

1 express or implied, of the Board's statutory authority or jurisdiction regarding any other
2 pending or future investigation, action or proceeding. The acceptance of this Consent
3 Agreement does not preclude any other agency, subdivision or officer of this State from
4 instituting other civil or criminal proceedings with respect to the conduct that is the subject
5 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) to
13 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 will
21 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.

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

Mark K. Patton M.D.

DATED: 7-17-07

MARK K. PATTON, M.D.

1 **FINDINGS OF FACT**

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

4 2. Respondent is the holder of license number 23562 for the practice of
5 allopathic medicine in the State of Arizona.

6 3. The Board initiated case number MD-07-0052A after Board Staff (Staff)
7 conducted an on-site visit at Respondent's office and found the required chaperone
8 signature, as required by a 1999 Board Order (Order), was missing from one of the
9 randomly selected patient's chart.

10 4. The Order required Respondent to have an adult female chaperone present
11 when examining any female patient between two and eighteen years of age. On January
12 25, 2007, Staff conducted a chart review at Respondent's offices and randomly selected
13 patient charts. Staff noted that on August 15, 2006, a chaperone did not sign the progress
14 note for a seventeen year-old female patient. The chaperone acknowledged she was
15 present during the examination, but failed to sign the chart.

16 5. Additionally, Staff noted that another patient's chart was signed "Oi Fi, LPN,"
17 which is an abbreviation of the nurse chaperone's name. The Order required all
18 chaperones to legibly write their full name in the patient's chart.

19 **CONCLUSIONS OF LAW**

20 1. The Board possesses jurisdiction over the subject matter hereof and over
21 Respondent.

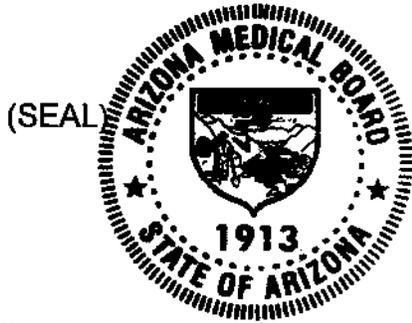
22 2. The conduct and circumstances described above constitute unprofessional
23 conduct pursuant to A.R.S. § 32-1401(27) (r) ("[v]iolating a formal order, probation,
24 consent agreement or stipulation issued or entered into by the board or its executive
25 director under this chapter.").

1 **ORDER**

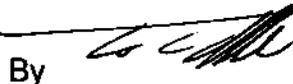
2 IT IS HEREBY ORDERED THAT:

- 3 1. Respondent is issued a Letter of Reprimand for violating a Board Order.
4 2. This Order is the final disposition of case number MD-07-0052A.

5 DATED AND EFFECTIVE this 10th day of August, 2007.



ARIZONA MEDICAL BOARD

9 

10 By _____
TIMOTHY C. MILLER, J.D.
Executive Director

11 ORIGINAL of the foregoing filed
12 this 10th day of August, 2007 with:

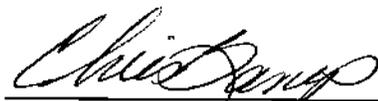
13 Arizona Medical Board
14 9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258

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

17 Charles E. Buri, Esq.
18 Friedl Richter & Buri, P.A.
6909 East Greenway Pkwy Suite 200
Scottsdale, AZ 85254-2172

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

21 Mark K. Patton, M.D.
Address of Record

22 
23 _____
Investigational Review