

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2
3 In the Matter of

4 **ROBERT S. BAKER, M.D.**

5 Holder of License No. 31745
6 For the Practice of Medicine
In the State of Arizona.

Case No. MD-06-0200A

**CONSENT AGREEMENT FOR
SURRENDER OF ACTIVE LICENSE**

7 **CONSENT AGREEMENT**

8 By mutual agreement and understanding between the Arizona Medical Board
9 ("Board") and Robert S. Baker, 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 regarding
14 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 the
18 Board, and waives any other cause of action related thereto or arising from said Consent
19 Agreement.

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

22 4. All admissions made by Respondent are solely for final disposition of this
23 matter and any subsequent related administrative proceedings or civil litigation involving
24 the Board and Respondent. Therefore, said admissions by Respondent are not intended
25 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. Upon signing this agreement, and returning this document (or a copy
4 thereof) to the Board's Executive Director, Respondent may not revoke the acceptance of
5 the Consent Agreement. Respondent may not make any modifications to the document.
6 Any modifications to this original document are ineffective and void unless mutually
7 approved by the parties.

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

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

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15 _____
16 ROBERT S. BAKER, M.D.

Dated: 5/24/06

FINDINGS OF FACT

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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 31745 for the practice of
5 allopathic medicine in the State of Arizona.

6 3. The Board initiated case number MD-06-0200A after receiving notice from
7 the University of Kentucky that Respondent's privileges were terminated following his
8 January 26, 2006 conviction for mail fraud by the US District Court, Florida (Case number
9 05CR60021). The mail fraud involved his sales and distribution of "mimic botox".

10 4. A health professional who has been charged with a misdemeanor involving
11 conduct that may affect patient safety or a felony after receiving or renewing a license or
12 certificate must notify the health professional regulatory board in writing within ten working
13 days after the charge has been filed. A.R.S. § 32-3208. Respondent failed to inform the
14 Board within ten days of his felony conviction.

15 5. On March 8, 2006 Board Staff sent Respondent notice of the Board
16 investigation and requested Respondent submit a written narrative regarding his criminal
17 offense. Respondent failed to provide the written statement.

18 6. Respondent admits to the acts described above and that they constitute
19 unprofessional conduct pursuant to A.R.S. §32-1401(27)(a) - ("[v]iolating any federal or
20 state laws or rules and regulations applicable to the practice of medicine"), specifically
21 A.R.S. § 32-3208; A.R.S. §32-1401(27)(d) - ("[c]ommitting a felony, whether or not
22 involving moral turpitude. In either case, conviction by any court of competent jurisdiction
23 or a plea of no contest is conclusive evidence of the commission"); and A.R.S. §32-
24 1401(27)(dd) - ([f]ailing to furnish information in a timely manner to the board or the
25 board's investigators or representatives if legally requested by the board").

1 CONCLUSIONS OF LAW

2 1. The Board possesses jurisdiction over the subject matter hereof and over
3 Respondent.

4 2. The conduct and circumstances described above constitute
5 unprofessional conduct pursuant to A.R.S. §32-1401(27)(a) - (“[v]iolating any federal or
6 state laws or rules and regulations applicable to the practice of medicine”), specifically
7 A.R.S. § 32-3208; A.R.S. §32-1401(27)(d) - (“[c]ommitting a felony, whether or not
8 involving moral turpitude. In either case, conviction by any court of competent jurisdiction
9 or a plea of no contest is conclusive evidence of the commission”); and A.R.S. §32-
10 1401(27)(dd) - ([f]ailing to furnish information in a timely manner to the board or the
11 board’s investigators or representatives if legally requested by the board”).

12 ORDER

13 IT IS HEREBY ORDERED THAT:

14 License Number 31745 issued to Robert S. Baker, M.D. for the practice of
15 allopathic medicine in the State of Arizona is surrendered and that Robert S. Baker, M.D.
16 shall immediately return his wallet card and certificate of licensure to the Board.

17 DATED and effective this 11th day of August, 2006.



(SEAL)

ARIZONA MEDICAL BOARD

By:

TIMOTHY C. MILLER, J.D.
Executive Director

1 ORIGINAL of the foregoing filed this
2 11th day of August, 2006 with:

3 Arizona Medical Board
4 9545 E. Doubletree Ranch Road
5 Scottsdale, AZ 85258

6 EXECUTED COPY of the foregoing mailed
7 this 11th day of August, 2006 to:

8 Robert S. Baker, M.D.
9 Address of Record

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11 _____
12 Investigational Review

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