

BEFORE THE ARIZONA MEDICAL BOARD

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In the Matter of
RICARDO A. RIVERA, M.D.
Holder of License No. **41620**
For the Practice of Allopathic Medicine
In the State of Arizona.

Case No. MD-09-0848A

**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 Ricardo A. Rivera, 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

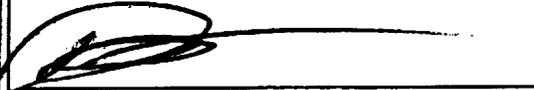
1 proceeding, civil or criminal court proceeding, in the State of Arizona or any other state or
2 federal court.

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

8 6. Physician shall pay for all costs associated with monitoring this Consent
9 Agreement at time service is rendered, if required, or within 30 days of each invoice sent
10 to Physician.

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

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

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19 RICARDO A. RIVERA, M.D.

Dated: 10/16/09

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FINDINGS OF FACT

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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. 41620 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 shall not return to Operating Room Anesthesia for a minimum of two years. In Order to return to the full practice of Anesthesia, Physician shall undergo an evaluation at a Board approved evaluation facility to determine his ability to safely return to the full practice of Anesthesia. 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.

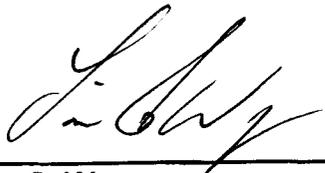
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2. The Board retains jurisdiction and may initiate a separate disciplinary action based on the facts and circumstances that form the basis for this practice limitation or any violation of this Consent Agreement.

DATED this 3rd day of NOVEMBER, 2009.



ARIZONA MEDICAL BOARD

By 
Lisa S. Wynn
Executive Director

ORIGINAL of the foregoing filed this 3rd day of November, 2009, with:

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

EXECUTED COPY of the foregoing mailed this 3rd day of Nov 2009 to:

Ricardo A. Rivera, M.D.
Address of record


Kathleen Mueller
Arizona Medical Board Staff