conduct. A.R.S. § 32-1451(T)(2).

13 **ORDER**

14 IT IS HEREBY ORDERED THAT Respondent immediately surrender License
15 Number 12977, issued to Gary W. Hall, M.D. for the practice of allopathic medicine in the
16 State of Arizona, and return his wallet card and certificate of licensure to the Board.

17 DATED and effective this 7th day of OCTOBER, 2009.



ARIZONA MEDICAL BOARD

By: _____

Lisa S. Wynn
Lisa S. Wynn
Executive Director

23 ORIGINAL of the foregoing filed
this 7 day of October, 2009 with:

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

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EXECUTED COPY of the foregoing mailed
this 7 day of October, 2009 to:

Gary W. Hall, M.D.
Address of Record


Arizona Medical Board Staff