

1 BEFORE THE BOARD OF MEDICAL EXAMINERS

2 IN THE STATE OF ARIZONA

3  
4 In the Matter of

5 **RODNEY L. SMITH, M.D.**

6 Holder of License No. **16325**  
7 For the Practice of Medicine  
8 In the State of Arizona.

**INVESTIGATION NO. 10998**

**FINDINGS OF FACT,  
CONCLUSIONS OF LAW,  
AND ORDER**

9 **INTRODUCTION**

10 This matter was considered by the Arizona Board of Medical Examiners (Board) at  
11 its public meeting on May 19, 1999; Rodney L. Smith, M.D., appeared with counsel, for the  
12 purpose of the Board continuing his informal interview, pursuant to the authority vested in  
13 it by A.R.S. § 32-1451(G). After due consideration of the facts and law applicable to this  
14 matter, the Board voted to issue the following findings of fact, conclusions of law and  
15 order.

16 **FINDINGS OF FACT**

17 1. The Board is the duly constituted authority for the regulation and control of  
18 the practice of medicine in the State of Arizona.

19 2. Dr. Smith is the holder of License No. 16325 for the practice of medicine in  
20 the State of Arizona.

21 3. Investigation No. 10998 was initiated after a complaint was received from  
22 Tucson Medical Center that Dr. Smith performed an exploratory laparotomy on patient  
23 T.B. in the Morenci Clinic without an operating room, surgical staff or anesthesiologist.

24 ...

25 ...

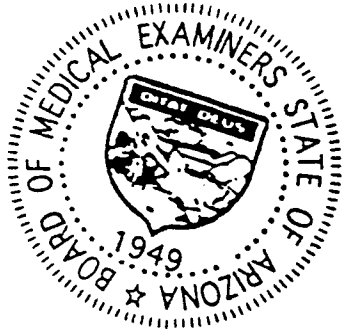




1 Dr. Smith is further notified that the filing of a petition for rehearing is required to  
2 preserve any rights of appeal to the superior court that he may wish to pursue.

3 DATED this 30<sup>th</sup> day of May, 1999.

4 [SEAL]



5 BOARD OF MEDICAL EXAMINERS  
6 OF THE STATE OF ARIZONA

7 By Claudia Foutz  
8 CLAUDIA FOUTZ  
Executive Director

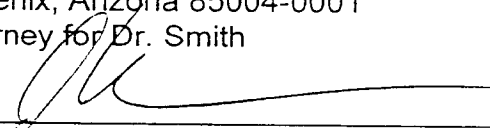
9 **ORIGINAL** of the foregoing filed this  
10 25<sup>th</sup> day of MAY, 1999, with:

11 The Arizona Board of Medical Examiners  
12 1651 East Morten, Suite 210  
Phoenix, Arizona 85020

13 **EXECUTED COPY** of the foregoing mailed by Certified  
14 Mail this 25<sup>th</sup> day of MAY, 1999, to:

15 Rodney L. Smith. M.D.

16 Paul J. Giancola  
17 SNELL & WILMER, LLP  
18 One Arizona Center  
19 400 E. Van Buren  
Phoenix, Arizona 85004-0001  
Attorney for Dr. Smith

20   
21 Board Operations  
990760003