

1 a tubal ligation was performed. Medical records show that KC had signed surgical consent
2 forms for tubal ligation.

3 5. Respondent saw KC for follow up of incision check at one-week
4 postoperatively, but KC did not follow up for postoperative/post-partum visit at one month
5 as directed.

6 6. KC was seen by Respondent on October 16, 2011 and was found to have a
7 viable intrauterine pregnancy. KC transferred her care after being informed of
8 Respondent's error, and subsequently delivered a healthy baby.

9 7. The standard of care required Respondent to perform the planned bilateral
10 tubal ligation at the scheduled time of the patient's repeat cesarean section. Respondent
11 deviated from the standard of care by failing to perform bilateral tubal ligation at time of the
12 patient's repeat cesarean section.

13 8. Actual patient harm was identified in that KC experienced an unintended
14 pregnancy, wrongful birth, and a high-risk pregnancy resulting in additional surgical
15 procedure (a third repeat cesarean section).

16 **CONCLUSIONS OF LAW**

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

19 b. The conduct and circumstances described above constitute unprofessional
20 conduct pursuant to A.R.S. § 32-1401(27)(q) ("[a]ny conduct or practice that is or might be
21 harmful or dangerous to the health of the patient or the public.").

22 **ORDER**

23 IT IS HEREBY ORDERED THAT:

24 1. Respondent is issued a Letter of Reprimand.
25

1 DATED AND EFFECTIVE this 4th day of June, 2015.

2 ARIZONA MEDICAL BOARD

3
4 By Patricia E. McSorley
5 Patricia E. McSorley
6 Executive Director

7 **CONSENT TO ENTRY OF ORDER**

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

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

13 3. By consenting to this Order, Respondent voluntarily relinquishes any rights to
14 a hearing or judicial review in state or federal court on the matters alleged, or to challenge
15 this Order in its entirety as issued by the Board, and waives any other cause of action
16 related thereto or arising from said Order.

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

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

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

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

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

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

14 10. ***Respondent has read and understands the terms of this agreement.***

15 
16 _____
17 SUSAN J. KUDLINSKI, M.D.

DATED: 4/17/15

18 EXECUTED COPY of the foregoing mailed
19 this 4th day of June, 2015 to:

20 Susan J. Kudlinski, M.D.
21 Address of Record

22 ORIGINAL of the foregoing filed
23 this 4th day of June, 2015 with:

24 Arizona Medical Board
25 9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258


Board Staff