1	BEFORE THE BOARD OF MEDICAL EXAMINERS	
2	IN THE STATE OF ARIZONA	
3		
4	In the Matter of	Case No. MD-98-0650
5	RICHARD G. BOTTIGLIONE, M.D.	INVESTIGATION NO. 12255
6	Holder of License No. 14927 For the Practice of Medicine	FINDINGS OF FACT,
7	In the State of Arizona.	CONCLUSIONS OF LAW AND ORDER
8		(Letter of Reprimand and Probation)
9		
10	INTRODUCTION	
11	This matter was considered by the Arizona Board of Medical Examiners	
12	("Board") at its public meeting on October 25, 2000. Richard G. Bottiglione, M.D.,	
13	appeared before the Board without legal counsel, for the purpose of the Board	
14	conducting a formal interview, pursuant to the authority vested in the Board by A.R.S.	
15	§ 32-1451(G). After due consideration of the facts and law applicable to this matter,	
16	the Board voted to issue the following findings of fact, conclusions of law and order.	
17	FINDING	S OF FACT
18	The Board is the duly constitut	ed authority for the regulation and control
19	of the practice of allopathic me	edicine in the State of Arizona.
20	2. Dr. Bottiglione is the holder of	License No. 14927 for the practice of
21	medicine in the State of Arizor	na.
22	3. Board Investigation No. 12255	was initiated after the Board was notified,
23	pursuant to a complaint from p	patient L.H.
24	4. Investigation revealed that pat	ient L.H. sought treatment from Dr.
25	Bottiglione for spider veins in h	ner legs.

5. Dr. Bottiglione's records were sparse and poorly documented, and he did not include an informed consent signed by the patient. His records also failed to depict the treated areas appropriately.

CONCLUSIONS OF LAW

- The Board possesses jurisdiction over the subject matter hereof and over Dr. Bottiglione pursuant to A.R.S. § 32-1401 et seq.
- The conduct and circumstances described above in paragraphs 3
 through 5 constitute unprofessional conduct pursuant to A.R.S. § 32 1401(25), "Failing or refusing to maintain adequate records on a patient."

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law,

IT IS HEREBY ORDERED that:

- 1. A letter of reprimand be issued to Dr. Bottiglione for the aforementioned unprofessional conduct;
- 2. Dr. Bottiglione be put on Probation to complete twenty (20) hours of Board staff-approved CME in record keeping within six (6) months, in addition to the CME required for license renewal;
 - 3. Dr. Bottiglione undergo an office review in six (6) months; and,
- 4. Dr. Bottiglione remain on Probation until the Board finds that he has demonstrated completion of the required CME and the results of the office review are satisfactory to the Board.

RIGHT TO PETITION FOR REVIEW

Dr. Bottiglione is hereby notified that he has the right to petition for a rehearing.

Pursuant to A.R.S. § 41-1092.09, as amended, the petition for rehearing must be filed with the Board's Executive Director within thirty (30) days after service of this Order and

1	pursuant to A.A.C. R4-16-102, it must set forth legally sufficient reasons for granting a	
2	rehearing. Service of this Order is effective five (5) days after the date of mailing. If a	
3	motion for rehearing is not filed, the Board's Order becomes effective thirty-five (35) days	
4	after it is mailed to Dr. Bottiglione.	
5	Dr. Bottiglione is further notified that the filing of a petition for rehearing is required	
6	to preserve any rights of appeal to the Superior Court that he may wish to pursue.	
7	DATED this 19th day of December, 2000.	
8	BOARD OF MEDICAL EXAMINERS	
9	OF THE STATE OF ARIZONA	
10	(SEAL)	
11	By Claudia Struk	
12	CLAUDIA FOUTZ Executive Director	
13	ORIGINAL of the foregoing filed	
14	thisal day of <u>bluember</u> 2000, with:	
15	The Arizona Board of Medical Examiners	
16	9545 East Doubletree Ranch Road Scottsdale, Arizona 85258	
17	EXECUTED COPY of the foregoing mailed by Certified Mail this 2 day of Lile 2000, to:	
18		
19	Richard G. Bottiglione, M.D. 10040 E. Happy Valley Rd. #397	
20	Scottsdale, AZ 85255	
21		
22		
23		
24		

1	COPY of the foregoing hand-delivered this
2	27 day of License, 2000, to:
3	Richard F. Albrecht, Esq., Assistant Attorney General c/o Arizona Board of Medical Examiners
4	9545 E. Doubletree Ranch Road
5	Scottsdale, AZ 85258 Counsel for the Board
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