

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

DONALD W. FISCHER, M.D.

Holder of License No. 12741
For the Practice of Allopathic Medicine
In the State of Arizona.

Case No. MD-10-0109A

**ORDER FOR PRACTICE LIMITATION
AND CONSENT TO THE SAME
(NON-DISCIPLINARY)**

CONSENT AGREEMENT

Donald W. Fischer, M.D. ("Physician") elects to permanently waive any right to a hearing and appeal with respect to this Order for Practice Limitation; admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order by the Board.

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. Physician is the holder of License No. 12741 for the practice of allopathic medicine in the State of Arizona.
3. Physician has recognized that he has health issues that may limit his ability to safely engage in the practice of medicine.
4. Because Physician has health issues 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.

1 ("Order"). Physician acknowledges he has the right to consult with legal counsel regarding
2 this matter.

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

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

9 4. The Order is not effective until approved and signed by the Executive
10 Director.

11 5. All admissions made by Physician are solely for final disposition of this
12 matter and any subsequent related administrative proceedings or civil litigation involving
13 the Board and Physician. Therefore, said admissions by Physician are not intended or
14 made for any other use, such as in the context of another state or federal government
15 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
16 any other state or federal court.

17 6. Upon signing this agreement, and returning this document (or a copy
18 thereof) to the Board's Executive Director, Physician may not revoke the consent to the
19 entry of the Order. Physician may not make any modifications to the document. Any
20 modifications to this original document are ineffective and void unless mutually approved
21 by the parties.

22 7. This Order is a public record that will be publicly disseminated as a formal
23 **non-disciplinary** action of the Board.

24 8. If any part of the Order is later declared void or otherwise unenforceable, the
25 remainder of the Order in its entirety shall remain in force and effect.

1 9. Any violation of this Order constitutes unprofessional conduct and may result
2 in disciplinary action. A.R.S. § § 32-1401(27)(r) (“[v]iolating a formal order, probation,
3 consent agreement or stipulation issued or entered into by the board or its executive
4 director under this chapter”) and 32-1451.

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DONALD W. FISCHER, M.D.

DATED: 5 February 2010

8 EXECUTED COPY of the foregoing mailed
9 this 5th day of June, 2010 to:

10 Donald W. Fischer, M.D.
Address of Record

11 ORIGINAL of the foregoing filed
12 this 5th day of June, 2010 with:

13 Arizona Medical Board
14 9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258

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16 _____
Arizona Medical Board Staff