

1 **BEFORE THE ARIZONA BOARD OF OSTEOPATHIC EXAMINERS**

2 **IN MEDICINE AND SURGERY**

3	IN THE MATTER OF:)	OAH No.: 10A-DO-09-0026-OST
4	LLOYD ARMOLD, D.O.,)	Case No.: DO-09-0026A
	Holder of License No. 0641)	
5	For the practice of osteopathic medicine in the)	CONSENT AGREEMENT FOR
6	State of Arizona)	SURRENDER OF LICENSE
7)	

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9 By mutual agreement and understanding, between the Arizona Board of Osteopathic
10 Examiners in Medicine and Surgery ("Board") and Lloyd Arnold, D.O. ("Respondent") the
11 parties agree to the following disposition of this matter.

12 1. Respondent has read and understands this Consent Agreement and the stipulated
13 Findings of Fact, Conclusions of Law and Order ("Consent Agreement"). Respondent
14 acknowledges that he has the right to consult with legal counsel regarding this matter and has
15 done so or chooses not to do so.

16 2. By entering into this Consent Agreement, Respondent voluntarily relinquishes
17 any rights to a hearing or judicial review in state or federal court on the matters alleged, or to
18 challenge this Consent Agreement in its entirety as issued by the Board, and waives any other
19 cause of action related thereto or arising from said Consent Agreement.

20 3. This Consent Agreement is not effective until approved by the Board and signed
21 by its Executive Director.

22 4. Respondent admits to the statement of facts and conclusions of law contained in
23 the Consent Agreement and Order.

24 5. This Consent Agreement, or any part thereof, may be considered in any future
25 disciplinary action against Respondent.

26 6. This Consent Agreement does not constitute a dismissal or resolution of other
27 matters currently pending before the Board, if any, and does not constitute any waiver, express or

1 implied, of the Board's statutory authority or jurisdiction. The acceptance of this Consent
2 Agreement does not preclude any other agency, subdivision or officer of this State from
3 instituting other civil or criminal proceedings with respect to the conduct that is the subject of
4 this Consent Agreement.

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

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

15 9. This Consent Agreement, once approved and signed, is a public record that will
16 be publicly disseminated as a formal action of the Board and will be reported to the National
17 Practitioner Data Bank and to the Board's website.

18 10. If any part of the Consent Agreement is later declared void or otherwise
19 unenforceable, the remainder of the Consent Agreement in its entirety shall remain in force and
20 effect.

21 11. If the Board does not adopt this Consent Agreement, (1) Respondent will not
22 assert as a defense that the Board's consideration of the Consent Agreement constitutes bias,
23 prejudice, prejudgment or other similar defense; and (2) the Board will not consider content of
24 this Consent Agreement as an admission by Respondent.

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1 REVIEWED AND ACCEPTED THIS 13th DAY OF FEBRUARY, 2010.

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4 Lloyd Arnold, D.O.

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6 **JURISDICTION**

7 1. The Board is empowered, pursuant to A.R.S. § 32-1800, *et seq.* to regulate the
8 practice of osteopathic medicine in the State of Arizona, and the conduct of the persons licensed,
9 registered, or permitted to practice osteopathic medicine in the State of Arizona.

10 2. Respondent holds license No. 0641 issued by the Board to practice as an
11 osteopathic physician.

12 **FINDINGS OF FACT**

13 1. On July 18, 2009, Respondent appeared before the Board on this matter and
14 agreed to enter into an Interim Consent Agreement for Practice Restriction (hereinafter "Interim
15 Consent"), the language of which was agreed to at a telephone conference call meeting on
16 August 6, 2009. Respondent was present at both meetings, and was not represented by counsel.
17 On August 7, 2009 Respondent and the Board's Executive Director signed the Interim Consent,
18 making it effective.

19 2. In part, the Interim Consent ordered Respondent to no longer prescribe any
20 Schedule II medications or Schedule III hydrocodone combinations (DEA # 9806) and morphine
21 combinations (DEA # 9810) to any patient, nor shall such medications be prescribed by any
22 health care practitioner supervised or employed by Respondent at his practice after 45 days of
23 the effective date of the Interim Consent. Prior to the 45 days, its interim Order required that
24 Respondent only refill once any prescription for a given patient. The Board deemed the
25 deadlines set in its interim Order as follows: the 10th day as August 17, 2009; the 30th day as
26 September 7, 2009, and the 45th day as September 25, 2009.

ORDER

IT IS HEREBY ORDERED THAT License Number 0641, issued to Lloyd Arnold, D.O. for the practice of osteopathic medicine in the State of Arizona, is SURRENDERED, and that Lloyd Arnold, D.O. shall immediately return his wallet card and shall no longer engage in the practice of osteopathic medicine in the State of Arizona after the effective date of this Order.

Any violation of this Consent Agreement constitutes unprofessional conduct and may result in disciplinary action and or referral to the appropriate criminal agency.



ISSUED THIS 21st DAY OF FEBRUARY, 2010.
STATE OF ARIZONA
BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

By: *Elaine LeTarte*
Elaine LeTarte, Executive Director

Original "Consent Agreement for Surrender of License" filed this 1st day of ~~February~~ March, 2010 with the:

Arizona Board of Osteopathic Examiners
In Medicine and Surgery
9535 East Doubletree Ranch Road
Scottsdale AZ 85258-5539

Copy of the foregoing "Consent Agreement for Surrender of License" sent via facsimile and certified, return receipt requested this 1st day of ~~February~~ March, 2010 to:

Lloyd Arnold, D.O.
Address of Record

Cert mail: 7006 0810 0002 2000 7164

Copies of the foregoing "Consent Agreement for Surrender of License" sent via regular mail this 1st day of ~~February~~ March, 2010 to:

Camila Alarcon, AAG
Office of the Attorney General CIV/LES
1275 West Washington
Phoenix AZ 85007

Kathy Lewis