

1 BEFORE THE BOARD OF MEDICAL EXAMINERS

2  
3 IN THE STATE OF ARIZONA

ARIZONA BOARD OF MEDICAL EXAMINERS

April 13, 2000

Investigation No. 12677

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. 12677

CONSENT AGREEMENT FOR  
INTERIM ORDER OF PROBATION

9 CONSENT AGREEMENT

10 IT IS HEREBY AGREED by and between RODNEY L. SMITH, M.D. (hereinafter  
11 "Respondent") and the Arizona Board of Medical Examiners ("Board") that the  
12 accompanying Interim Order be entered in the above-entitled matter and is effective as of  
13 the date issued. The parties mutually agree and understand that said Interim Order is  
14 issued pursuant to the Board Executive Director's authority at A.R.S. § 32-1405(C)(25).

15 This Consent Agreement for Interim Order arises out of the Board's formal  
16 interview proceeding conducted on February 15, 2000, which was attended by  
17 Respondent and his attorney. During said formal interview proceeding the parties  
18 mutually agreed to the terms and conditions of the Interim Order as set forth hereafter.

19 Respondent acknowledges that any violation of this Interim Order constitutes  
20 unprofessional conduct within A.R.S. § 32-1401(25)(r), and may result in disciplinary  
21 action pursuant to A.R.S. § 32-1451.

22 The parties mutually understand and agree that this Interim Order does not  
23 constitute a final decision regarding the matters under investigation by the Board and  
24 referenced above by Board Investigation File No. 12677. Additionally, the acceptance of  
25 the Consent Agreement for Interim Order does not constitute an admission of misconduct

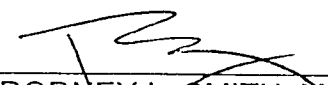
1 by Respondent; and the Interim Order shall not constitute a final reportable disciplinary  
2 action by the Board, although this document in its entirety constitutes a public record  
3 document which may be disseminated to the extent required by law.

4 The Board is not limited in its exercise of its statutory authority by issuance of this  
5 order, unless expressly stated to the contrary. Furthermore, by signing this Consent  
6 Agreement, Respondent waives and relinquishes any right to appeal from or challenge  
7 this Interim Order by filing any type of administrative or judicial review action.

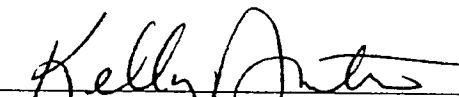
8 Respondent acknowledges and agrees that, upon signing this agreement, and  
9 returning this document (or a copy thereof) to the Board's Executive Director, Respondent  
10 may not revoke acceptance or make any modifications to this document, although said  
11 Agreement for Consent Order has not yet been accepted by the Board or issued by the  
12 Executive Director. Any modifications to this Agreement for Consent Order are ineffective  
13 and void unless mutually approved by the parties.

14 Respondent expressly agrees and understands that the Interim Order may be  
15 issued by the Board Executive Director, and is not subject to the Board final review and  
16 approval before becoming effective as an Interim Order.

17 Respondent shall comply with all terms and conditions of said Interim Order upon  
18 issuance by the Executive Director.

20  
21   
22 \_\_\_\_\_  
23 RODNEY L. SMITH, M.D.

Reviewed and accepted this  
5 day of March, 2000.

23  
24   
25 \_\_\_\_\_  
26 Kelly K. Druten, Attorney at Law  
27 (Counsel For Dr. Smith)

Reviewed and approved as to  
form this 10 day of March, 2000.

1 INTERIM ORDER

2 IT IS HEREBY ORDERED that:

3 1. Dr. Smith shall not practice clinical medicine in the State of Arizona until he  
4 meets with the Board and affirmatively receives the Board's approval to resume practice.

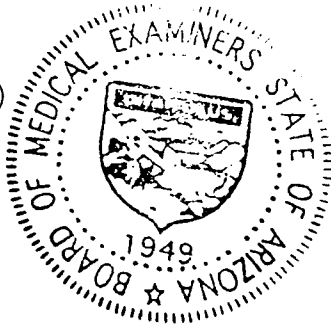
5 2. Dr. Smith undergo evaluation by the Post Licensure Assessment System  
6 (PLAS) offered by the Federation of State Medical Boards, at his own expense. Any and  
7 all reports, assessments or other documents generated by PLAS shall be forwarded by  
8 PLAS to the Board for review.

9 3. This is an interim order subject to modification and consideration by the  
10 Board pursuant to the aforementioned terms and conditions of this Order and Consent  
11 Agreement.

12 DATED and EFFECTIVE this 14 day of <sup>March</sup>~~February~~, 2000.

13 BOARD OF MEDICAL EXAMINERS  
14 OF THE STATE OF ARIZONA

15 (SEAL)



17 By: *Tom Adams*  
18 CLAUDIA FOUZ  
19 Executive Director  
20 TOM ADAMS  
21 Assistant Director, Regulation

22 ORIGINAL of the foregoing filed this  
23 14<sup>th</sup> day of March, 2000, with:

24 The Arizona Board of Medical Examiners  
25 1651 East Morten, Suite 210  
Phoenix, AZ 85020

1 COPY of the foregoing mailed by Certified  
Mail this 14<sup>th</sup> day of March, 2000, to:

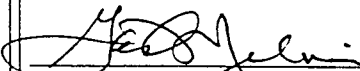
2  
3 Rodney L. Smith, M.D.  
4 4331 W. Monte Cristo  
5 Glendale, AZ 85306

6 COPY of the foregoing mailed this  
14<sup>th</sup> day of March, 2000, to:

7 Kelly K. Druten  
8 Attorney at Law  
9 SNELL & WILMER, LLP  
10 One Arizona Center  
11 400 E. Van Buren  
12 Phoenix, Arizona 85004-0001  
13 Attorney for Dr. Smith

14 COPY of the foregoing hand delivered this  
14<sup>th</sup> day of March, 2000, to:

15 Gordon S. Bueler  
16 Assistant Attorney General  
17 c/o Arizona Board of Medical Examiners  
18 1651 East Morten, Suite 210  
19 Phoenix, Arizona 85020  
20 (Attorney for the Board)

21  
22  
23  
24  
25  
  
26 Board Operations