

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **Case No. MD-11-0471A**

4 **TIN T. WIN, M.D.**

5 Holder of License No. **28212**  
6 For the Practice of Allopathic Medicine  
7 In the State of Arizona.

**INTERIM FINDINGS OF FACT,  
CONCLUSIONS OF LAW AND ORDER  
FOR SUMMARY RESTRICTION OF LICENSE**

8 **INTRODUCTION**

9 The above-captioned matter came on for discussion before the Arizona  
10 Medical Board ("Board") at an emergency Board teleconference meeting on October  
11 5, 2011. After reviewing relevant information and deliberating, the Board voted to  
12 consider proceedings for a summary action against the license of Tin T. Win, M.D.  
13 ("Respondent"). Having considered the information in the matter and being fully  
14 advised, the Board enters the following Interim Findings of Fact, Conclusions of Law  
15 and Order for Summary Restriction of License, pending formal hearings or other  
16 Board action. A.R.S. § 32-1451(D).

17 **INTERIM FINDINGS OF FACT**

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

20 2. Respondent is the holder of License No. 28212 for the practice of  
21 allopathic medicine in the State of Arizona.

22 2. 3. The Board initiated case number MD-11-0471A after receiving a  
23 complaint regarding Respondent's care and treatment of a 58 year-old female patient  
24 ("DJ").  
25

1           3.     On January 3, 2011, Respondent saw DJ for neurological evaluation was  
2 previously treated by a physician in another state with morphine, oxycodone, and Tylenol  
3 III. Respondent prescribed Methadone, Demerol and Soma, but did not review DJ's prior  
4 medical records at this visit, or have DJ sign a narcotics contract. Respondent did note that  
5 DJ had a history of hepatitis and expressed concern regarding medication use.

6           4.     On January 6, 2011, DJ's husband reported problems to Respondent's office,  
7 and DJ was advised to discontinue the narcotics. DJ continued on the medication in low  
8 dose and took minimal Demerol and Soma.

9           5.     On February 3, 2011 Respondent saw DJ and she was re-evaluated.  
10 Respondent documented migraines without reference to the primary pain complaints and  
11 without reference to the previously reported side effects from the narcotics. She  
12 recommended continued use of Methadone.

13           6.     On February 14, 2011, DJ called Respondent's office complaining of side  
14 effects. She was told that she had to make an appointment to discuss the problem, which  
15 she scheduled for February 21, 2011. DJ later cancelled the appointment.

16           7.     The Medical Consultant (MC) found that Respondent's prescription of a  
17 combination of narcotics and sedatives in a narcotic naïve patient with liver disease placed  
18 the patient at risk for potentially serious side effects. The MC observed that DJ  
19 experienced some toxicity and then experienced withdrawal once the medications were  
20 discontinued. The MC also found that Respondent's recordkeeping was deficient.

21           8.     The standard of care requires a physician to use narcotics with caution in  
22 combination with other sedatives and antidepressants in individuals with hepatic disease.

23           9.     Respondent deviated from the standard of care by prescribing a combination  
24 of narcotics, antidepressants, Zolpidem, Soma and Lyrica.

25



1 **INTERIM ORDER**

2 Based on the foregoing Interim Findings of Fact and Conclusions of Law, set  
3 forth above,

4 IT IS HEREBY ORDERED THAT:

5 1. Respondent's license to practice allopathic medicine in the State of Arizona,  
6 License No. 28212, is summarily restricted in that she shall not prescribe, administer, or  
7 dispense any Controlled Substances.

8 2. The Interim Findings of Fact and Conclusions of Law constitute written notice  
9 to Respondent of the charges of unprofessional conduct made by the Board against her.  
10 Respondent is entitled to a formal hearing to defend these charges as expeditiously as  
11 possible after the issuance of this order.

12 3. The Board's Executive Director is instructed to refer this matter to the Office  
13 of Administrative Hearings for scheduling of an administrative hearing to be commenced as  
14 expeditiously as possible from the date of the issuance of this order, unless stipulated and  
15 agreed otherwise by Respondent.

16  
17 DATED this 3<sup>rd</sup> day of October, 2011.

18  
19 ARIZONA MEDICAL BOARD



21  
22  
23 By *Lisa S. Wynn*  
24 Lisa S. Wynn  
25 Executive Director

1 ORIGINAL of the foregoing filed this  
2 5<sup>th</sup> day of October, 2011 with:

3 Arizona Medical Board  
4 9545 East Doubletree Ranch Road  
5 Scottsdale, Arizona 85258

6 EXECUTED COPY of the foregoing mailed  
7 By mail this 5<sup>th</sup> day of October, 2011 to:

8 Mr. Gordon Lewis  
9 Jones, Skelton & Hochuli  
10 2901 North Central Ave  
11 Suite 800  
12 Phoenix, AZ 85012

13 Executed copy of the foregoing mailed this 5<sup>th</sup> day of October, 2011, to:

14 Anne Froedge  
15 Assistant Attorney General  
16 Arizona Attorney General's Office  
17 1275 West Washington, CIV/LES  
18 Phoenix, AZ 85007

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20 \_\_\_\_\_  
21 Arizona Medical Board Staff