

1 BEFORE THE ARIZONA MEDICAL BOARD

2 In the Matter of

3 **ROBERT H. PAGE, M.D.**

4 Holder of License No. 7689  
5 For the Practice of Medicine  
6 In the State of Arizona.

Case No. MD-03-0411

**CONSENT AGREEMENT FOR  
LETTER OF REPRIMAND**

7 **CONSENT AGREEMENT**

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

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

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

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

23 4. All admissions made by Respondent are solely for final disposition of this  
24 matter and any subsequent related administrative proceedings or civil litigation involving  
25 the Board and Respondent. Therefore, said admissions by Respondent are not intended

1 or made for any other use, such as in the context of another state or federal government  
2 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or  
3 any other state or federal court.

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

10 6. Respondent further understands that this Consent Agreement and Order,  
11 once approved and signed, is a public record that may be publicly disseminated as a  
12 formal action of the Board and will be reported to the National Practitioner Data Bank and  
13 will be reported to the Arizona Medical Board's website.

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

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20 ROBERT H. PAGE, M.D.

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DATED: 10/11/13

**FINDINGS OF FACT**

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

5       2.     Respondent is the holder of license number 7689 for the practice of  
6 allopathic medicine in the State of Arizona.

7       3.     The Board initiated case number MD-03-0411 after receiving a complaint  
8 regarding Respondent's care and treatment of a 29 year-old male patient ("D.C.").

9       4.     On February 19, 2003, D.C. presented to Respondent for a vasectomy pre-  
10 operative consultation. Respondent discussed the potential risks and complications of the  
11 surgical procedure as well as post-operative care with D.C..

12       5.     On February 29, 2003, D.C. underwent an elective vasectomy procedure  
13 performed with local anesthesia by Respondent. Respondent stated that the right side  
14 was completed first and that no problems were encountered. Respondent stated that he  
15 encountered minor problems on the left side because D.C. became very apprehensive.  
16 Respondent detained D.C. for some time after the surgery because D.C. appeared to be  
17 somewhat shaken by the procedure.

18       6.     Post-operatively, Respondent gave instructions to D.C. regarding follow-up  
19 care and recommended an antibiotic be used for prophylaxis against wound infection.  
20 Respondent provided D.C. with samples of Augmentin.

21       7.     On March 3, 2003, D.C. presented to Respondent with a chief complaint of  
22 an allergic reaction to Augmentin in the form of a rash. Respondent stated that he treated  
23 D.C.'s rash with the usual recommended medication and expected a full recovery shortly.

24       8.     On March 6, 2003, Respondent examined D.C. and noted that the rash was  
25 continuing. Respondent treated D.C. with IV steroids twice that day. Respondent advised

1 D.C. to sit in cool water and to avoid hot showers.

2 9. On March 7, 2003, Respondent treated D.C. again with IV steroids twice that  
3 day. Respondent stated that D.C. did not return or contact his office after the IV steroid  
4 treatment except for a telephone call from D.C.'s wife asking that her husband be  
5 reimbursed for time missed from work.

6 10. D.C. stated he did not know that Augmentin was a derivative of amoxicillin  
7 until he started to develop an allergic rash. D.C. then read the label on the Augmentin  
8 samples and realized it was a derivative of amoxicillin. D.C. is allergic to amoxicillin.

9 11. Respondent stated that on March 3, 2003, he asked if D.C. remembered  
10 whether he had been asked about any allergies prior to being treated by Respondent.  
11 Respondent indicated that D.C. did not remember if he told Respondent that he was  
12 allergic to amoxicillin.

13 12. A general information and medical history sheet dated November 19, 1999,  
14 and contained in Respondent's file listed D.C. as allergic to amoxicillin. On January 12,  
15 2001, there was another progress note that documented D.C. as allergic to penicillin.

16 13. The accepted standard of care required Respondent to check the patient's  
17 documented history and allergies to medications before he prescribed Augmentin  
18 (amoxicillin/clavulanic acid) to a patient with a documented history of an allergy to  
19 amoxicillin.

20 14. Respondent failed to meet the accepted standard of care because he did not  
21 check the patient's documented history and allergies to medications before he prescribed  
22 Augmentin (amoxicillin/clavulanic acid) to a patient with a documented history of an allergy  
23 to amoxicillin.

24 15. D.C. was harmed because he suffered an allergic reaction that lasted more  
25 than a week, despite additional treatment.

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 unprofessional  
5 conduct pursuant to A.R.S. § 32-1401(24)(II) - ("[c]onduct that the board determines is  
6 gross negligence, repeated negligence or negligence resulting in harm to or the death of a  
7 patient.")

8 **ORDER**

9 IT IS HEREBY ORDERED THAT:

10 1. Respondent is hereby issued a Letter of Reprimand for improperly  
11 prescribing Augmentin (amoxicillin/clavulanic acid) to a patient with a documented history  
12 of an allergy to ampicillin.

13 2. Respondent shall pay a civil penalty in the amount of \$1,000.00 within 60  
14 days.

15 3. This Order is the final disposition of case number MD-03-0411.

16 DATED AND EFFECTIVE this 12<sup>th</sup> day of December, 2003.

17  
18 [SEAL]



ARIZONA MEDICAL BOARD

19 By *Barry A. Cassidy*  
20 BARRY A. CASSIDY, Ph.D., PA-C  
21 Executive Director

22 ORIGINAL of the foregoing filed this  
23 12<sup>th</sup> day of December 2003 with:

24 Arizona Medical Board  
25 9545 E. Doubletree Ranch Road  
Scottsdale, AZ 85258

1 EXECUTED COPY of the foregoing mailed  
2 by Certified Mail this 12<sup>th</sup> day of December 2003 to:

3 Robert H. Page, M.D.  
4 5030 S. Mill Avenue, Suite D12  
5 Tempe AZ 85282-6849

6 EXECUTED COPY of the foregoing  
7 hand-delivered this 12<sup>th</sup> day of December 2003 to:

8 Christine Cassetta, Assistant Attorney General  
9 Chris Bingham, Division Chief, Enforcement  
10 Michelle Semenjuk, Division Chief, Licensing  
11 Sandra Waitt, Information Systems Analyst  
12 Arizona Medical Board  
13 9545 E. Doubletree Ranch Road  
14 Scottsdale, AZ 85258

15   
16 ~~Brenda Gobeli~~ Lisa McGrane  
17 Legal Coordinator  
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