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BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

RIEMKE BRAKEMA, M.D.

Holder of License No. 18508
For the Practice of Allopathic Medicine
In the State of Arizona.

Case No. MD-14-0167A

**INTERIM CONSENT AGREEMENT FOR
PRACTICE RESTRICTION**

INTERIM CONSENT AGREEMENT

Riemke Brakema, M.D. ("Respondent"), elects to permanently waive any right to a hearing and appeal with respect to this Interim Consent Agreement for Practice Restriction ("Interim Consent Agreement"); admits the jurisdiction of the Arizona Medical Board ("Board"); and the entry of this Interim Consent Agreement by the Board.

INTERIM 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. Respondent is the holder of License No. 18508 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-13-0634A upon receiving notification that Respondent was involved in a traffic accident. She was administered a Breathalyzer at the scene and was subsequently charged with a DUI.

4. Based upon this incident, Respondent presented for a physician health assessment. During the assessment, Respondent indicated that she was currently not practicing medicine and that she was under the care of a psychiatrist and psychotherapist. As a result of the assessment, on August 16, 2013, Respondent entered into a Stipulated Rehabilitation Agreement ("SRA"). Pursuant to the SRA, Respondent was required to participate in the Board's Physician Health Program ("PHP")

RB 6/24

1 for a period of two years and to continue to seek care from her psychiatrist and comply
2 with his recommendations regarding her practice of medicine.

3 5. The SRA expressly prohibited Respondent from consuming alcohol. On
4 January 13, 2014, Respondent's urine drug screen tested positive of ETG. When
5 confronted with the results of her urine drug screen, Respondent acknowledged that she
6 consumed alcohol. As a result of Respondent's violation of the SRA, the Board initiated
7 case MD-14-0167A.

8 6. Respondent presented to a treatment center on March 23, 2014 and was
9 discharged with staff approval on June 2, 2014.

10 7. The Executive Director has consulted with the investigative staff, the
11 Board's medical consultant and the lead Board member, all of whom have reviewed the
12 case and agree that an interim consent agreement is appropriate.

13 **INTERIM CONCLUSIONS OF LAW**

14 1. The Board possesses jurisdiction over the subject matter hereof and over
15 Respondent.

16 2. The Executive Director may enter into an interim consent agreement with a
17 physician if there is evidence that a restriction is needed to mitigate imminent danger to
18 the public health and safety pursuant to A.R.S. §§ 32-1405(C)(25) and 32-1451(F), and
19 A.A.C. R4-16-504.

20 3. Based on the information in the Board's possession there is evidence that if
21 Respondent were to practice medicine in the State of Arizona there would be imminent
22 danger to the public health and safety.

23 **INTERIM ORDER**

24 IT IS HEREBY ORDERED THAT:

25 1. Respondent is prohibited from engaging in the practice of medicine in the

RB 6/24

1 State of Arizona as set forth in A.R.S. § 32-1401(22) until she applies to the Board and
 2 receives its affirmative permission to do so. Respondent may not apply for relief from this
 3 Interim Consent Agreement until she has completed a current assessment administered
 4 through the Board's PHP and the Board is in receipt of the assessment report and
 5 recommendations. In addition, Respondent may not apply for relief from this Interim
 6 Consent Agreement until the Board is in receipt of a current report from her treating
 7 psychiatrist addressing her disability status and her ability to safely and competently
 8 practice medicine.

9 2. Once all of the requirements set forth in paragraph one have been met,
 10 Respondent may request, in writing, release and/or modification from this Interim
 11 Consent Agreement. The Board has the sole discretion to determine whether it is
 12 appropriate to release Respondent from this Interim Consent Agreement and enter a
 13 final disposition in this matter or take any other action that is consistent with its statutory
 14 and regulatory authority.

15 3. This Interim Consent Agreement is not a final decision by the Board
 16 regarding the pending investigative file and as such is subject to further consideration by
 17 the Board.

18 DATED AND EFFECTIVE this 24th day of June, 2014.

19 ARIZONA MEDICAL BOARD

20 By C Lloyd Vest II
 21 C. Lloyd Vest, II
 22 Executive Director

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RB 6/24

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CONSENT TO ENTRY OF INTERIM CONSENT AGREEMENT

1. Respondent has read and understands this Interim Consent Agreement for Practice Restriction and the stipulated Interim Findings of Fact, Conclusions of Law and Order. Respondent acknowledges she has the right to consult with legal counsel regarding this matter.

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

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

4. This Interim Consent Agreement is not effective until approved and signed by the Executive Director.

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

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

RB 6/24

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

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

8 
 9 _____
 Riemke Brakema, M.D.

DATED: 6/24/14

11 EXECUTED COPY of the foregoing mailed
 12 this 24th day of June, 2014 to:

13 Riemke Brakema, M.D.
 14 Address of Record

15 ORIGINAL of the foregoing filed
 16 this 24th day of June, 2014 with:

17 Arizona Medical Board
 18 9545 E. Doubletree Ranch Road
 19 Scottsdale, AZ 85258

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 21 _____
 22 Board Staff

RO 6/24