

1 employee to function as a registered nurse for several years and then as a nurse
2 practitioner for about four months. Respondent admitted that the employee was so
3 employed without Respondent ever having verified her licensure. Respondent also
4 stated that he paid the employee an inflated salary because of her status as an office
5 manager and nurse practitioner. Respondent stated that he became aware that the
6 employee was not licensed after she left his employ and he immediately reported the
7 incident to the nursing board. Respondent's letter to the nursing board indicated that the
8 employee had been employed as a registered nurse and a nurse practitioner.

9 5. Respondent's case was placed on the Board's August 2001 Meeting
10 Agenda for non-disciplinary action. Respondent spoke at the "Call to the Public".

11 6. Respondent's comments at the Call to the Public contradicted his
12 comments in his initial response to the Board's allegations as well as the documentary
13 evidence he submitted to the Board. Respondent stated that he never hired or employed
14 the employee as a nurse practitioner, he never paid her an inflated salary and he had the
15 records to prove it. Respondent maintained that the employee was never anything more
16 than a medical assistant and back office manager.

17 7. During the formal interview Respondent indicated that in the five-year
18 period that the employee worked for him he never verified her credentials.

19 8. During the formal interview Respondent also offered contradictory
20 testimony regarding the drafting and signing of a letter of recommendation for the
21 employee.

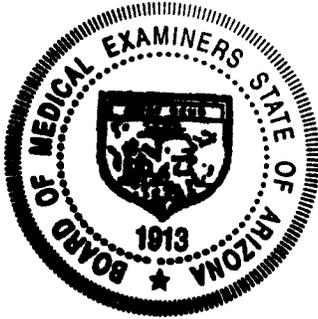
22 **CONCLUSIONS OF LAW**

23 1. The Board of Medical Examiners of the State of Arizona possesses
24 jurisdiction over the subject matter hereof and over Respondent.

1 for rehearing is not filed, the Board's Order becomes effective thirty-five (35) days after it
2 is mailed to Respondent.

3 Respondent is further notified that the filing of a motion for rehearing is required to
4 preserve any rights of appeal to the Superior Court.

5 DATED this 7th day of November, 2001.



6
7 BOARD OF MEDICAL EXAMINERS
8 OF THE STATE OF ARIZONA

9
10 By Claudia Foutz
11 CLAUDIA FOUTZ
12 Executive Director

13 ORIGINAL of the foregoing filed this
7th day of November, 2001 with:

14 The Arizona Board of Medical Examiners
15 9545 East Doubletree Ranch Road
16 Scottsdale, Arizona 85258

17 Executed copy of the foregoing
18 mailed by U.S. Certified Mail this
7th day of November, 2001, to:

19 Charles E. Buri
20 Friedl Richter & Buri
21 6909 East Greenway Parkway
22 Suite 200
23 Scottsdale, Arizona 85254-2131

24 Executed copy of the foregoing
25 mailed by U.S. Mail this
7th day of November, 2001, to:

Richard Bottiglione, M.D.
4045 East Bell Road
Suite 147
Phoenix, Arizona 85032-2239

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Copy of the foregoing hand-delivered this
7th day of November 2001, to:

Christine Cassetta
Assistant Attorney General
Sandra Waitt, Management Analyst
Lynda Mottram, Compliance Officer
Lisa Maxie-Mullins, Legal Coordinator (Investigation File)
Arizona Board of Medical Examiners
9545 East Doubletree Ranch Road
Scottsdale, Arizona 85258

