

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2  
3 In the Matter of

4 **VERA A. MEIER-BENNETT, M.D.**

5 Holder of License No. 44624  
6 For the Practice of Allopathic Medicine  
7 In the State of Arizona.

**Case No. MD-14-1132A**

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

8 Vera A. Meier-Bennett, M.D. ("Respondent"), elects to permanently waive any right  
9 to a hearing and appeal with respect to this Order for a Letter of Reprimand and Probation;  
10 admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of  
11 this Order by the Board.

12 **FINDINGS OF FACT**

13  
14 1. The Board is the duly constituted authority for the regulation and control of  
15 the practice of allopathic medicine in the State of Arizona.

16 2. Respondent is the holder of License No. 44624 for the practice of allopathic  
17 medicine in the State of Arizona.

18 3. The Board initiated case number MD-14-1132A after Respondent self-  
19 reported a substance abuse issue.

20 4. The Board was subsequently notified that Respondent voluntarily refrained  
21 from practice at a hospital pending review of an incident where she was intoxicated while  
22 on call.

23 5. Respondent presented for an assessment with the Board's Physician Health  
24 Program ("PHP") where she was noted to meet the criteria for alcohol dependence and  
25 treatment was recommended.



1           2.     Respondent's license is placed on Probation for **five years<sup>1</sup>** and is subject to  
2 her continued participation in the Board's Physician Health Program ("PHP") and  
3 compliance with the following terms and conditions:

4           4.     Respondent shall not consume alcohol or any food or other substance  
5 containing poppy seeds or alcohol. Respondent shall not take any illegal drugs or mood  
6 altering medications.

7           5.     Respondent shall attend the PHP's relapse prevention group therapy  
8 sessions one time per week for the duration of this Order, unless excused by the relapse  
9 prevention group facilitator for good cause. Individual relapse therapy may be substituted  
10 for one or more of the group therapy sessions, if PHP pre-approves substitution. The  
11 relapse prevention group facilitators or individual relapse prevention therapist shall submit  
12 monthly reports to the PHP regarding attendance and progress.

13          6.     If requested by the PHP, Respondent shall attend ninety 12-step meetings or  
14 other self-help group meetings appropriate for substance abuse and approved by the  
15 PHP, for a period of ninety days. Upon completion of the ninety meetings in ninety days,  
16 Respondent shall participate in a 12-step recovery program or other self-help program  
17 appropriate for substance abuse as recommended by the PHP. Respondent shall attend a  
18 minimum of three 12-step or other self-help program meetings per week. Two meetings  
19 per month must be Caduceus meetings. Respondent must maintain a log of all self-help  
20 meetings.

21          7.     Respondent shall promptly obtain a primary care physician and shall submit  
22 the name of the physician to the PHP in writing for approval. The approved primary care  
23 physician ("PCP") shall be in charge of providing and coordinating Respondent's medical  
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25 \_\_\_\_\_  
<sup>1</sup> Respondent's PHP participation shall be retroactive to November 4, 2014.

1 care and treatment. Except in an Emergency, Respondent shall obtain medical care and  
2 treatment only from the PCP and from health care providers to whom the PCP refers  
3 Respondent. Respondent shall promptly provide a copy of this Order to the PCP.  
4 Respondent shall also inform all other health care providers who provide medical care or  
5 treatment that Respondent is participating in PHP. "Emergency" means a serious accident  
6 or sudden illness that, if not treated immediately, may result in a long-term medical  
7 problem or loss of life.

8 8. All prescriptions for controlled substances shall be approved by the PHP  
9 prior to being filled except in an Emergency. Controlled substances prescribed and filled  
10 in an emergency shall be reported to the PHP within 48 hours. Respondent shall take no  
11 Medication unless the PCP or other health care provider to whom the PCP refers  
12 Respondent prescribes and the PHP approves the Medication. Respondent shall not self-  
13 prescribe any Medication. "Medication" means a prescription-only drug, controlled  
14 substance, and over-the counter preparation, other than plain aspirin, plain ibuprofen, and  
15 plain acetaminophen. Respondent shall submit to random biological fluid, hair and nail  
16 testing for five years from the date of this Interim Consent Agreement (as specifically  
17 directed below) to ensure compliance with PHP.

18 9. Respondent shall provide the PHP in writing with one telephone number that  
19 shall be used to contact Respondent on a 24 hour per day/seven day per week basis to  
20 submit to biological fluid, hair and nail testing to ensure compliance with PHP. For the  
21 purposes of this section, telephonic notice shall be deemed given at the time a message to  
22 appear is left at the contact telephone number provided by Respondent. Respondent  
23 authorizes any person or organization conducting tests on the collected samples to  
24 provide testing results to the PHP. Respondent shall comply with all requirements for  
25 biological fluid, hair and nail collection. Respondent shall pay for all costs for the testing.

1           10. Respondent shall provide the PHP with written notice of any plans to travel  
2 out of state.

3           11. Respondent shall immediately notify the Board and the PHP in writing of any  
4 change in office or home addresses and telephone numbers.

5           12. Respondent provides full consent for the PHP to discuss the Respondent's  
6 case with the Respondent's PCP or any other health care providers to ensure compliance  
7 with PHP.

8           13. The relationship between the Respondent and the PHP is a direct  
9 relationship. Respondent shall not use an attorney or other intermediary to communicate  
10 with the PHP on participation and compliance issues.

11           14. Respondent shall be responsible for all costs, including PHP costs  
12 associated with participating in PHP at the time service is rendered, or within 30 days of  
13 each invoice sent to the Respondent. An initial deposit of two months PHP fees is due  
14 upon entering the program. Failure to pay either the initial PHP deposit or monthly fees 60  
15 days after invoicing will be reported to the Board by the PHP and may result in disciplinary  
16 action up to and including revocation.

17           15. Respondent shall immediately provide a copy of this Order to all employers,  
18 hospitals and free standing surgery centers where Respondent currently has or in the  
19 future gains employment or privileges. Within 30 days of the date of this Order,  
20 Respondent shall provide the PHP with a signed statement of compliance with this  
21 notification requirement. Respondent is further required to notify, in writing, all employers,  
22 hospitals and free standing surgery centers where Respondent currently has or in the  
23 future gains employment or privileges, of a chemical dependency relapse or a violation of  
24 this Order.

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1           16. In the event Respondent resides or practices as a physician in a state other  
2 than Arizona, Respondent shall participate in the rehabilitation program sponsored by that  
3 state's medical licensing authority or medical society. Respondent shall cause the  
4 monitoring state's program to provide written quarterly reports to the PHP regarding  
5 Respondent's attendance, participation, and monitoring. The monitoring state's program  
6 and Respondent shall immediately notify the PHP if Respondent: a) is non-compliant with  
7 any aspect of the monitoring requirements; b) relapses; c) tests positive for controlled  
8 substances; d) has low specific gravity urine drug test(s), missed and/or late urine drug  
9 tests, or otherwise rejected urine drug tests; and e) is required to undergo any additional  
10 treatment.

11           17. The PHP shall immediately notify the Board if Respondent is non-compliant  
12 with any aspect of the monitoring requirements or this Order.

13           18. In the event of chemical dependency relapse by Respondent or  
14 Respondent's use of controlled substances or alcohol in violation of this Order,  
15 Respondent shall promptly enter into an Interim Consent Agreement for Practice  
16 Restriction that requires, among other things, that Respondent not practice medicine until  
17 such time as Respondent successfully completes long-term inpatient treatment for  
18 chemical dependency designated by the PHP and obtains affirmative approval from the  
19 Executive Director, in consultation with the Lead Board Member and Chief Medical  
20 Consultant, to return to the practice of medicine. Prior to approving Respondent's request  
21 to return to the practice of medicine, Respondent may be required to undergo any  
22 combination of physical examination, psychiatric or psychological evaluation. In no respect  
23 shall the terms of this paragraph restrict the Board's authority to initiate and take  
24 disciplinary action for violation of this Order.

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1           19. Respondent shall obey all federal, state and local laws, and all rules  
2 governing the practice of medicine in the State of Arizona.

3           20. Respondent shall appear in person before the Board and/or its staff and PHP  
4 for interviews upon request, with reasonable notice.

5           21. This Order supersedes all previous consent agreements and stipulations  
6 between the Board and/or the Executive Director and Respondent and is the final  
7 resolution of this matter.

8           22. Prior to the termination of Probation, Respondent must submit a written  
9 request to the Board for release from the terms of this Order. Respondent's request for  
10 release will be placed on the next pending Board agenda, provided a complete submission  
11 is received by Board staff no less than 14 days prior to the Board meeting. Respondent's  
12 request for release must provide the Board with evidence establishing that he has  
13 successfully satisfied all of the terms and conditions of this Order. The Board has the sole  
14 discretion to determine whether all of the terms and conditions of this Order have been  
15 met or whether to take any other action that is consistent with its statutory and regulatory  
16 authority.

17           DATED AND EFFECTIVE this 8<sup>th</sup> day of February, 2015.

18  
19           ARIZONA MEDICAL BOARD

20           By Patricia E. McSorley  
21           Patricia E. McSorley  
22           Executive Director  
23  
24  
25

**CONSENT TO ENTRY OF ORDER**

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2           1.       Respondent has read and understands this Consent Agreement and the  
3 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent  
4 acknowledges she has the right to consult with legal counsel regarding this matter.

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

7           3.       By consenting to this Order, Respondent voluntarily relinquishes any rights  
8 to a hearing or judicial review in state or federal court on the matters alleged, and waives  
9 any other cause of action related thereto or arising from said Order.

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

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

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

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

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

3 9. If the Board does not adopt this Order, Respondent will not assert as a  
4 defense that the Board's consideration of the Order constitutes bias, prejudice,  
5 prejudgment or other similar defense.

6 10. Any violation of this Order constitutes unprofessional conduct and may result  
7 in disciplinary action. A.R.S. § § 32-1401(27)(r) ("[V]iolating a formal order, probation,  
8 consent agreement or stipulation issued or entered into by the board or its executive  
9 director under this chapter.") and 32-1451.

10 **11. Respondent has read and understands the conditions of probation.**

11   
12 VERA A. MEIER-BENNETT, M.D. DATED: 12-8-15

13  
14 EXECUTED COPY of the foregoing mailed  
this 8<sup>th</sup> day of February, 2016 to:

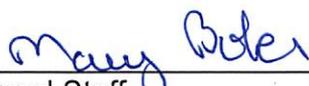
15  
16 Vera Ann Meier-Bennett, M.D.  
Address of Record

17 EXECUTED COPY of the foregoing mailed  
18 this 8<sup>th</sup> day of February, 2016 to:

19 Greenberg and Sucher, P.C.  
20 Address on file

21 ORIGINAL of the foregoing filed  
this 8<sup>th</sup> day of February, 2016 with:

22 Arizona Medical Board  
23 9545 E. Doubletree Ranch Road  
24 Scottsdale, AZ 85258

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Board Staff