

1 BEFORE THE ARIZONA MEDICAL BOARD

2 In the Matter of

3 **DANIEL GOLDSMITH, M.D.**

4 Holder of License No. 21920
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Case No. MD-15-1152A

**ORDER FOR LETTER OF
REPRIMAND; AND
CONSENT TO THE SAME**

7 Daniel Goldsmith, M.D. ("Respondent") elects to permanently waive any right to a
8 hearing and appeal with respect to this Order for a Letter of Reprimand; admits the
9 jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order
10 by the Board.

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 21920 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-15-1152A after receiving notification
17 from the Arizona Department of Health Services ("AZDHS") that for date range July 1,
18 2014 to June 30, 2015, Respondent certified 27 Medical Marijuana Certification ("MMC")
19 forms without performing a query of the Controlled Substances Prescription Monitoring
20 Program ("CSPMP") database.

21 4. MMC forms require an authorizing physician to certify that a CSPMP query
22 was performed as part of the certification process. According to the CSPMP, Respondent
23 gained access to the CSPMP before January 2014; however, Respondent did not make
24 any queries to the CSPMP for date range July 1, 2014 to June 30, 2015.

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1 **CONCLUSIONS OF LAW**

2 a. The Board possesses jurisdiction over the subject matter hereof and over
3 Respondent.

4 b. The conduct and circumstances described above constitute unprofessional
5 conduct pursuant to A.R.S. § 32-1401(27)(t) ("Knowingly making any false or fraudulent
6 statement, written or oral, in connection with the practice of medicine or if applying for
7 privileges or renewing an application for privileges at a health care institution.").

8
9 **ORDER**

10 IT IS HEREBY ORDERED THAT:

11 1. Respondent is issued a Letter of Reprimand.

12 DATED AND EFFECTIVE this 16th day of September, 2016.

13 ARIZONA MEDICAL BOARD

14 By Patricia E. McSorley
15 Patricia E. McSorley
16 Executive Director

17 **CONSENT TO ENTRY OF ORDER**

18 1. Respondent has read and understands this Consent Agreement and the
19 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent
20 acknowledges he has the right to consult with legal counsel regarding this matter.

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

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

3 4. The Order is not effective until approved by the Board and signed by its
4 Executive Director.

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

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

16 7. This Order is a public record that will be publicly disseminated as a formal
17 disciplinary action of the Board and will be reported to the National Practitioner's Data
18 Bank and on the Board's web site as a disciplinary action.

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

22 9. Respondent has read and understands the terms of this agreement.

23 
24 DANIEL GOLDSMITH, M.D.
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DATED: Aug. 22, 2016

1 EXECUTED COPY of the foregoing mailed
2 this 16th day of September, 2016 to:

3 Daniel Goldsmith, M.D.
4 Address of Record

5 ORIGINAL of the foregoing filed
6 this 16th day of September, 2016 with:

7 Arizona Medical Board
8 9545 E. Doubletree Ranch Road
9 Scottsdale, AZ 85258

10 Mary Bobes
11 Board staff

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