

BEFORE THE BOARD OF MEDICAL EXAMINERS

IN THE STATE OF ARIZONA

In the Matter of

KENNETH CABLE, M.D.

Holder of License No. **22364**
For the Practice of Medicine
In the State of Arizona.

Case No. MD-99-0657

**CONSENT AGREEMENT FOR A
LETTER OF REPRIMAND AND
PROBATION**

CONSENT AGREEMENT

By mutual agreement and understanding, between the Arizona Board of Medical Examiners (Board) and Kenneth Cable, M.D. (Respondent) the parties agree to the following disposition of this matter.

1. Respondent acknowledges that he has read this Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order; and, he is aware of and understands the content of this document.

2. Respondent understands that by entering into this Consent Agreement for the issuance of the foregoing Order, 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 and the Order in its entirety as issued by the Board and waives any other cause of action related thereto or arising from said Order.

3. Respondent acknowledges and understands that this Consent Agreement and the Order will not become effective until approved by the Board and signed by its Executive Director.

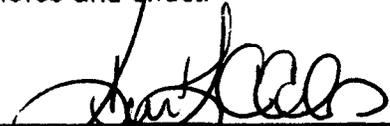
4. All admissions made by Respondent are solely for final disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Respondent. Therefore, said admissions by Respondent are not intended or made for any other use, such as in the context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

1 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
2 any other state or federal court.

3 5. Respondent acknowledges and agrees that, upon signing this agreement,
4 and returning this document (or a copy thereof) to the Board's Executive Director,
5 Respondent may not revoke his/her acceptance of the Consent Agreement and Order or
6 make any modifications to the document, although the Consent Agreement has not yet
7 been accepted by the Board and issued by the Executive Director. Any modifications to
8 this original document are ineffective and void unless mutually approved by the parties.

9 6. Respondent further understands that this Consent Agreement and Order,
10 once approved and signed, shall constitute a public record document, which may be
11 publicly disseminated as a formal action of the Board.

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

15 
16 _____
17 Kenneth Cable, M.D.

Dated: 4-24-01

18 **FINDINGS OF FACT**

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

21 2. Kenneth Cable, M.D. (Respondent), holder of license number 22364 for the
22 practice of allopathic medicine in the State of Arizona.

23 3. Case number MD. 99-0657 was initiated when the Board received a complaint
24 from Respondent's former live-in girlfriend (Complainant), on September 7, 1999.

25

1 4. From April 1998 until April 1999, Respondent prescribed controlled
2 substances (Valium, Ativan, Xanax, Percocet, Lortab, Lithium and Depakote) to
3 Complainant without conducting a physical examination. Respondent also prescribed
4 lithium without testing Complainant's blood levels periodically.

5 5. Although Respondent was aware of Complainant's history of mental
6 disturbances, suicide attempts, bipolar disease, and drug addiction, he continued to
7 prescribe controlled substances.

8 6. Respondent knowingly prescribed controlled substances to Complainant
9 while she was pregnant.

10 7. Respondent, in a January 5, 2001, investigational interview with a Board
11 Investigator, stated that he did not maintain any patient records for Complainant.
12 Accordingly, Respondent failed to document the therapeutic purpose of prescribing the
13 controlled substances.

14 8. The prescribed control substances were solely for the Complainant's use
15 and for non-medical purposes. Respondent did not take any of the prescribed control
16 substances for himself.

17 **CONCLUSIONS OF LAW**

18 1. The Board possesses jurisdiction over the subject matter hereof and over
19 Kenneth Cable, M.D. (Respondent), holder of license number 22364.

20 2. The conduct and circumstances described above constitute unprofessional
21 conduct pursuant to A.R.S. § 32-1401(25)(e) (Failing or refusing to maintain adequate
22 records on a patient).

23 ...
24 ...
25 ...

1 the time such treatment is satisfactorily completed and Respondent discharged from
2 further care. If treatment is indicated, upon completion of such treatment, Respondent
3 may submit a written request to the Executive Director, along with a final report from the
4 therapist, requesting that the Board terminate the requirement that Respondent remain in
5 treatment. The Board's decision to terminate will be based, in part, upon the therapist's
6 recommendations regarding continued treatment.

7 3. The Board retains jurisdiction and may initiate new action based upon a
8 violation of this Order.

9 4. This Order is final disposition of case number MD 99-0657.

10 DATED and effective this 10th day of May, 2001.



12 BOARD OF MEDICAL EXAMINERS
13 OF THE STATE OF ARIZONA

14 By Claudia Foutz
15 CLAUDIA FOUTZ
16 Executive Director
17 TOM ADAMS
18 Deputy Director

19 ORIGINAL of the foregoing filed this
20 10th day of May, 2001 with:

21 The Arizona Board of Medical Examiners
22 9545 East Doubletree Ranch Road
23 Scottsdale, AZ 85258

24 EXECUTED COPY of the foregoing mailed by
25 Certified Mail this 10th day of May, 2001 to:

Kenneth Cable, M.D.
7400 E. Osborn Road, Hospitalist Dept.
Scottsdale, AZ 85251-6403

EXECUTED COPY of the foregoing
hand-delivered this 10th day of
May, 2001, to:

Rick Albrecht, Esq.
Assistant Attorney General
c/o Arizona Board of Medical Examiners
9545 East Doubletree Ranch Road
Scottsdale, AZ 85258
Counsel to the Board



Lisa Maxie-Mullins, Legal Coordinator
Board Operations

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