

1 BEFORE THE BOARD OF MEDICAL EXAMINERS

2 IN THE STATE OF ARIZONA

3 In the Matter of

4 **DEBORAH D. MORONEY, M.D.**

5 Holder of License No. **20826**
6 For the Practice of Medicine
7 In the State of Arizona.

Board Case No. MD-99-0852

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

(Letter of Reprimand)

8 This matter was considered by the Arizona Board of Medical Examiners ("Board")
9 at its public meeting on August 15, 2001. Deborah D. Moroney, M.D., ("Respondent")
10 appeared before the Board without legal counsel, for a formal interview pursuant to the
11 authority vested in the Board by A.R.S. § 32-1451(G). After due consideration of the
12 facts and law applicable to this matter, the Board voted to issue the following findings of
13 fact, conclusions of law and order.

14 **FINDINGS OF FACT**

- 15
- 16 1. The Board is the duly constituted authority for the regulation and control of
17 the practice of allopathic medicine in the State of Arizona.
 - 18 2. Respondent is the holder of License No. 20826 for the practice of medicine
19 in the State of Arizona.
 - 20 3. The Board initiated case number MD-99-0852 upon receiving a complaint
21 regarding Respondent's treatment and care of a patient.
 - 22 4. On August 27, 1999, patient P.P., a sixty-eight year old female, who
23 complained of abdominal pains for the past ten days, saw her primary care physician.
24 The primary care physician ordered a CAT Scan, admitted the patient to Yavapai
25 Regional Medical Center, and turned over the care of patient P.P. to Respondent, the on-

1 call doctor for the group. On that evening Respondent was notified of an abnormal lab
2 result. She diagnosed a urinary tract infection, ordered antibiotics and repeat labs.

3 5. On August 28, 1999, Respondent saw patient P.P., who was awake, alert
4 and able to interact, but her abdomen was distended. Respondent discussed patient
5 P.P.'s history of alcohol use. Respondent noted possible alcoholic liver cirrhosis with
6 ascites. The CAT Scan results were not available.

7 6. On August 29, 1999, a dictated CAT Scan report was retrieved by
8 Respondent. According to Respondent's progress notes, the dictated CAT Scan report
9 referred to "a shrunken liver consistent with cirrhosis or infiltrative process. Marked
10 ascites with free fluid versus gas in the bowel loops." Respondent requested a
11 gastroenterological consultation, but suggested it could wait until the next day. However,
12 the dictated CAT Scan report suggested a timely surgical consult should have been
13 ordered.

14 7. On the evening of August 29, 1999, patient P.P. experienced bladder
15 fullness but was not voiding and a catheter was placed. Patient P.P. became agitated
16 and the nurses contacted Respondent for a medication order. Respondent noted that
17 patient P.P. was suffering from alcohol withdrawal symptoms and ordered Librium.

18 8. On August 30, 1999, patient P.P.'s primary care physician re-assumed care
19 of the patient and found that her condition had deteriorated. Her abdomen was further
20 distended and was hard with rebound tenderness and there were no bowel sounds.

21 9. The primary care physician diagnosed a ruptured viscus. He requested a
22 surgical consult and surgery revealed 3-4 liters of free fluid and two perforated-
23 abscessed diverticuli. Patient P.P. died on September 11, 1999. According to the
24 autopsy report, patient P.P. died after a reported perforated colonic diverticulum and the
25

1 delay in surgery to perform a diverting colostomy procedure further compromised her
2 ability to survive the peritonitis that followed the colonic perforation.

3 10. Respondent fell below the standard of care in failing to timely request an
4 indicated surgical consultation, thus contributing to the death of P.P.

5 **CONCLUSIONS OF LAW**

6 1. The Board of Medical Examiners of the State of Arizona possesses
7 jurisdiction over the subject matter hereof and over Respondent.

8 2. The conduct and circumstances described above in paragraphs 4 through
9 10 constitute unprofessional conduct pursuant to A.R.S. § 32-1401(25)(q)("[a]ny conduct
10 or practice which is or might be harmful or dangerous to the health of the patient or the
11 public.").

12 **ORDER**

13 Based upon the foregoing Findings of Fact and Conclusions of Law,

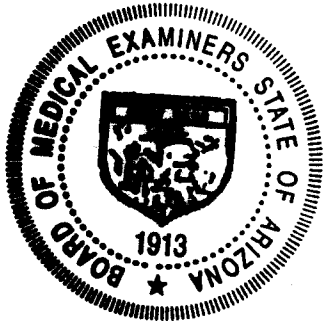
14 IT IS HEREBY ORDERED that Respondent is issued a Letter of Reprimand for
15 failing to timely request an indicated surgical consultation.

16 **RIGHT TO PETITION FOR REVIEW**

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

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

1 DATED this 27th day of August, 2001.



BOARD OF MEDICAL EXAMINERS
OF THE STATE OF ARIZONA

8 By Claudia Foutz
9 CLAUDIA FOUTZ
10 Executive Director
11 TOM ADAMS
12 Deputy Director

13 ORIGINAL of the foregoing filed this
14 29 day of August, 2001 with:

15 The Arizona Board of Medical Examiners
16 9545 East Doubletree Ranch Road
17 Scottsdale, Arizona 85258

18 Executed copy of the foregoing
19 mailed by U.S. Certified Mail this
20 29 day of August, 2001, to:

21 Deborah D. Moroney, M.D.
22 Rt. 30 Box 1060
23 Prescott, Arizona 86305

24 Copy of the foregoing hand-delivered this
25 29 day of August, 2001, to each of
the following:

Christine Cassetta, Assistant Attorney General
Sandra Waitt, Management Analysts
Lisa Maxie-Mullins, Legal Coordinator (Investigation File)
Arizona Board of Medical Examiners
9545 East Double Tree Ranch Road
Scottsdale, Arizona 85258

[Signature]