

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **Paul R. Butzine, M.D.**

4 Holder of License No. 8694
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Case No. MD-14-0989A

**ORDER FOR LICENSE
7 REACTIVATION, PROBATION, AND
8 CONSENT TO THE SAME**

9 Paul R. Butzine, M.D. ("Respondent") elects to permanently waive any right to a
10 hearing and appeal with respect to this Order for License Reactivation, and Probation;
11 admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of
12 this Order by the Board.

13 **FINDINGS OF FACT**

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

16 2. Respondent is the holder of license number 8694 for the practice of
17 allopathic medicine in the State of Arizona.

18 3. The Board initiated case number MD-14-0989A after receiving Respondent's
19 request for license reactivation.

20 4. On December 6, 1985, Respondent entered into a five year Stipulated
21 Rehabilitation Agreement ("SRA") with the Board in which he agreed to enroll and
22 participate in the Physician Health Program ("PHP"). On April 7, 1990, Respondent
23 successfully completed the terms and conditions of the SRA and the Agreement was
24 terminated.

25 5. On May 1, 2014, Respondent reported that he had relapsed approximately
four years ago with a steady progression culminating in an April 2014 admission to the
Meadows for alcohol rehabilitation. On June 12, 2014, Respondent entered into a Request
for License Inactivation with Cause and Order.

1 2. Respondent shall not consume alcohol or any food or other substance
2 containing poppy seeds or alcohol.

3 3. Respondent shall not take any illegal drugs or mood altering medications.

4 4. Respondent shall attend the PHP's relapse prevention group therapy
5 sessions one time per week for the duration of this Order, unless excused by the relapse
6 prevention group facilitator for good cause. Individual relapse therapy may be substituted
7 for one or more of the group therapy sessions, if PHP pre-approves substitution. The
8 relapse prevention group facilitators or individual relapse prevention therapist shall submit
9 monthly reports to the PHP regarding attendance and progress.

10 5. If requested by the PHP, Respondent shall attend ninety 12-step meetings or
11 other self-help group meetings appropriate for substance abuse and approved by the
12 PHP, for a period of ninety days. Upon completion of the ninety meetings in ninety days,
13 Respondent shall participate in a 12-step recovery program or other self-help program
14 appropriate for substance abuse as recommended by the PHP. Respondent shall attend a
15 minimum of three 12-step or other self-help program meetings per week. Two meetings
16 per month must be Caduceus meetings. Respondent must maintain a log of all self-help
17 meetings.

18 6. Respondent shall, within five days of the effective date of this Order, obtain a
19 primary care physician and shall submit the name of the physician to the PHP in writing for
20 approval. The approved primary care physician ("PCP") shall be in charge of providing
21 and coordinating Respondent's medical care and treatment. Except in an Emergency,
22 Respondent shall obtain medical care and treatment only from the PCP and from health
23 care providers to whom the PCP refers Respondent. Respondent shall provide a copy of
24 this Order to the PCP. Respondent shall also inform all other health care providers who
25 provide medical care or treatment that Respondent is participating in PHP. "Emergency"

1 means a serious accident or sudden illness that, if not treated immediately, may result in a
2 long-term medical problem or loss of life.

3 7. All prescriptions for controlled substances shall be approved by the PHP
4 prior to being filled except in an Emergency. Controlled substances prescribed and filled
5 in an emergency shall be reported to the PHP within 48 hours. Respondent shall take no
6 Medication unless the PCP or other health care provider to whom the PCP refers
7 Respondent prescribes and the PHP approves the Medication. Respondent shall not self-
8 prescribe any Medication. "Medication" means a prescription-only drug, controlled
9 substance, and over-the counter preparation, other than plain aspirin, plain ibuprofen, and
10 plain acetaminophen.

11 8. Respondent shall submit to random biological fluid, hair and nail testing as
12 often as directed by PHP to ensure compliance.

13 9. Respondent shall provide the PHP in writing with one telephone number that
14 shall be used to contact Respondent on a 24 hour per day/seven day per week basis to
15 submit to biological fluid, hair and nail testing to ensure compliance with PHP. For the
16 purposes of this section, telephonic notice shall be deemed given at the time a message to
17 appear is left at the contact telephone number provided by Respondent. Respondent
18 authorizes any person or organization conducting tests on the collected samples to
19 provide testing results to the PHP. Respondent shall comply with all requirements for
20 biological fluid, hair and nail collection. Respondent shall pay for all costs for the testing.

21 10. Respondent shall provide the PHP with written notice of any plans to travel
22 out of state.

23 11. Respondent shall immediately notify the Board and the PHP in writing of any
24 change in office or home addresses and telephone numbers.

25

1 12. Respondent provides full consent for the PHP to discuss the Respondent's
2 case with the Respondent's PCP or any other health care providers to ensure compliance
3 with PHP.

4 13. The relationship between the Respondent and the PHP is a direct
5 relationship. Respondent shall not use an attorney or other intermediary to communicate
6 with the PHP on participation and compliance issues.

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

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

20 16. In the event Respondent resides or practices as a physician in a state other
21 than Arizona, Respondent shall participate in the rehabilitation program sponsored by that
22 state's medical licensing authority or medical society. Respondent shall cause the
23 monitoring state's program to provide written quarterly reports to the PHP regarding
24 Respondent's attendance, participation, and monitoring. The monitoring state's program
25 and Respondent shall immediately notify the PHP if Respondent: a) is non-compliant with

1 any aspect of the monitoring requirements; b) relapses; c) tests positive for controlled
2 substances; d) has low specific gravity urine drug test(s), missed and/or late urine drug
3 tests, or otherwise rejected urine drug tests; and e) is required to undergo any additional
4 treatment.

5 17. The PHP shall immediately notify the Board if Respondent: a) is non-
6 compliant with any aspect of this Order; b) relapses; c) tests positive for controlled
7 substances; d) has low specific gravity urine drug test(s), missed and/or late urine drug
8 tests, or otherwise rejected urine drug tests; and e) is required to undergo any additional
9 treatment.

10 18. The Board retains jurisdiction and may initiate new action based upon any
11 violation of this Order.

12 DATED AND EFFECTIVE this 25th day of August, 2014.

13 ARIZONA MEDICAL BOARD

14
15 By C. Lloyd Vest II

16
17 C. Lloyd Vest II
Executive Director

18
19 **CONSENT TO ENTRY OF ORDER**

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

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

25 3. By consenting to this Order, Respondent voluntarily relinquishes any rights
to a hearing or judicial review in state or federal court on the matters alleged, or to

1 challenge this Order in its entirety as issued by the Board, and waives any other cause of
2 action related thereto or arising from said Order.

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

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

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

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

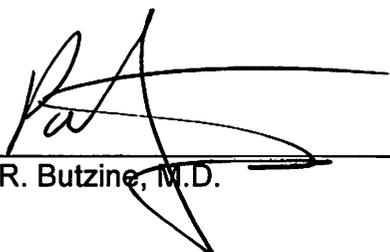
19 8. If any part of the Order is later declared void or otherwise unenforceable, the
20 remainder of the Order in its entirety shall remain in force and effect.

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

24 10. Any violation of this Order constitutes unprofessional conduct and may result
25 in disciplinary action. A.R.S. § § 32-1401(27)(r) ("[v]iolating a formal order, probation,

1 consent agreement or stipulation issued or entered into by the board or its executive
2 director under this chapter”) and 32-1451.

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

4
5
6 
7 Paul R. Butzine, M.D.

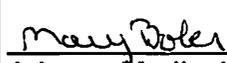
DATED: 8/22/14

8 EXECUTED COPY of the foregoing mailed
9 this 25th day of August, 2014 to:

10 Paul R. Butzine, MD
11 ADDRESS OF RECORD

12 ORIGINAL of the foregoing filed
13 this 25th day of August, 2014 with:

14 Arizona Medical Board
15 9545 E. Doubletree Ranch Road
16 Scottsdale, AZ 85258

17 
18 Arizona Medical Board Staff
19
20
21
22
23
24
25