

1 undertaken significant efforts to remediate the issue, including ordering a new electronic
2 medical records system and other technology to make the system more user friendly.

3 **CONCLUSIONS OF LAW**

4 1. The Board possesses jurisdiction over the subject matter hereof and over
5 Respondent.

6 2. The conduct and circumstances described above constitute unprofessional
7 conduct pursuant to A.R.S. § 32-1401(27)(e) (“[f]ailing or refusing to maintain adequate
8 records on a patient.”).

9
10 **ORDER**

11 IT IS HEREBY ORDERED THAT:

12 1. Respondent is placed on Probation for a period of one year with the following
13 terms and conditions:

14 **a. Chart Reviews**

15 Board Staff or its agents shall conduct a minimum of two chart reviews, consisting
16 of three to five randomly pulled charts of patients treated by Respondent after October of
17 2015. Based upon the chart review, the Board retains jurisdiction to take additional
18 disciplinary or remedial action. Respondent shall bear all costs associated with the chart
19 reviews. After two consecutive favorable chart reviews, Respondent may petition the
20 Board to terminate the Probation as set forth in paragraph 1(e) below. The Board shall
21 have the sole discretion to determine whether Respondent met the terms of the Probation.

22 **b. Obey All Laws**

23 Respondent shall obey all state, federal and local laws, all rules governing the
24 practice of medicine in Arizona, and remain in full compliance with any court ordered
25 criminal probation, payments and other orders.

1
2
3 **RIGHT TO PETITION FOR REHEARING OR REVIEW**

4 Respondent is hereby notified that he has the right to petition for a rehearing or
5 review. The petition for rehearing or review must be filed with the Board's Executive
6 Director within thirty (30) days after service of this Order. A.R.S. § 41-1092.09(B). The
7 petition for rehearing or review must set forth legally sufficient reasons for granting a
8 rehearing or review. A.A.C. R4-16-103. Service of this order is effective five (5) days after
9 date of mailing. A.R.S. § 41-1092.09(C). If a petition for rehearing or review is not filed,
10 the Board's Order becomes effective thirty-five (35) days after it is mailed to Respondent.

11 Respondent is further notified that the filing of a motion for rehearing or review is
12 required to preserve any rights of appeal to the Superior Court.

13 EXECUTED COPY of the foregoing mailed
14 this 22nd day of January, 2016 to:

15
16 Kenneth M. Fisher, M.D.
Address of Record

17 ORIGINAL of the foregoing filed
18 this 22nd day of January, 2016 with:

19 Arizona Medical Board
20 9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258

21
22 MaryBaker
23 Board Staff