

1 BEFORE THE BOARD OF MEDICAL EXAMINERS

2  
3 IN THE STATE OF ARIZONA

4 In the Matter of

5 **FARID GHARAGOZLOO, M.D.**

6 Holder of License No. 20565  
7 For the Practice of Medicine  
8 In the State of Arizona.

**INVESTIGATION NO. 7827**

**CONSENT AGREEMENT  
TO LETTER OF REPRIMAND**

9  
10 FARID GHARAGOZLOO, M.D., holder of License No. 20565, and the Arizona  
11 Board of Medical Examiners (Board) hereby agree as follows:

12 1. Pursuant to A.R.S. § 32-1451(F), FARID GHARAGOZLOO, M.D. agrees that  
13 the Board shall adopt the following Findings of Fact, Conclusions of Law and Order for  
14 Letter of Reprimand, as set forth hereafter. The Letter of Reprimand shall be effective on  
15 the date written on the letter. FARID GHARAGOZLOO, M.D. agrees that the Board has  
16 substantial evidence in support of the Findings of Fact and Conclusions of Law. He  
17 agrees not to contest the accuracy of the Findings of Fact and Conclusions of Law.

18 2. By entering into this Consent Agreement, FARID GHARAGOZLOO, M.D.  
19 freely and voluntarily relinquishes all rights to an Informal Interview before the Board, a  
20 hearing before an administrative law judge and before the Board, and relinquishes all  
21 rights of rehearing, review, reconsideration, appeal, judicial review or any other judicial  
22 action concerning the matter set forth herein. FARID GHARAGOZLOO, M.D. affirmatively  
23 agrees that the Letter of Reprimand shall be irrevocable.

24 3. FARID GHARAGOZLOO, M.D. has read and understands the Consent  
25 Agreement, Findings of Fact, Conclusions of Law and Order for Letter of Reprimand and

1 voluntarily enters into this the Consent Agreement. FARID GHARAGOZLOO, M.D.  
2 understands that he may consult legal counsel regarding this matter and agrees that he  
3 has done so or affirmatively declines to do so.

4 4. The Consent Agreement, Findings of Fact, Conclusions of Law and Order for  
5 Letter of Reprimand constitute a resolution of Investigation No. 7827. The Consent  
6 Agreement, Findings of Fact, Conclusions of Law and Order for Letter of Reprimand do  
7 not constitute a dismissal or resolution of any other matter currently pending and do not  
8 constitute any waiver, express or implied, of the Board's statutory authority or jurisdiction  
9 regarding any other pending or future investigation, action or proceeding.

10 5. The Consent Agreement, Findings of Fact, Conclusions of Law, and Letter of  
11 Reprimand shall not become effective until adopted by the Board and signed by the  
12 Board's Executive Director. However, upon signing and returning the Consent Agreement,  
13 you may not rescind or otherwise nullify your acceptance of the Consent Agreement, in its  
14 entirety or in part, unless expressly approved by the Board.

15 6. FARID GHARAGOZLOO, M.D. understands that if the Board does not adopt  
16 the Consent Agreement, Findings of Fact, Conclusions of Law and Order for Letter of  
17 Reprimand, the case listed in paragraph 4 above will be decided by the Board pursuant to  
18 the Medical Practice Act, A.R.S. § 32-1401 et seq. FARID GHARAGOZLOO, M.D. agrees  
19 that he will not assert as a defense that the Board's consideration of the Consent  
20 Agreement, Findings of Fact, Conclusions of Law constitutes bias, prejudice, prejudgment  
21 or other similar defenses.

22 7. The Consent Agreement, Findings of Fact, Conclusions of Law and Order for  
23 Letter of Reprimand is a public record and shall be reported, as required by law, to the  
24 National Practitioner Data Bank and the Federation of State Medical Boards.

25 8. The Consent Agreement, Findings of Fact, Conclusions of Law and Order for

1 Letter of Reprimand constitutes the entire agreement of the parties.

2 9. Any violation of this Consent Agreement or the Letter of Reprimand  
3 constitutes unprofessional conduct pursuant to A.R.S. § 32-1401(25)(r) (violating a formal  
4 order, probation or stipulation issued or entered into by the board or its executive director  
5 under the provisions of this chapter) and may result in disciplinary action pursuant to  
6 A.R.S. § 32-1451.

7  Dated: 6-10-98   
8 FARID GHARAGOZLOO, M.D.

9  
10 **FINDINGS OF FACT**

11 1. The Board of Medical Examiners of the State of Arizona is the duly  
12 constituted authority for the regulation and control of the practice of medicine in the State  
13 of Arizona.

14 2. FARID GHARAGOZLOO, M.D. is the holder of License No. 20565 for the  
15 practice of medicine in the State of Arizona.

16 3. On July 29, 1994, Scottsdale Memorial Hospital – North informed the Board  
17 that FARID GHARAGOZLOO, M.D. voluntarily surrendered his medical staff membership  
18 at the hospital and relocated to Washington D.C. to accept a faculty appointment at the  
19 University School of Medicine while under investigation related to the management of one  
20 of his patients.

21 4. The Board notified FARID GHARAGOZLOO, M.D. of the complaint and  
22 requested his comments regarding his care and treatment of the patient. FARID  
23 GHARAGOZLOO, M.D. submitted a written response to the Board. Dr. Gharagozloo's  
24 response did not address the medical management of the patient but focused on his  
25

1 philosophy on the role of his physician assistant and the reasons he resigned from the  
2 medical staff.

3 5. The patient who was the subject of the hospital's investigation was a 67-year  
4 old female with a known large aneurysm of the arch of the aorta. On March 11, 1993, she  
5 underwent a graft replacement of the ascending arch of the aorta by FARID  
6 GHARAGOZLOO, M.D. with Dr. Pluth assisting, and Physician Assistants ("P.A.") Mary  
7 Dausmann and Samuel McReynolds as first assistants. The surgical procedure is difficult  
8 and the risks associated with the surgery are high. The procedure lasted 6 hours and 50  
9 minutes. The total period for bypass was 291 minutes and the aorta was cross-clamped  
10 for 135 minutes.

11 6. The operative report states:

12 The patient was weaned from cardiopulmonary bypass without any  
13 difficulty. When the Protamine was administered, the patient went  
14 into bronchial spasms and the anesthesiologist was unable to  
15 ventilate the patient properly. The patient was placed back on  
16 cardiopulmonary bypass. After coming off bypass for the second  
17 time, the patient again exhibited problems with oxygenation. Multiple  
18 doses of epinephrine were administered as well as 1 gram of Solu-  
19 Medrol to control the 'anaphylactic reaction.'

20 Due to the fact that the patient continued to bleed and continued to  
21 have borderline hemodynamics, very poor, noncompliant lungs, we  
22 decided to close the chest in a very temporary fashion in order to  
23 allow the heart which was quite edematous to function . . . There was  
24 a significant amount of bleeding, however, the patient's temperature  
25 was decreasing and it was obvious that most of the bleeding was  
non-surgical and consequently, we decided to leave the retractor in  
the sternum, spreading the sternum and allowing the heart to function  
appropriately and a segment of Esmarch was used to sew a rubber  
dam over the sternum.

23 7. The patient was taken from the operating suite at 1845 and was placed on a  
24 ventilator. FARID GHARAGOZLOO, M.D. and P.A. McReynolds were present at the  
25 patient's bedside in the intensive care unit. The patient's systolic blood pressure at that

1 time was in the range of 60-100. The chest tubes produced large amounts of bloody  
2 drainage. According to the nurse's notes, at 1900 the P.A. was at the patient's bedside  
3 and the patient was being titrated with Dopamine. By 1930, the nurse's notes state that  
4 the patient was unresponsive and that P.A. McReynolds was present and was aware of  
5 the patient's status.

6 8. The nurse's notes at 2200 state that Dr. Pluth, FARID GHARAGOZLOO,  
7 M.D., and P.A. McReynolds were aware of the patient's condition. At 2215 the nurses'  
8 notes state: "M.D. @ bs" (bedside), and the "pacemaker (temp.) off per M.D." (The M.D.  
9 is not identified). At 2245 P.A. McReynolds was at the patient's bedside and was aware of  
10 the patient's total status. At 2345 P.A. McReynolds removed the rubber dam and  
11 suctioned the chest cavity and also started open heart massage.

12 9. At 2350 FARID GHARAGOZLOO, M.D. was paged and an emergency room  
13 physician was summoned. Dr. Gharagozloo returned the call at 2350 and was aware of  
14 the situation and gave orders. An Emergency Room physician responded at the patient's  
15 bedside. At 0044 FARID GHARAGOZLOO, M.D. phoned orders for the P.A. to stop the  
16 cardiac massage. At 0100 the E.R. physician pronounced the patient dead.

17 10. FARID GHARAGOZLOO, M.D. was not present during the patient's  
18 deteriorating condition after being informed of the patient's status at 2350. The P.A. acted  
19 appropriately in initiating cardiac massage as an emergency procedure, but in the Board's  
20 opinion, to continue directing the resuscitative procedure and prescribing a number of  
21 resuscitative medications for 1.5 hours required the presence of his supervising physician,  
22 FARID GHARAGOZLOO, M.D.

23 11. Pre-operative evaluation of the patient was not documented in the hospital  
24 record for this elective surgery, although it is documented in the Mayo Clinic Scottsdale  
25 record.

1 12. FARID GHARAGOZLOO, M.D. moved to Washington, D.C. in July 1994 and  
2 his Arizona license was suspended due to non-payment of fees on May 1, 1995.

3 **CONCLUSIONS OF LAW**

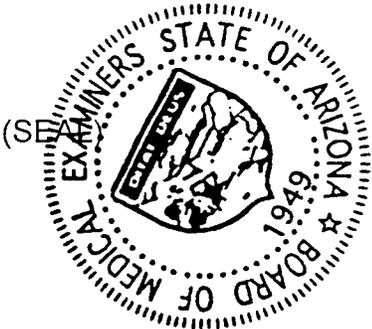
4 1. The Board of Medical Examiners of the State of Arizona possesses  
5 jurisdiction over the subject matter hereof and over FARID GHARAGOZLOO, M.D.

6 2. The conduct and circumstances described above constitute unprofessional  
7 conduct pursuant to A.R.S. § 32-1401(25)(ii) (lack of or inappropriate direction,  
8 collaboration or direct supervision of a licensed, certified or registered health care provider  
9 employed by, supervised by or assigned to the physician).

10 **ORDER**

11 Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby  
12 ordered that FARID GHARAGOZLOO, M.D. be issued a Letter of Reprimand.

13 DATED this 17 day of June, 1999.



BOARD OF MEDICAL EXAMINERS  
OF THE STATE OF ARIZONA

19 By Tom [Signature]  
for CLAUDIA FOUTZ  
Executive Director

20 ORIGINAL of the foregoing filed this  
21 22<sup>nd</sup> day of JUNE, 1999 with:

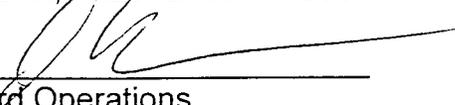
22 The Arizona Board of Medical Examiners  
23 1651 East Morten, Suite 210  
24 Phoenix, Arizona 85020

25 EXECUTED COPY of the foregoing mailed by  
Certified Mail this 22<sup>nd</sup> day of JUNE, 1999 to:

Farid Gharagozloo, M.D.  
3800 Reservoir Road, N.W.  
Washington, D.C. 20007

1 EXECUTED COPY of the foregoing mailed  
2 this 22<sup>nd</sup> day of JUNE, 1999 to:

3 Barry D. Halpern  
4 SNELL & WILMER  
5 One Arizona Center  
6 400 E. Van Buren  
7 Phoenix, Arizona 85004-0001

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10 Board Operations  
11 990040016