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AZ MEDICAL BOARD

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of **Stewart Mann, M.D.** Holder of License No. **13248** For the Practice of Allopathic Medicine In the State of Arizona.	**Case No. MD-09-0816A** **CONSENT AGREEMENT FOR PRACTICE LIMITATION** **(NON-DISCIPLINARY)**

CONSENT AGREEMENT

By mutual agreement and understanding, between the Executive Director of the Arizona Medical Board ("Board") and Stewart Mann, M.D. ("Physician") the parties agree to the following disposition of this matter.

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

2. Physician understands that by entering into this Consent Agreement he voluntarily relinquishes any rights to a hearing or judicial review in state or federal court, or to challenge this Consent Agreement in its entirety as issued by the Board, and waives any other cause of action related thereto or arising from said Consent Agreement.

3. This Consent Agreement is not effective until signed by the Board.

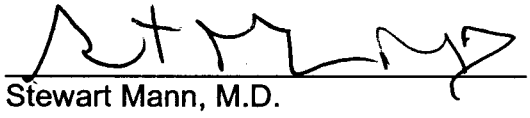
4. All admissions made by Physician are solely for disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Physician. Therefore, said admissions by Physician are not intended or made for any other use, such as in the context of another state or federal government regulatory agency

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

5. Upon signing this Consent Agreement and returning this document (or a copy thereof) to the Board, Physician may not revoke acceptance of the Consent Agreement. Physician may not make any modifications to the Consent Agreement. Any modifications to this Consent Agreement are ineffective and void unless mutually approved by the parties.

6. This Consent Agreement, once approved and signed, is a public record that may be publicly disseminated as a formal ***non-disciplinary*** action of the Board.

7. If any part of the Consent Agreement is later declared void or otherwise unenforceable, the remainder of the Consent Agreement in its entirety shall remain in force and effect.



Stewart Mann, M.D.

Dated: 9/2/09

FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.

2. Physician is the holder of License No. 13248 for the practice of allopathic medicine in the State of Arizona.

3. Physician has recognized that he has a medical condition that may limit his ability to safely engage in the practice of medicine.

4. Because Physician has a medical condition that may limit his ability to safely engage in the practice of medicine, the Executive Director has determined that a consent agreement is needed to mitigate imminent danger to the public health and safety.

5. There has been no finding of unprofessional conduct against Physician.

CONCLUSIONS OF LAW

1. The Board possesses jurisdiction over the subject matter hereof and over Physician.

2. The Executive Director has authority to enter into this consent agreement to limit the physician's practice based upon evidence that he is unable to safely engage in the practice of medicine. A.R.S. § 32-1405(C)(25); A.A.C. R4-16-509.

ORDER

IT IS HEREBY ORDERED THAT:

1. Physician's practice is limited in that he shall not practice medicine in the State of Arizona and is prohibited from prescribing any form of treatment including prescription medications until Physician applies to the Board and receives permission to do so. The Board may require any combination of staff approved assessments, evaluations, treatments, examinations or interviews it finds necessary to assist in determining whether Physician is able to safely resume such practice.

2. The Board retains jurisdiction and may initiate a separate disciplinary action based on the facts and circumstances that form the basis for this practice limitation or any violation of this Consent Agreement.

DATED this 2ND day of SEPTEMBER, 2009.

ARIZONA MEDICAL BOARD

[SEAL]

By _____
Lisa S. Wynn
Executive Director

ORIGINAL of the foregoing filed this 2nd day of September, 2009, with:

Arizona Medical Board
9545 East Doubletree Ranch Road
Scottsdale, Arizona 85258

EXECUTED COPY of the foregoing
Mailed this 2nd day of September 2009 to:

Stewart Mann, M.D.
10752 N 89th Pl Ste C-128
Scottsdale AZ 85260-6730

Sent via email: smann1121@aol.com

C Shepherd
Arizona Medical Board Staff