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3	In the Matter of
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5	PAUL COULOMBE, M.D.
6	Holder of License No. 212 For the Practice of Medicir
7	In the State of Arizona.
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9	This matter was co
10	at its public meeting on
11	appeared before the Boa
12	pursuant to the authority
13	consideration of the facts
14	following findings of fact, o
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16	1. The Board is
17	the practice of allopathic n
18	2. Respondent
19	in the State of Arizona.
20	3. The Board i
21	regarding Respondent's c

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24

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BEFORE THE BOARD OF MEDICAL EXAMINERS

IN THE STATE OF ARIZONA

Holder of License No. 21251 For the Practice of Medicine In the State of Arizona.

Board Case No. MD-00-0166

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

(Letter of Reprimand and Probation)

This matter was considered by the Arizona Board of Medical Examiners ("Board") at its public meeting on October 11, 2001. Paul Coulombe, M.D., ("Respondent") appeared before the Board with legal counsel, Richard Kent, for a formal interview pursuant to the authority vested in the Board by A.R.S. § 32-1451(I). consideration of the facts and law applicable to this matter, the Board voted to issue the following findings of fact, conclusions of law and order.

FINDINGS OF FACT

- The Board is the duly constituted authority for the regulation and control of 1. the practice of allopathic medicine in the State of Arizona.
- Respondent is the holder of License No. 21251 for the practice of medicine 2. in the State of Arizona.
- The Board initiated case number MD-00-0166 upon receiving a complaint 3. regarding Respondent's care and treatment of a patient.
- On August 4, 1995, a 24 year-old male patient ("Patient") presented to 4. Respondent complaining of blood in his stool and blood in the toilet after Patient had a bowel movement.

- 5. Respondent evaluated Patient, diagnosed proctitis and prescribed Anusol suppositories.
- 6. On April 8, 1996, eight months after his initial visit, Patient returned to Respondent with complaints of continued rectal bleeding. Respondent recommended a barium enema and a flexible sigmoidoscopy. The results of a barium enema performed on May 2, 1996 were negative.
- 7. Respondent performed the flexible sigmoidoscopy on May 30, 1996. Respondent noted a mild proctitis and some fresh blood at the rectum. Respondent prescribed Anusol suppositories and recommended an increase in Patient's fiber and fluid intake. Respondent did not perform a biopsy of any tissue.
- 8. Patient returned to Respondent on March 13, 1997, ten months after the flexible sigmoidoscopy was performed, with complaints of continued intermittent rectal bleeding. Respondent examined Patient, assessed hematochezia likely from proctitis as opposed to bleeding internal hemorrhoids. Respondent again prescribed Anusol suppositories and suggested increased fiber intake.
- 9. On May 29, 1997, Patient again presented to Respondent and described fresh blood dripping from his rectum and recent abdominal pain. Respondent prescribed Rowasa suppositories and indicated that he would refer Patient to a gastrointestinal specialist for further evaluation and treatment. Respondent wrote out the referral and submitted it through the clinic where he was employed.
- 10. On July 1, 1997, Patient called Respondent's office to inquire about the referral. Patient phoned Respondent's office again on July 10, 1997, and reported blood present in his stool during each of his previous eight bowel movements as well as diarrhea and light-headedness.

- 11. Respondent reviewed the telephone message, noted a likely perianal problem. Respondent recommended sitz baths and instructed Patient to follow-up with him in one week. Respondent's staff called the prescription to a local pharmacy and called Patient to relay Respondent's instructions.
- 12. On July 15, 1997, Patient presented to Respondent. Respondent noted increased bleeding and pain, recommended that Patient continue on the Anusol suppositories. An appointment was scheduled for August 6, 1997, with a gastroenterologist.
- 13. Upon examining Patient, the gastroenterologist found tumors in Patient's rectum. Biopsies of the tumors showed them to be well differentiated, infiltrated adenocarcinoma. Patient underwent subsequent surgeries, chemotherapy and radiation therapy, but eventually expired on January 2, 1999.

CONCLUSIONS OF LAW

- 1. The Board of Medical Examiners of the State of Arizona possesses jurisdiction over the subject matter hereof and over Respondent.
- 2. The Board has received substantial evidence supporting the Findings of Fact described above and said findings constitute unprofessional conduct or other grounds for the Board to take disciplinary action.
- 3. The conduct and circumstances above in paragraph 4 through 12 constitute unprofessional conduct pursuant to A.R.S. § 32-1401(25)(I) "[c]onduct that the board determines is gross malpractice, repeated malpractice or any malpractice resulting in the death of a patient;" A.R.S. § 32-1401(25)(q) "[a]ny conduct or practice that is or might be harmful or dangerous to the health of the patient or the public;" A.R.S. § 32-1401(25)(II) "[c]onduct that the board determines is gross negligence, repeated negligence or negligence resulting in harm to or the death of a patient."

ORDER

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

IT IS HEREBY ORDERED that:

- 1. Respondent is issued a Letter of Reprimand for inadequate diagnosis and treatment of Patient's rectal cancer.
- 2. Respondent is placed on probation for one year with the following terms and conditions:
- (a). Respondent shall complete 20 hours of Board staff pre-approved Category I, Continuing Medical Education ("CME") in screening and diagnosis of colorectal cancer.
- (b). Respondent shall provide Board staff with satisfactory proof of attendance. The CME shall be in addition to the hours required for the biennial renewal of medical license.

RIGHT TO PETITION FOR REVIEW

Respondent 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 pursuant to A.A.C. R4-16-102, it must set forth legally sufficient reasons for granting a rehearing. Service of this order is effective five (5) days after date of mailing. If a motion for rehearing is not filed, the Board's Order becomes effective thirty-five (35) days after it is mailed to Respondent.

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

1	DATED this got day of January, 2002.
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3	BOARD OF MEDICAL EXAMINERS OF THE STATE OF ARIZONA
4	
5	By Day South
6	CLAUDIA FOUTZ Executive Director
7	Executive Director
8	ORIGINAL of the foregoing filed this
9	4 day of January, 2002 with:
10	The Arizona Board of Medical Examiners
11	9545 East Doubletree Ranch Road Scottsdale, Arizona 85258
12	Executed copy of the foregoing
13	mailed by U.S. Certified Mail this day of, 2002, to:
14	Richard Kent
15	Kent & Wittekind, PC 40 North Central Avenue, Suite 775
16	Phoenix, Arizona 85004-4441
17	Executed copy of the foregoing
18	mailed by U.S. mail this day of January , 2002, to:
19	Paul Coulombe, MD
20	11209 North Tatum Boulevard Suite 180
21	Phoenix, Arizona 85028-6016
22	Copy of the foregoing hand-delivered this
23	<u>q</u> day of <u>January</u> , 2002, to:
24	Christine Cassetta Assistant Attorney General
25	Sandra Waitt, Management Analyst Lynda Mottram, Compliance Officer
	Lisa Maxie-Mullins, Legal Coordinator (Investigation File)

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