

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of  
**MARK R. LONQUIST, M.D.**  
 License No. 22778  
 For the Practice of Allopathic Medicine  
 In the State of Arizona.

Case No. MD-07-0144A

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

**CONSENT AGREEMENT**

By mutual agreement and understanding, between the Arizona Medical Board ("Board") and Mark R. Lonquist, 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 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

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

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

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

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

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

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

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

5           12. ***Respondent has read and understands the condition(s) of probation.***

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 MARK R. LONQUIST, M.D.

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**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 22778 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-07-0144A after receiving a complaint that Respondent engaged in a sexual relationship with a female patient ("KM").

4. During an investigational interview with Board Staff, Respondent stated that he treated KM in August 2004 for pharyngitis and in July 2005 for a scorpion sting. Respondent admitted he began having a sexual relationship with KM while he was her treating physician.

5. Respondent denied having a personal relationship with KM that extended past October 2005. However, KM provided e-mail correspondence showing they were still communicating until July 2006. In response to the Board's investigation, Respondent acknowledged he could not refute or dispute the e-mail documentation. Therefore, Respondent knowingly made a false statement to Board Staff.

**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)(z) ("[e]ngaging in sexual conduct with a current patient or with a former patient within six months after the last medical consultation unless the patient was the licensee's spouse at the time of the contact or, immediately preceding the physician-patient relationship, was in a dating or engagement relationship with licensee, for purposes of this subdivision, "Sexual Conduct" includes: (i) Engaging in or

1 soliciting sexual relationships, whether consensual or nonconsensual. (ii) Making sexual  
 2 advances, requesting sexual favors or engaging in other verbal conduct or physical  
 3 contact of a sexual nature. (iii) Intentionally viewing a completely or partially disrobed  
 4 patient in the course of treatment if the viewing is not related to patient diagnosis or  
 5 treatment under current practice standards." and A.R.S. § 32-1401(27) (j) ("[k]nowingly  
 6 making a false or misleading statement to the board or on a form required by the board or  
 7 in a written correspondence, including attachments, with the board.").

8 **ORDER**

9 IT IS HEREBY ORDERED THAT:

10 1. Respondent is issued a Letter of Reprimand for engaging in a sexual  
 11 relationship with a patient and for making a false statement to the Board.

12 2. Respondent is placed on probation for one year with the following terms and  
 13 conditions:

14 A. Continuing Medical Education

15 Respondent shall within one year of the effective date of this Order obtain twenty  
 16 hours of Board Staff pre-approved Category I Continuing Medical Education (CME) in  
 17 boundary issues and provide Board Staff with satisfactory proof of attendance. The CME  
 18 hours shall be in addition to the hours required for the biennial renewal of medical license.  
 19 The probation shall terminate upon successful completion of the CME.

20 B. Obey All Laws

21 Respondent shall obey all state, federal and local laws, all rules governing the  
 22 practice of medicine in Arizona, and remain in full compliance with any court order criminal  
 23 probation, payments and other orders.

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In the event Respondent should leave Arizona to reside or practice outside the State or for any reason should Respondent stop practicing medicine in Arizona, Respondent shall notify the Executive Director in writing within ten days of departure and return or the dates of non-practice within Arizona. Non-practice is defined as any period of time exceeding thirty days during which Respondent is not engaging in the practice of medicine. Periods of temporary or permanent residence or practice outside Arizona or of non-practice within Arizona, will not apply to the reduction of the probationary period.

3. This Order is the final disposition of case number MD-07-0144A.

DATED AND EFFECTIVE this 10<sup>th</sup> day of August, 2007.



ARIZONA MEDICAL BOARD

By [Signature]  
TIMOTHY C. MILLER, J.D.  
Executive Director

ORIGINAL of the foregoing filed this 10<sup>th</sup> day of August, 2007 with:

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

EXECUTED COPY of the foregoing mailed this 10<sup>th</sup> day of August, 2007 to:

John P. Flynn, Esq.  
Tiffany & Bosco, P.A.  
Third Floor Camelback Esplanade II  
2525 East Camelback Road  
Phoenix, AZ 85016-4219

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EXECUTED COPY of the foregoing mailed  
this 10th day of August, 2007 to:

Mark R. Lonquist, M.D.  
Address of Record



Investigational Review