

1
2 **ORDER**
3

4 IT IS HEREBY ORDERED THAT:

5 1. Respondent is issued a Letter of Reprimand.

6 2. Respondent is placed on Probation for **five years** with the following terms
7 and conditions:

8 1. **Participation**¹. Respondent shall promptly enroll in and participate in the
9 Board's Physician Health Program (PHP) monitoring service which is administered by a
10 private contractor. ("Monitor").

11 2. **Relapse Prevention Group**. Respondent shall attend the Monitor's relapse
12 prevention group therapy sessions one time per week for the duration of this Order, unless
13 excused by the relapse prevention group facilitator for good cause. Individual relapse
14 therapy may be substituted for one or more of the group therapy sessions, if Monitor pre-
15 approves substitution. The relapse prevention group facilitators or individual relapse
16 prevention therapist shall submit monthly reports to the Monitor regarding attendance and
17 progress.

18 3. **12 Step or Self-Help Group Meetings**. If applicable, Respondent shall
19 attend ninety 12-step meetings or other self-help group meetings appropriate for
20 substance abuse and approved by the Monitor, for a period of ninety days. Upon
21 completion of the ninety meetings in ninety days, Respondent shall participate in a 12-step
22 recovery program or other self-help program appropriate for substance abuse as
23 recommended by the Monitor. Respondent shall attend a minimum of three 12-step or
24

25 _____
¹ Respondent's PHP participation is retroactive to October 31, 2012.

1 other self-help program meetings per week. Two meetings per month must be Caduceus
2 meetings. Respondent must maintain a log of all self-help meetings.

3 4. **Approved Primary Care Physician.** Respondent shall promptly obtain a
4 primary care physician and shall submit the name of the physician to the Monitor in writing
5 for approval. The approved primary care physician ("PCP") shall be in charge of providing
6 and coordinating Respondent's medical care and treatment. Except in an *Emergency*,
7 Respondent shall obtain medical care and treatment only from the PCP and from health
8 care providers to whom the PCP refers Respondent. Respondent shall promptly provide
9 a copy of this Order to the PCP. Respondent shall also inform all other health care
10 providers who provide medical care or treatment that Respondent is participating in PHP.
11 "*Emergency*" means a serious accident or sudden illness that, if not treated immediately,
12 may result in a long-term medical problem or loss of life.

13 5. **Medication.** Except in an *Emergency*, Respondent shall take no *Medication*
14 unless the PCP or other health care provider to whom the PCP refers Respondent
15 prescribes the *Medication*. Respondent shall not self-prescribe any *Medication*.
16 "*Medication*" means a prescription-only drug, controlled substance, and over-the counter
17 preparation, other than plain aspirin, plain ibuprofen, and plain acetaminophen. If a
18 controlled substance is prescribed, dispensed, or administered to Respondent by any
19 person other than PCP, Respondent shall notify the PCP in writing within 48 hours and
20 notify the Monitor immediately.

21 6. **No Alcohol or Poppy Seeds.** Respondent shall not consume alcohol, any
22 food, or other substance containing poppy seeds or alcohol.

23 7. **Biological Fluid Collection.** Respondent shall provide the Monitor in
24 writing with one telephone number that shall be used to contact Respondent on a 24 hour
25 per day/seven day per week basis to submit to biological fluid collection. For the purposes

1 of this section, telephonic notice shall be deemed given at the time a message to appear is
2 left at the contact telephone number provided by Respondent. Respondent authorizes any
3 person or organization conducting tests on the collected samples to provide testing results
4 to the Monitor. Respondent shall comply with all requirements for biological fluid
5 collection.

6 8. **Out of State Travel and/or Unavailability at Home/Office Telephone**
7 **Number.** Respondent shall provide the Monitor with written notice of any plans to travel
8 out of state.

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

15 10. **Interviews.** Respondent shall appear in person before the Monitor for
16 interviews upon request, upon reasonable notice.

17 11. **Address and Phone Changes, Notice.** Respondent shall immediately notify
18 the Monitor in writing of any change in office or home addresses and telephone numbers.

19 12. **Relapse, Violation.** In the event of chemical dependency relapse by
20 Respondent or Respondent's use of drugs or alcohol in violation of the Order, Respondent
21 shall promptly enter into an Interim Order for Practice Restriction and Consent to the
22 Same that requires, among other things, that Respondent not practice medicine until such
23 time as Respondent successfully completes long-term inpatient treatment for chemical
24 dependency designated by the Monitor and obtains affirmative approval from the Board or
25 the Executive Director to return to the practice of medicine. Prior to approving

1 Respondent's request to return to the practice of medicine, Respondent may be required
2 to submit to witnessed biological fluid collection or undergo any combination of physical
3 examination, psychiatric or psychological evaluation. **In no respect shall the terms of**
4 **this paragraph restrict the Board's authority to initiate and take disciplinary action**
5 **for violation of this Order.**

6 13. **Notice Requirements.** Respondent shall immediately provide a copy of this
7 Order to all current and future employers and all hospitals and free standing surgery
8 centers where Respondent has privileges. Within 30 days of the date of this Order,
9 Respondent shall provide the Monitor with a signed statement of compliance with this
10 notification requirement. Respondent is further required to notify, in writing, all employers,
11 hospitals and free standing surgery centers where Respondent currently has or in the
12 future gains employment or privileges, of a chemical dependency relapse.,

13 14. **Out-of-State.** In the event Respondent resides or practices as a physician
14 in a state other than Arizona, Respondent shall participate in the rehabilitation program
15 sponsored by that state's medical licensing authority or medical society. Respondent shall
16 cause the monitoring state's program to provide written quarterly reports to the Monitor
17 regarding Respondent's attendance, participation, and monitoring. The monitoring state's
18 program and Respondent shall immediately notify the Monitor if Respondent: a) is non-
19 compliant with any aspect of the monitoring requirements; b) relapses; c) tests positive for
20 controlled substances; d) has low specific gravity urine drug test(s), missed and/or late
21 urine drug tests, or otherwise rejected urine drug tests; and e) is required to undergo any
22 additional treatment.

23 16. This Order supersedes all previous consent agreements and stipulations
24 between the Board and/or the Executive Director and Respondent.

25

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

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


Arizona Medical Board Staff