

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **Case No. MD-08-0547**

4 **DANIEL I. SHAPIRO, M.D.**

**INTERIM CONSENT AGREEMENT  
FOR PRACTICE RESTRICTION**

5 Holder of License No. **20700**  
6 For the Practice of Allopathic Medicine  
In the State of Arizona.

7 **INTERIM CONSENT AGREEMENT**

8 By mutual agreement and understanding, between the Arizona Medical Board ("Board")  
9 and Daniel I. Shapiro, M.D. ("Respondent") the parties agree to the following disposition of this  
10 matter.

11 1. Respondent has read and understands this Interim Consent Agreement and the  
12 stipulated Findings of Fact, Conclusions of Law and Order ("Interim Consent Agreement").  
13 Respondent acknowledges that he understands he has the right to consult with legal counsel  
14 regarding this matter.

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

19 3. This Interim Consent Agreement will not become effective until signed by the  
20 Executive Director.

21 4. All admissions made by Respondent are solely for interim disposition of this matter  
22 and any subsequent related administrative proceedings or civil litigation involving the Board and  
23 Respondent. Therefore, said admissions by Respondent are not intended or made for any other  
24 use, such as in the context of another state or federal government regulatory agency proceeding,  
25 civil or criminal court proceeding, in the State of Arizona or any other state or federal court.

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5. Respondent may not make any modifications to the document. Upon signing this agreement, and returning this document (or a copy thereof) to the Executive Director, Respondent may not revoke acceptance of the Interim Consent Agreement. Any modifications to this Interim Consent Agreement are ineffective and void unless mutually approved by the parties.

6. This Interim Consent Agreement, once approved and signed, is a public record that will be publicly disseminated as a formal action of the Board and will be reported to the National Practitioner Databank and on the Board's website.

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

  
DANIEL I. SHAPIRO, M.D.

Dated: 5/23/2008

1 **FINDINGS OF FACT**

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

4 2. Respondent is the holder of License No. 20700 for the practice of allopathic  
5 medicine in the State of Arizona.

6 3. On May 20, 2008, the Board received a complaint regarding inappropriate contact  
7 with a patient and an allegation that Respondent might have a substance abuse problem. On  
8 May 23, 2008, Respondent was interviewed by Board Staff, including the Board's Contracted  
9 Addiction Medicine Consultant and the Board's Chief Medical Consultant. Present also was  
10 Respondent's attorney. Based on Respondent's statements during this interview, both  
11 consultants recommended that Respondent immediately cease practice and enter a residential  
12 evaluation.

13 4. Based on the information in the Board's possession, it is the Board's position that  
14 there is evidence that if Respondent were to practice medicine in Arizona at this time there  
15 would be a danger to the public health and safety.

16 **INTERIM CONCLUSIONS OF LAW**

17 1. The Board possesses jurisdiction over the subject matter hereof and over  
18 Respondent.

19 2. The Executive Director may enter into a consent agreement with a physician if  
20 there is evidence of danger to the public health and safety. A.R.S. § 32-1405(C)(25); A.A.C. R4-  
21 16-504.

22 **INTERIM ORDER**

23 IT IS HEREBY AGREED THAT:

24 1. Respondent shall not practice clinical medicine or any medicine involving direct  
25 patient care, and is prohibited from prescribing any form of treatment including prescription

1 medications, until Respondent applies to the Board and receives permission to do so.

2 2. This is an interim order and not a final decision by the Board regarding the pending  
3 investigative file and as such is subject to further consideration by the Board.

4 DATED AND EFFECTIVE this 23<sup>rd</sup> day of May 2008.



ARIZONA MEDICAL BOARD

By *Lisa S. Wynn*  
LISA S. WYNN  
Executive Director

10 ORIGINAL of the foregoing filed this  
23<sup>rd</sup> day of May, 2008 with:

11 The Arizona Medical Board  
12 9545 East Doubletree Ranch Road  
Scottsdale, AZ 85258

13 EXECUTED COPY of the foregoing  
14 mailed this 23<sup>rd</sup> day of May,  
2008 to:

15 Robert J. Milligan  
\*\*\*  
16 Attorney for Respondent  
17 Milligan Lawless Taylor Murphy & Bailey  
18 4647 North 32<sup>nd</sup> Street, Suite 185  
Phoenix, Arizona 85018

19 *Robert J. Milligan*  
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