BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of **FRANCIS J. WOO, M.D.** Holder of License No. 10705 For the Practice of Allopathic Medicine In the State of Arizona	Case No. MD-07-0250A **CONSENT AGREEMENT FOR LETTER OF REPRIMAND**

CONSENT AGREEMENT

By mutual agreement and understanding, between the Arizona Medical Board ("Board") and Francis J. Woo, M.D. ("Respondent"), the parties agreed to the following disposition of this matter.

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

2. By entering into this Consent Agreement, Respondent voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged, or to challenge this Consent Agreement in its entirety as issued by the Board, and waives any other cause of action related thereto or arising from said Consent Agreement.

3. This Consent Agreement is not effective until approved by the Board and signed by its Executive Director.

4. The Board may adopt this Consent Agreement of any part thereof. This Consent Agreement, or any part thereof, may be considered in any future disciplinary action against Respondent.

5. This Consent Agreement does not constitute a dismissal or resolution of other matters currently pending before the Board, if any, and does not constitute any waiver,

express or implied, of the Board's statutory authority or jurisdiction regarding any other pending or future investigation, action or proceeding. The acceptance of this Consent Agreement does not preclude any other agency, subdivision or officer of this State from instituting other civil or criminal proceedings with respect to the conduct that is the subject of this Consent Agreement.

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

7. Upon signing this agreement, and returning this document (or a copy thereof) to the Board's Executive Director, Respondent may not revoke the acceptance of the Consent Agreement. Respondent may not make any modifications to the document. Any modifications to this original document are ineffective and void unless mutually approved by the parties.

8. If the Board does not adopt this Consent Agreement, Respondent will not assert as a defense that the Board's consideration of this Consent Agreement constitutes bias, prejudice, prejudgment or other similar defense.

9. This Consent Agreement, once approved and signed, is a public record that will be publicly disseminated as a formal action of the Board and will be reported to the National Practitioner Data Bank and to the Arizona Medical Board's website.

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

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

FRANCIS J. WOO, M.D.

DATED: 10-19-07

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 10705 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-07-0250A after receiving notification of a malpractice settlement involving Respondent's care and treatment of an eighty-one year-old male patient ("RC").

4. RC was under the primary care of Respondent from June 1992 to December 2003. At no time did Respondent recommend RC undergo a colonoscopy screening, as recommended for individuals over the age of fifty.

5. In July 2003, RC experienced gastrointestinal (GI) symptoms and iron deficiency anemia. Respondent requested a barium enema examination. The results of the examination were read by the radiologist as relatively normal. RC continued to have GI symptoms and iron deficiency anemia. Respondent ordered a computed tomography scan that revealed a suspected neoplasm. Respondent referred RC for a colonoscopy that revealed several adenocarcinomas.

6. In 2004, RC had a hemicolectomy and died approximately two years later from metastatic adenocarcinoma of the colon.

7. The standard of care requires a physician to recommend a colonscopy screening for any individual over that age of fifty.

8. Respondent deviated from the standard of care because he did not require RC obtain a colonscopy screening.

9. As a result of Respondent's failure to recommend a colonscopy, RC died from metastatic adenocarcinoma of the colon.

CONCLUSIONS OF LAW

1. The Board possesses jurisdiction over the subject matter hereof and over Respondent.

2. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(q) ("[a]ny conduct or practice that is or might be harmful or dangerous to the health of the patient or the public.") and A.R.S. § 32-1401 (27)(ll) ("[c]onduct that the board determines is gross negligence, repeated negligence or negligence resulting in harm to or the death of a patient.").

ORDER

IT IS HEREBY ORDERED THAT:

1. Respondent is issued a Letter of Reprimand for failing to recommend a colonscopy screening for an eighty-one year-old male patient.

2. This Order is the final disposition of case number MD-07-0250A.

DATED AND EFFECTIVE this 14th day of December, 2007.

(SEAL)

ARIZONA MEDICAL BOARD

By _____
AMANDA DIEHL, M.P.A., C.P.M.
Deputy Executive Director

ORIGINAL of the foregoing filed this 14th day of December, 2007 with:

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

EXECUTED COPY of the foregoing mailed this 14th day of December 2007 to:

Francis J. Woo, M.D.
Address of Record

Investigational Review