

1 BEFORE THE BOARD OF MEDICAL EXAMINERS
2 IN THE STATE OF ARIZONA

3
4 In the Matter of

Case No. MD-98-0789
MD-99-0057

5
6 **JOHN WOODS, M.D.**

Inv. Number 12399 & 12515

7 Holder of License No. **19005**
8 For the Practice of Medicine
9 In the State of Arizona.

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

(Probation)

10
11 This matter was considered by the Arizona Board of Medical Examiners ("Board") at
12 its public meeting on October 11, 2001. John Woods, M.D., ("Respondent") appeared
13 before the Board with legal counsel, Mel McDonald, for a formal interview pursuant to the
14 authority vested in the Board by A.R.S. § 32-1451(I). After due consideration of the facts
15 and law applicable to this matter, the Board voted to issue the following findings of fact,
16 conclusions of law and order.

17 **FINDINGS OF FACT**

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

20 2. Respondent is the holder of License No. 19005 for the practice of allopathic
21 medicine in the State of Arizona.

22 3. The Board initiated case numbers MD-98-0789 and MD-99-0057 upon
23 receiving complaints regarding Respondent's conduct and indicating that Respondent may
24 have been functioning with a mental disability.
25

1 4. While investigating the complaints, Board staff reviewed a psychiatrist's
2 notes of Respondent's treatment from November of 1998. The psychiatrist recommended
3 that Respondent stop practicing his specialty and apply for a mental disability claim.

4 5. Respondent did not stop practicing nor did he report the psychiatrist's
5 findings and recommendations to the Board on any subsequent licensing renewal form.
6 Also, on subsequent renewal forms, Respondent answered questions regarding his
7 medical condition and diagnosis of psychotic disorder in the negative.

8 6. On March 19, 2001, the Board issued an Interim Order requiring Respondent
9 to undergo Psychiatric and Psychometric Evaluation. Respondent complied with the
10 Interim Order.

11 7. The Board's renewal application for licensure to practice medicine inquires
12 whether a physician is certified by the American Board of Medical Specialties.

13 8. On Respondent's 1999 and 2000 renewal applications for licensure he
14 indicated that he was Certified in Forensic Psychiatry, Specialty Number AB13641, by the
15 American Board of Medical Specialties.

16 9. Although Respondent is certified by the American College of Forensic
17 Examiners, he is not certified by the American Board of Medical Specialties.

18 **CONCLUSIONS OF LAW**

19 1. The Board possesses jurisdiction over the subject matter hereof and over
20 Respondent.

21 2. The Board has received substantial evidence supporting the Findings of Fact
22 described above and said findings constitute grounds for the Board to take disciplinary
23 action.

24 3. The conduct and circumstances above in paragraphs 5, 8 and 9 constitute
25 unprofessional conduct pursuant to A.R.S. § § 32-1401 (25)(q) "[a]ny conduct or practice

1 which is or might be harmful or dangerous to the health of the patient or the public;" 32-
2 1401(25)(jj) "[k]nowingly making a false or misleading statement to the board or on a form
3 required by the board or in a written correspondence, including attachments, with the
4 board;" and 32-1401(25)(oo) "[f]ailing to report in writing to the board or the joint board any
5 evidence that a doctor of medicine or a physician assistant is or may be medically
6 incompetent, guilty of unprofessional conduct or mentally or physically unable to safely
7 practice medicine or as a physician assistant."

8 **ORDER**

9 IT IS HEREBY ORDERED THAT:

- 10 1. Respondent is placed on five (5) years probation subject to the following
11 terms:
- 12 a. Respondent shall immediately obtain a treating therapist approved by Board
13 staff.
 - 14 b. Respondent shall comply with the therapist's recommendations.
 - 15 c. Respondent shall instruct the therapist to submit quarterly written reports to
16 the Board regarding diagnosis, prognosis, and written reports and recommendations for
17 continuing care and treatment. The reports shall be submitted on or before the 15th day of
18 March, June, September and December of each year.
 - 19 d. Respondent shall provide the therapist with a copy of this order.
 - 20 e. After two years of treatment, Respondent may petition the Board to cancel
21 the remaining term of probation if Respondent's treating therapist concurs that ongoing
22 treatment is no longer indicated. The Board's decision to terminate will be based, in part,
23 upon the treating therapist's recommendation.
 - 24 f. Respondent shall be evaluated by the Board's Monitored Aftercare Program
25 Monitored Aftercare Program ("MAP") and comply with any recommendations for

1 participating in MAP. If Respondent is required to enter MAP he will notify the Board and
2 this Order will be amended to include the terms of Respondent's participation in MAP.

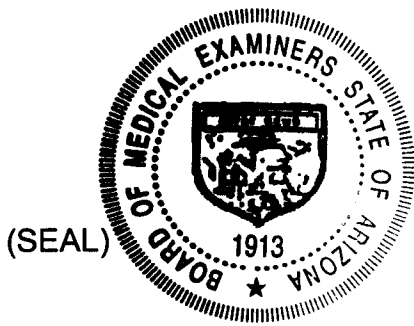
3 2. The Board retains jurisdiction and may initiate an action based upon any
4 violation of this Order.

5 **RIGHT TO PETITION FOR REVIEW**

6 Respondent is hereby notified that he has the right to petition for a rehearing.
7 Pursuant to A.R.S. § 41-1092.09, as amended, the petition for rehearing must be filed with
8 the Board's Executive Director within thirty (30) days after service of this Order and
9 pursuant to A.A.C. R4-16-102, it must set forth legally sufficient reasons for granting a
10 rehearing. Service of this order is effective five (5) days after date of mailing. If a motion
11 for rehearing is not filed, the Board's Order becomes effective thirty-five (35) days after it is
12 mailed to Respondent.

13 Respondent is further notified that the filing of a motion for rehearing is required to
14 preserve any rights of appeal to the Superior Court.

15 DATED AND EFFECTIVE this 9th day of January, 2002.



20 BOARD OF MEDICAL EXAMINERS
21 OF THE STATE OF ARIZONA

22 By Claudia Foutz
23 CLAUDIA FOUTZ
24 Executive Director

25 ORIGINAL of the foregoing filed this
9 day of January, 2002 with:

The Arizona Board of Medical Examiners
9545 East Doubletree Ranch Road
Scottsdale, AZ 85258

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EXECUTED COPY of the foregoing mailed by
Certified Mail this 9 day of January 2002 to:

Melvin McDonald, Esq.
Jones Skelton & Hochuli
2901 N Central Suite 800
Phoenix AZ 85012-2703

EXECUTED COPY of the foregoing mailed by
US Mail this 9 day of January, 2002 to:

John Woods, M.D.
PO Box 4214
Prescott, AZ 86302-4214

EXECUTED COPY of the foregoing
hand-delivered to each of the following
this 9 day of January, 2002, to :

Christine Cassetta, Assistant Attorney General
Sandra Waitt, Management Analyst
Lynda Mottram, Compliance Officer
Lisa Maxie-Mullins, Legal Coordinator (Investigation File)
Arizona Board of Medical Examiners
9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258

