

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2
3 In the Matter of

4 **JEANNE M. KAPENGA, M.D.**

5 Holder of License No. 35939
6 For the Practice of Medicine
In the State of Arizona.

Case No. MD-13-1130A

**ORDER FOR SURRENDER OF
LICENSE AND CONSENT TO THE
SAME**

7 By mutual agreement and understanding, between the Arizona Medical Board ("Board")
8 and Jeanne M. Kapenga, M.D. ("Respondent"), the parties enter into this Consent Agreement,
9 Findings of Fact, Conclusions of Law and Order for Surrender of License ("Consent Agreement")
10 as a final disposition of this matter.

11 **RECITALS**

12 Respondent understands and agrees that:

- 13 1. The Board may adopt this Consent Agreement pursuant to A.R.S. §§ 32-1451(T)
14 and 41-1092.07(F)(5).
- 15 2. Respondent has read and understands this Consent Agreement.
16 Respondent acknowledges she has the right to consult with legal counsel regarding this
17 matter.
- 18 3. Respondent acknowledges and agrees that this Consent Agreement is
19 entered into freely and voluntarily and that no promise was made or coercion used to
20 induce such entry.
- 21 4. By agreeing to enter into this Consent Agreement, Respondent voluntarily
22 relinquishes any rights to a hearing or judicial review in state or federal court on the
23 matters alleged, or to challenge this Consent Agreement in its entirety as issued by the
24 Board, and waives any other cause of action related thereto or arising from the Consent
25 Agreement.

1 5. The Consent Agreement is not effective until approved by the Board and
2 signed by its Executive Director.

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

9 7. Upon signing the Consent Agreement and returning this document (or a copy
10 thereof) to the Board's Executive Director, Respondent may not revoke her consent to the
11 entry of the Consent Agreement. Respondent may not make any modifications to the
12 document. Any modifications to this original document are ineffective and void unless
13 mutually approved by the parties.

14 8. This Consent Agreement is a public record that will be publicly disseminated
15 as a formal disciplinary action of the Board and will be reported to the National
16 Practitioner's Data Bank and on the Board's web site as a disciplinary action.

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

20 Jeanne M. Kapenga, M.D.
21 Jeanne M. Kapenga, M.D.

Dated: April 28, 2014

FINDINGS OF FACT

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

24 2. Respondent is the holder of license number 35939 for the practice of
25 allopathic medicine in the State of Arizona.

1 EXECUTED COPY of the foregoing mailed by
US Mail this 12th day of June, 2014 to:

2
3 Stephen W. Myers, Esq.
4 Myers & Jenkins, P.C.
5 One East Camelback Road, Suite 500
6 Phoenix, Arizona 85012
7 Attorney of Record for Respondent

8 EXECUTED COPY of the foregoing mailed by
US Mail this 12th day of June, 2014 to:

9 ORIGINAL of the foregoing filed this
12th day of June, 2014 with:

10 The Arizona Medical Board
11 9545 East Doubletree Ranch Road
12 Scottsdale, AZ 85258

13 Mary Doherty
Arizona Medical Board Staff

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