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BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

Colin N. Cavenaile, M.D.

Holder of License No. **31936**
For the Practice of Allopathic Medicine

In the State of Arizona.

Case No. MD-14-0936A

**INTERIM CONSENT AGREEMENT
FOR PRACTICE RESTRCITION**

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INTERIM CONSENT AGREEMENT

8 Colin N. Cavenaile, M.D. ("Respondent") elects to permanently waive any right to a
9 hearing and appeal with respect to this Interim Consent Agreement for Practice Restriction
10 and consents to the entry of this Order by the Arizona Medical Board ("Board").

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RECITALS

12 Respondent understands and agrees that:

13 1. The Board, through its Executive Director, may adopt this Interim Consent
14 Agreement, or any part thereof, pursuant to A.R.S. §§ 32-1405(C)(25) and 32-1451(F) and
15 A.A.C. R4-16-504.

16 2. Respondent has read and understands this Interim Consent Agreement as
17 set forth herein, and has had the opportunity to discuss this Interim Consent Agreement
18 with an attorney or has waived the opportunity to discuss this Interim Consent Agreement
19 with an attorney. Respondent voluntarily enters into this Interim Consent Agreement and
20 by doing so agrees to abide by all of its terms and conditions.

21 3. By entering into this Interim Consent Agreement, Respondent freely and
22 voluntarily relinquishes all rights to an administrative hearing on the matters set forth
23 herein, as well as all rights of rehearing, review, reconsideration, appeal, judicial review or
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1 any other administrative and/or judicial action, concerning the matters related to the
2 Interim Consent Agreement.

3 4. Respondent understands that this Interim Consent Agreement does not
4 constitute a dismissal or resolution of this matter or any matters that may be currently
5 pending before the Board and does not constitute any waiver, express or implied, of the
6 Board's statutory authority or jurisdiction regarding any other pending or future
7 investigations, actions, or proceedings. Respondent also understands that acceptance of
8 this Interim Consent Agreement does not preclude any other agency, subdivision, or
9 officer of this State from instituting civil or criminal proceedings with respect to the conduct
10 that is the subject of this Interim Consent Agreement. Respondent further does not
11 relinquish his rights to an administrative hearing, rehearing, review, reconsideration,
12 judicial review or any other administrative and/or judicial action, concerning the matters
13 related to a final disposition of this matter, unless he affirmatively does so as part of the
14 final resolution of this matter.
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16 5. Respondent acknowledges and agrees that upon signing this Interim
17 Consent Agreement and returning it to the Board's Executive Director, Respondent may
18 not revoke his acceptance of this Interim Consent Agreement or make any modifications to
19 it. Any modification of this original document is ineffective and void unless mutually
20 approved by the parties in writing.

21 6. Respondent understands that this Interim Consent Agreement shall not
22 become effective unless and until it is signed by the Board's Executive Director.

23 7. Respondent understands and agrees that if the Board's Executive Director
24 does not adopt this Interim Consent Agreement, he will not assert in any future
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1 proceedings that the Board's consideration of this Interim Consent Agreement constitutes
2 bias, prejudice, prejudgment, or other similar defense.

3 8. Respondent understands that this Interim Consent Agreement is a public
4 record that may be publicly disseminated as a formal action of the Board, and that it shall
5 be reported as required by law to the National Practitioner Data Bank.

6 9. Respondent understands that this Interim Consent Agreement does not
7 alleviate his responsibility to comply with the applicable license-renewal statutes and rules.
8 If this Interim Consent Agreement remains in effect at the time Respondent's allopathic
9 medical license comes up for renewal, he must renew his license if Respondent wishes to
10 retain his license. If Respondent elects not to renew his license as prescribed by statute
11 and rule, Respondent's license will not expire but rather, by operation of law (A.R.S. § 32-
12 3202), become suspended until the Board takes final action in this matter. Once the
13 Board takes final action, in order for Respondent to be licensed in the future, he must
14 submit a new application for licensure and meet all of the requirements set forth in the
15 statutes and rules at that time.

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17 10. Respondent understands that any violation of this Interim Consent
18 Agreement constitutes unprofessional conduct under A.R.S. § 32-1401(27)(r) ("[v]iolating a
19 formal order, probation, consent agreement or stipulation issued or entered into by the
20 board or its executive director under this chapter").

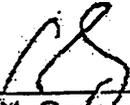
21 **INTERIM FINDINGS OF FACT**

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

24 2. Respondent is the holder of License No. 31936 for the practice of allopathic
25 medicine in the State of Arizona.

1 practice restriction or any violation of this Interim Consent Agreement.

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Colin N. Cavenaile, M.D.

DATED: 75 7.15.14

DATED this 16th day of July, 2014.

ARIZONA MEDICAL BOARD
By C Lloyd Vest II
C. Lloyd Vest, II
Executive Director

EXECUTED COPY of the foregoing e-mailed
this 16th day of July, 2014 to:

Colin N. Cavenaile, M.D.
Address of Record

ORIGINAL of the foregoing filed
this 16th day of July, 2014 with:

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

Mary Bobey
Arizona Medical Board Staff