

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of
3 **KEITH N. LEVITT, M.D.**

Case No. MD-07-0436A

4 Holder of License No. 26382
5 For the Practice of Medicine
6 In the State of Arizona.

**CONSENT AGREEMENT FOR
SURRENDER OF LICENSE**

7 **CONSENT AGREEMENT**

8 By mutual agreement and understanding, between the Arizona Medical Board
9 ("Board") and Keith N. Levitt, M.D. ("Respondent"), the parties agreed to the following
10 disposition of this matter.

11 1. Respondent has read and understands this Consent Agreement and the
12 stipulated Findings of Fact, Conclusions of Law and Order ("Consent Agreement").
13 Respondent acknowledges that he has the right to consult with legal counsel
14 regarding this matter and has done so or chooses not to do so.

15 2. By entering into this Consent Agreement, Respondent voluntarily
16 relinquishes any rights to a hearing or judicial review in state or federal court on the
17 matters alleged, or to challenge this Consent Agreement in its entirety as issued by
18 the Board, and waives any other cause of action related thereto or arising from said
19 Consent Agreement.

20 3. This Consent Agreement is not effective until approved by the Board
21 and signed by its Executive Director.

22 4. The Board may adopt this Consent Agreement of any part thereof. This
23 Consent Agreement, or any part thereof, may be considered in any future disciplinary
24 action against Respondent.
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1 5. This Consent Agreement does not constitute a dismissal or resolution of
2 other matters currently pending before the Board, if any, and does not constitute any
3 waiver, express or implied, of the Board's statutory authority or jurisdiction regarding
4 any other pending or future investigation, action or proceeding. The acceptance of this
5 Consent Agreement does not preclude any other agency, subdivision or officer of this
6 State from instituting other civil or criminal proceedings with respect to the conduct
7 that is the subject of this Consent Agreement.
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9 6. All admissions made by Respondent are solely for final disposition of
10 this matter and any subsequent related administrative proceedings or civil litigation
11 involving the Board and Respondent. Therefore, said admissions by Respondent are
12 not intended or made for any other use, such as in the context of another state or
13 federal government regulatory agency proceeding, civil or criminal court proceeding,
14 in the State of Arizona or any other state or federal court.
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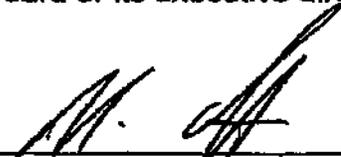
16 7. Upon signing this agreement, and returning this document (or a copy
17 thereof) to the Board's Executive Director, Respondent may not revoke the
18 acceptance of the Consent Agreement. Respondent may not make any modifications
19 to the document. Any modifications to this original document are ineffective and void
20 unless mutually approved by the parties.
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22 8. If the Board does not adopt this Consent Agreement, Respondent will
23 not assert as a defense that the Board's consideration of this Consent Agreement
24 constitutes bias, prejudice, prejudgment or other similar defense.
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10. If any part of the Consent Agreement is later declared void or otherwise unenforceable, the remainder of the Consent Agreement in its entirety shall remain in force and effect.

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.



KEITH N. LEVITT, M.D.

Dated: 10/26/07

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 26382 for the practice of
5 allopathic medicine in the State of Arizona.

6 3. Respondent previously participated in the Board's Monitored Aftercare
7 Program ("MAP") under a Stipulated Rehabilitation Agreement from March 28, 1998
8 through April 28, 2000.

9 4. In 2001, Respondent relapsed. He subsequently entered into a Consent
10 Agreement with the Board for a Letter of Reprimand, and Five Year MAP Probation
11 on February 7, 2002. During his probationary period, Respondent practiced in the
12 State of Washington. Based on reports from Washington Physicians' Health Program
13 ("WPHP"), the Board determined that Respondent completed the terms of his MAP
14 Probation. Thus, Respondent was successfully terminated from the Board's MAP
15 Probation on February 21, 2007.

16 5. The Board initiated case number MD-07-0436A after receiving notification
17 on May 22, 2007 from WPHP, that it had terminated Respondent from its program
18 based upon non-compliance and another relapse. WPHP also provided
19 documentation that Respondent had relapsed and failed to follow their
20 recommendation for immediate treatment following an evaluation which confirmed
21 positive tests results for opioids. WPHP also received what it considered to be a
22 credible report that Respondent continued to practice and had not complied with their
23 request to discontinue practicing until he was adequately treated. The Board then
24 initiated this investigation against Respondent for substance abuse relapse.

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ARIZONA MEDICAL BOARD

By: *Amanda Diehl*
AMANDA DIEHL, M.P.A., C.P.M.
Deputy Executive Director

6 ORIGINAL of the foregoing filed
7 this 14th day of December, 2007 with:

8 Arizona Medical Board
9 9545 E. Doubletree Ranch Road
10 Scottsdale, AZ 85258

11 EXECUTED COPY of the foregoing mailed
12 this 14th day of December, 2007 to:

13 Lawrence Rosenfeld
14 Greenberg Traurig, L.L.P.
15 2375 E. Camelback Road, Ste 700
16 Phoenix, AZ 85016-9000

17 EXECUTED COPY of the foregoing mailed
18 this 14th day of December, 2007 to:

19 Keith N. Levitt, M.D.
20 Address of Record

21 *Chris Bump*
22 Investigational Review
23
24
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