

1 BEFORE THE BOARD OF MEDICAL EXAMINERS

2 IN THE STATE OF ARIZONA

3  
4 In the Matter of

5 **RICHIE P. BAST, M.D.**

6 Holder of License No. **14854**  
7 For the Practice of Medicine  
8 In the State of Arizona.

**Investigation No. 13536**

**CONSENT AGREEMENT FOR  
ORDER OF PROBATION**

9 IT IS HEREBY AGREED by and between RICHIE P. BAST, M.D., holder of  
10 License No. 14854, and the Arizona Board of Medical Examiners (Board), that the  
11 accompanying Findings of Fact, Conclusions of Law and Order be entered in the  
12 above-entitled matter and be effective as of the date issued. DR. BAST  
13 acknowledges that any violation of this Consent Agreement constitutes unprofessional  
14 conduct within A.R.S. § 32-1401(25)(r), and will result in his license being  
15 automatically summarily suspended pursuant to A.R.S. § 32-1451 (S). Alternatively,  
16 DR. BAST may surrender his Board license if he admits to misconduct and so  
17 stipulates, pursuant to A.R.S. § 32-1433; however, the Board reserves the authority to  
18 take disciplinary action and there not accept the surrender of his license.

19 In the event of DR. BAST's Board license being revoked or surrendered he agrees  
20 that he will not reapply for a license for five (5) years from the date of revocation or  
21 surrender. Furthermore, by signing this Consent Agreement, DR. BAST waives and  
22 relinquishes any right to appeal from or challenge this Order by initiating any type of  
23 administrative or judicial review of this Order.

24   
25 RICHIE P. BAST, M.D.

Dated: May 5, 2000

1 **FINDINGS OF FACT**

2 1. The Board is the duly constituted authority for the regulation and control  
3 of the practice of allopathic medicine in the state of Arizona.

4 2. RICHIE P. BAST, M.D. is the holder of License No. 14854 for the  
5 practice of allopathic medicine in the state of Arizona.

6 3. DR. BAST had previously accepted and was subject to the Board's  
7 Stipulated Rehabilitation Agreement (dated January 8, 1996) but, DR. BAST  
8 subsequently violated the terms of the Stipulated Rehabilitation Agreement.

9 4. DR. BAST was present at a formal interview as part of its public meeting  
10 agenda on April 28, 2000. DR. BAST agreed to the terms of the Consent Agreement  
11 For Order of Probation.

12 **CONCLUSIONS OF LAW**

13 1. The Board possesses jurisdiction over the subject matter hereof and  
14 over RICHIE P. BAST, M.D.

15 2. Pursuant to A.R.S. § 32-1403(A)(5), §32-1401 (25)(r), § 32-1451(F) and  
16 § 32-1452(A), the Board may enter the following order.  
17  
18

19 **ORDER**

20 Based upon the foregoing, it is hereby agreed to that DR. BAST's license to  
21 practice medicine in Arizona is suspended for 1 year. The suspension is stayed and  
22 DR. BAST shall be placed on probation for two (2) years with the following terms and  
23 conditions:

24 A. After the conclusion of the term of probation, DR. BAST may petition the  
25 Board to terminate the Consent Agreement for Order of Probation if he remains in full

1 compliance with the terms of this Agreement for two (2) years.

2 B. In the event that DR. BAST violates any term of his probation, his  
3 license will automatically be summarily suspended and he is prohibited from  
4 reapplying for a license for five (5) years.

5 C. DR. BAST shall promptly enroll and participate in the Monitored  
6 Aftercare Program for the treatment and rehabilitation of physicians who are impaired  
7 by alcohol or drug abuse. The terms and conditions are as follows:

### 8 I. DEFINITIONS

9 "**Medication**" means "prescription-only drug, controlled substance, and over-  
10 the counter preparation, other than plain aspirin and plain acetaminophen."

11 "**Emergency**" means "a serious accident or sudden illness that, if not treated  
12 immediately, may result in a long-term medical problem or loss of life."

### 13 II. TERMS

14 1. **Participation.** DR. BAST shall promptly enroll in and participate in the  
15 Board's substance abuse treatment and rehabilitation program (the "program") in  
16 accordance with this Consent Agreement

17 2. **Group Therapy.** DR. BAST shall attend the program's group therapy  
18 sessions two (2) times per month for the duration of this Consent Agreement. DR.  
19 BAST shall instruct the program group therapist to release to the Board, upon its  
20 request, all records relating to his treatment, and to submit monthly reports to the  
21 Board regarding attendance and progress. The reports shall be submitted on or  
22 before the 10th day of each month.

23 3. **12 Step or Self-Help Group Meetings.** DR. BAST shall participate in a  
24 12-step recovery program or other self-help program appropriate for substance abuse  
25 as recommended by the group therapist and approved by the Board. DR. BAST shall

1 attend a minimum of three (3) 12-step or other self-help program meetings per week.

2       **4.     Board-Approved Primary Care Physician.** DR. BAST shall promptly  
3 obtain a primary care physician and shall submit the name of the physician to Board  
4 staff in writing for approval.

5       **5.** The Board-approved primary care physician shall be in charge of  
6 providing and coordinating DR. BAST's medical care and treatment. Except in an  
7 *Emergency*, DR. BAST shall obtain his medical care and treatment only from the  
8 Board-approved primary care physician and from health care providers to whom the  
9 Board-approved primary care physician refers DR. BAST from time to time. DR.  
10 BAST shall request that the Board-approved primary care physician document all  
11 referrals in the medical record.

12       **6.** DR. BAST shall promptly inform the Board-approved primary care  
13 physician of his rehabilitation efforts and provide a copy of this Consent Agreement to  
14 that physician. DR. BAST shall also inform all other health care providers who  
15 provide medical care or treatment that he is participating in the Board's rehabilitation  
16 program.

17       **7.     Medication.** Except in an *Emergency*, DR. BAST shall take no  
18 *Medication* unless the *Medication* is prescribed by his Board-approved primary care  
19 physician or other health care provider to whom the Board-approved primary care  
20 physician makes referral. DR. BAST shall not self-prescribe any *Medication*.

21       **8.** If a controlled substance is prescribed, dispensed, or is administered to  
22 DR. BAST by any person other than the Board-approved primary care physician, he  
23 shall notify the Board-approved primary care physician in writing within 48 hours. The  
24 notification shall contain all information required for the medication log entry specified  
25 in paragraph DR. BAST shall request that the notification be made a part of the

1 medical record. This paragraph does not authorize DR. BAST to take any *Medication*  
2 other than in accordance with paragraph 7.

3 **9. Medication Log.** DR. BAST shall maintain a current legible log of all  
4 *Medication* taken by or administered to him, and shall make the log available to the  
5 Board and its staff upon request. For *Medication* (other than controlled substances)  
6 taken on an on-going basis, DR. BAST may comply with this paragraph by logging the  
7 first and last administration of the *Medication* and all changes in dosage or frequency.  
8 The log, at a minimum, shall include the following:

- 9 a. Name and dosage of *Medication* taken or administered;
- 10 b. Date taken or administered;
- 11 c. Name of prescribing or administering physician;
- 12 d. Reason *Medication* was prescribed or administered.

13 This paragraph does not authorize DR. BAST to take any *Medication* other than in  
14 accordance with paragraph 7.

15 **10. No Alcohol or Poppy Seeds.** DR. BAST shall not consume alcohol or  
16 any food or other substance containing poppy seeds.

17 **11. Biological Fluid Collection.** During all times that DR. BAST is  
18 physically present in the state of Arizona and such other times as board staff may  
19 direct, DR. BAST shall promptly comply with requests from Board staff, the group  
20 therapist, or the program director to submit to witnessed biological fluid collection. If  
21 DR. BAST is directed to contact an automated telephone message system to  
22 determine when to provide a specimen, he shall do so within the hours specified by  
23 Board staff. For the purposes of this paragraph, in the case of an in-person request,  
24 "promptly comply" means "immediately". In the case of a telephonic request,  
25 "promptly comply" means that, except for good cause shown, DR. BAST shall appear

1 and submit to specimen collection not later than two hours after telephonic notice to  
2 appear is given. The Board in its sole discretion shall determine good cause.

3       **12.** DR. BAST shall provide Board staff in writing with one telephone  
4 number which shall be used to contact him on a 24 hours per day/seven days per  
5 week basis to submit to biological fluid collection. For the purposes of this section,  
6 telephonic notice shall be deemed given at the time a message to appear is left at the  
7 contact telephone number provided by DR. BAST. DR. BAST authorizes any person  
8 or organization conducting tests on the collected samples to provide testing results to  
9 the Board and the program director.

10       **13.** DR. BAST shall cooperate with collection site personnel regarding  
11 biological fluid collection. Repeated complaints from collection site personnel  
12 regarding DR. BAST's lack of cooperation regarding collection may be grounds for  
13 termination from the program.

14       **14. Payment for Services.** DR. shall pay for all costs, including  
15 **personnel and contractor costs, associated with participating in the Monitored**  
16 **Aftercare Program (MAP) at time service is rendered, if required, or within 30**  
17 **days of each invoice sent to physician.**

18       **15. Examination.** DR. BAST shall submit to mental, physical, and medical  
19 competency examinations at such times and under such conditions as directed by the  
20 Board to assist the Board in monitoring his ability to safely engage in the practice of  
21 medicine and compliance with the terms of this Consent Agreement.

22       **16. Treatment.** DR. BAST shall submit to all medical, substance abuse,  
23 and mental health care and treatment ordered by the Board, or recommended by the  
24 program director.

25       **17. Obey All Laws.** DR. BAST shall obey all federal, state and local laws,

1 and all rules governing the practice of medicine in the state of Arizona.

2       **18. Interviews.** DR. BAST shall appear in person before the Board and its  
3 staff and committees for interviews upon request, upon reasonable notice.

4       **19. Address and Phone Changes, Notice.** DR. BAST shall immediately  
5 notify the Board in writing of any change in office or home addresses and telephone  
6 numbers. DR. BAST shall provide Board staff at least three business days advance  
7 written notice of any plans to be away from office or home for more than five (5)  
8 consecutive days. The notice shall state the reason for the intended absence from  
9 home or office, and shall provide a telephone number, which may be used to contact  
10 DR. BAST.

11       **20. Relapse, Violation.** See paragraph B of this Order.

12       **21. Notice Requirements.** DR. BAST shall immediately provide a copy  
13 of this Consent Agreement to all hospitals and free standing surgery centers at which  
14 DR. BAST has any privileges. Within 30 days of signing this Consent Agreement,  
15 DR. BAST shall provide the Board with a signed statement that he has complied with  
16 this notification requirement.

17       DR. BAST is further required to notify, in writing, all hospitals and free standing  
18 surgery centers at which he has any privileges of a chemical dependency relapse,  
19 use of drugs or alcohol in violation of this Consent Agreement and/or entry into a  
20 treatment program. DR. BAST shall provide the Board, within seven days of any of  
21 these events, written confirmation that he has complied with this notification  
22 requirement.

23       **22. Public Record.** This Consent Agreement is a public record.

24       **23. Out-of State.** In the event DR. BAST resides or practices medicine in a  
25 state other than Arizona, he shall participate in the physician rehabilitation program

1 sponsored by that state's medical licensing authority or medical society. DR. BAST  
2 shall cause the other state's program to provide written reports to the Board regarding  
3 his attendance, participation, and monitoring. The reports shall be due on or before  
4 the 15th day of March and September of each year, until this requirement is  
5 terminated in writing by the Board.

6 **24.** DR. BAST shall practice medicine only in a group setting.

7 **25.** This Order supercedes the Rehabilitation Stipulation and Order dated  
8 January 19, 1996.

9 DATED this 16<sup>th</sup> day of May, 2000.

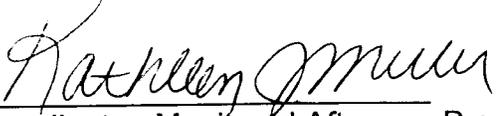
10 BOARD OF MEDICAL EXAMINERS  
11 OF THE STATE OF ARIZONA

12 (SEAL)

13 By: Claudia Foutz  
14 CLAUDIA FOUTZ  
15 Executive Director  
16 TOM ADAMS  
17 Assistant Director, Regulation  
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1 Original of the foregoing Consent Agreement For  
Order of Probation mailed by certified mail  
2 **for signature** this 2nd day of May, 2000 to:

3 Richie P. Bast, M.D.  
4 4100 Bison Blvd  
5 Lake Havasu City, Arizona 86404

6   
Coordinator, Monitored Aftercare Program

7  
8 Executed Copy of the foregoing **signed** Agreement For  
Order of Probation mailed by certified  
9 mail this 11<sup>th</sup> day of May 2000 to:

10 Richie P. Bast, M.D.  
11 4100 Bison Blvd  
12 Lake Hayasu City, Arizona 86404

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14 Coordinator, Monitored Aftercare Program

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