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BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of
RAUL J. RODRIGUEZ SORA, M.D.
Holder of License No. 21047
For the Practice of Allopathic Medicine
In the State of Arizona.

Case No. MD-10-0627A
**ORDER FOR LETTER OF REPRIMAND,
PROBATION, AND CONSENT TO THE
SAME**

Raul J. Rodriguez Sora, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Order for Probation; admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order by the Board.

FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.
2. Respondent is the holder of license number 21047 for the practice of allopathic medicine in the State of Arizona.
3. The Board initiated case number MD-10-0627A after receiving a complaint on May 5, 2010, alleging that Respondent practiced medicine while physically or mentally impaired.
4. As a result of the complaint, Respondent was assessed on May 14, 2010, by the Board's Addiction Medicine Consultant (AMC) who opined that Respondent was not safe to practice until he successfully completed a residential evaluation and complied with any and all recommendations that resulted from the evaluation. Respondent subsequently underwent an evaluation at Hazelden Springbrook from May 16-19, 2010. On May 26, 2010, Hazelden Springbrook recommended that Respondent not practice until they complete his evaluation.
5. On June 7, 2010, Respondent entered into a consent agreement for an Interim Practice Limitation. Subsequently, the Hazelden Springbrook evaluator (evaluator) found that Respondent did not meet DSM-IV TR guidelines for substance dependence upon initial

1 presentation. However, the evaluator opined that Respondent appeared to present polysubstance
2 abuse for several substances, and Respondent self-reported that he ingested one of his patient's
3 Suboxone. The evaluator expressed concern regarding Respondent's variety of substances used
4 to attempt to self-medicate possible mental health issues. Respondent was diagnosed with
5 dysthymia and no recommendations for treatment were made.

6 6. Following Respondent's evaluation at Hazelden Springbrook, the AMC determined
7 that Respondent was safe to practice and recommended that he enter into a monitoring agreement
8 for polysubstance abuse for a period of two years. In addition, the AMC recommended that
9 Respondent obtain a treating psychiatrist.

10 7. On June 8, 2010, after entering into the Interim Practice Limitation with the Board,
11 Respondent saw patient JGF in his medical office. The Limitation prohibited Respondent from
12 practicing medicine. Respondent explained to Board staff that he attempted to contact each
13 patient and refer them to other physicians; however, he stated he was unable to reach patient JGF.
14 Board staff found that Respondent violated his Interim Practice Limitation by seeing patient JGF.

15 8. This matter was reviewed by a Medical Consultant (MC) for quality of care concerns
16 related to Respondent's impairment when he presented to work on April 28, 2010. Respondent
17 reported that he took one Soma and that he had taken Tylenol, as well, after sustaining an injury
18 the previous day in which he injured his toes, knee and may have torn a ligament. Respondent
19 saw five patients that day, and patient CJ was the last patient seen. CJ was seeking renewal of
20 her medications. The appointment was reported to be longer than usual, and the prescriptions
21 written by Respondent were illegible and incorrect. CJ reported to another physician in the
22 practice that she was upset, and provided the physician with the prescriptions. Respondent was
23 told to seek medical attention from his primary care physician, who instructed Respondent to
24 reduce his Soma dose due to over-sedation.

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1 substance abuse and approved by the Monitor, for a period of ninety days. Upon
2 completion of the ninety meetings in ninety days, Respondent shall participate in a 12-step
3 recovery program or other self-help program appropriate for substance abuse as
4 recommended by the Monitor. Respondent shall attend a minimum of three 12-step or
5 other self-help program meetings per week.. Two meetings per month must be Caduceus
6 meetings. Respondent must maintain a log of all self-help meetings.

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

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

25 6. **No Alcohol or Poppy Seeds.** Respondent shall not consume alcohol, any

1 food, or other substance containing poppy seeds or alcohol.

2 7. **Biological Fluid Collection.** Respondent shall provide the Monitor in
3 writing with one telephone number that shall be used to contact Respondent on a 24 hour
4 per day/seven day per week basis to submit to biological fluid collection. For the purposes
5 of this section, telephonic notice shall be deemed given at the time a message to appear is
6 left at the contact telephone number provided by Respondent. Respondent authorizes any
7 person or organization conducting tests on the collected samples to provide testing results
8 to the Monitor. Respondent shall comply with all requirements for biological fluid
9 collection.

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

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

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

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

23 12. **Relapse, Violation.** In the event of chemical dependency relapse by
24 Respondent or Respondent's use of drugs or alcohol in violation of the Order, Respondent
25 shall promptly enter into an Interim Order for Practice Restriction and Consent to the

1 Same that requires, among other things, that Respondent not practice medicine until such
2 time as Respondent successfully completes long-term inpatient treatment for chemical
3 dependency designated by the Monitor and obtains affirmative approval from the Board or
4 the Executive Director to return to the practice of medicine. Prior to approving
5 Respondent's request to return to the practice of medicine, Respondent may be required
6 to submit to witnessed biological fluid collection or undergo any combination of physical
7 examination, psychiatric or psychological evaluation. **In no respect shall the terms of**
8 **this paragraph restrict the Board's authority to initiate and take disciplinary action**
9 **for violation of this Order.**

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

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

3 15. Respondent shall immediately obtain a treating psychiatrist approved by the
4 Monitor and shall remain in treatment with the psychiatrist until further order. Respondent
5 shall instruct the psychiatrist to release to the Monitor, upon request, all records relating to
6 Respondent's treatment, and to submit quarterly written reports to the Monitor regarding
7 diagnosis, prognosis, medications, and recommendations for continuing care and
8 treatment of Respondent. Respondent shall provide the psychiatrist with a copy of this
9 order. Respondent shall pay the expenses of all the psychiatric care and for the
10 preparation of the quarterly reports. After **twelve months**, Respondent may submit a
11 written request to the Monitor requesting termination of the requirement that Respondent
12 remain in treatment with a psychiatrist. The decision to terminate will be based, in part,
13 upon the treating psychiatrist's recommendation for continued care and treatment.

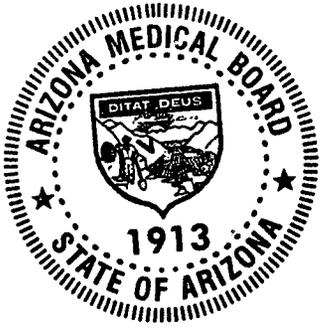
14 16. This Order supersedes all previous consent agreements and stipulations
15 between the Board and/or the Executive Director and Respondent.

16 17. The Board retains jurisdiction and may initiate new action based upon any
17 violation of this Order.

18 DATED AND EFFECTIVE this 27th day of October, 2011.

19 ARIZONA MEDICAL BOARD

20 (SEAL)



21 By [Signature]
22 Lisa S. Wynn
23 Executive Director
24
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CONSENT TO ENTRY OF ORDER

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

5 2. Respondent acknowledges and agrees that this Order is entered into freely and
6 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 to a
8 hearing or judicial review in state or federal court on the matters alleged, or to challenge this Order
9 in its entirety as issued by the Board, and waives any other cause of action related thereto or
10 arising from said Order.

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

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

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

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

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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 defense that
4 the Board's consideration of the Order constitutes bias, prejudice, prejudgment or other similar
5 defense.

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

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

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RAUL J. RODRIGUEZ SORA, M.D.

DATED: 9/9/11

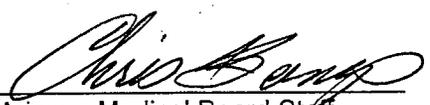
14 EXECUTED COPY of the foregoing mailed
15 this 9th day of October 2011 to:

16 Mr. Dan Cavett
17 Cavett & Fulton
18 6035 E. Grant Road
19 Tucson, AZ 85712
20 Attorney for Respondent

21 Sucher & Greenberg, P.C.

22 ORIGINAL of the foregoing filed
23 this 9th day of October 2011 with:

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

26 
Arizona Medical Board Staff