

1 4. Due to Respondent's unresponsiveness during the above-described incident,
2 Respondent was transported to Payson Regional Medical Center. She presented to the
3 medical center as confused, agitated and combative.

4 5. Because of Respondent's condition upon arrival at the medical center, the treating
5 medical staff initiated a Restraint Order Form in order to control and treat the Respondent.
6 The use of restraints included chest, soft wrist and soft ankle restraints.

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8 6. It was determined by medical staff that Respondent had overdosed by taking Prozac
9 and Amitripyline in an apparent suicide attempt.

10 7. In December of 2000, Respondent was arrested by DPS officers for suspicion of
11 driving under the influence.

12 8. At the time of her arrest, prescription-only medications were found in Respondent's
13 vehicle in the name of Nela Nelip.

14 9. Respondent admitted to the officers that she was in fact Nela Nelip, and that she had
15 taken some of the medications.

16 10. A Board survey of pharmacies in the Payson area revealed that Respondent had
17 written controlled substance medications for patients residing at her home address and
18 picked them up herself.

19 11. The investigation also revealed that Respondent moved her office and changed her
20 telephone number without notifying the Board.

21 12. The investigation further revealed that Respondent failed to renew her medical
22 license with the Board, and that notices to her have been returned as undeliverable.
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1 13. Respondent failed to appear for an investigational interview, to which she had been
2 subpoenaed by the Board. Michael Wheeler, Senior Medical Investigator, testified to the
3 above fact.

4 14. On January 25, 2001, Respondent was interviewed in the Phoenix office of the
5 United States Drug Enforcement Agency ("DEA"), where she admitted to overdosing on
6 Amitriptyline and Prozac. She voluntarily surrendered her DEA certificate.

7 15. At the same interview with the DEA, Respondent was presented with an Interim
8 Order from the Board ordering her to undergo an inpatient evaluation for substance abuse
9 within 21 days.

10 16. Respondent failed to comply with the Board's Interim Order and did not obtain the
11 ordered inpatient evaluation.

12 17. On February 22, 2001, Respondent was arrested a second time by DPS officers for
13 suspicion of driving under the influence.

14 18. On or about March 28, 2001, after reviewing the above factual allegations and the
15 information supporting those allegations, the Board summarily suspended Respondent's
16 medical license pursuant to the provisions of A.R.S. §§ 32-1451 and 32-1452. The Board
17 had sufficient cause to summarily suspend Respondent's medical license to protect the
18 public health, safety and welfare.

19 19. There is credible evidence that Respondent prescribed prescription-only medications
20 in the names of others but used those medications herself for non-medically necessary
21 personal consumption. Respondent was identified from a photographic lineup by staff at
22 those pharmacies as the individual receiving such prescription-only drugs.
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1 20. Respondent is found to have prescribed prescription-only medications to family
2 members and friends in her native Poland without examining those individuals.

3 21. Respondent is a danger to herself.

4 22. Respondent is a danger to the public both personally and professionally.

5 23. Respondent's above-described conduct supports a finding that any further attempts
6 by the Board seeking rehabilitation for Respondent while she maintains her medical license
7 are unreasonable and would most likely be futile. The Board appropriately tried to help
8 Respondent rehabilitate herself, but she rebuffed that assistance.

9 24. The evidence of record supports the Board's request to revoke Respondent's medical
10 license.

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12 **CONCLUSIONS OF LAW**

13 1. The Board possesses jurisdiction over the subject matter and over Respondent.

14 2. Pursuant to the provisions of A.R.S. § 32-1451(P), the Board gave effective notice of
15 the complaint and hearing in this matter by having mailed a true copy of it by certified mail to
16 Respondent's last known address of record in the Board's files.

17 3. The conduct and circumstances described in the above Findings of Fact constitute
18 unprofessional conduct by Respondent pursuant to A.R.S. § 32-1401(25)(f)("[h]abitual
19 intemperance in the use of alcohol or habitual substance abuse.").

20 4. The conduct and circumstances described in the above Findings of Fact constitute
21 unprofessional conduct by Respondent pursuant to A.R.S. § 32-1401(25)(j)("[p]rescribing,
22 dispensing or administering any controlled substance or prescription-only drug for other than
23 therapeutic purposes.").

1 5. The conduct and circumstances described in the above Findings of Fact constitute
2 unprofessional conduct by Respondent pursuant to A.R.S. § 32-1401(25)(r)("[v]iolating a
3 formal order, probation, consent agreement or stipulation issued or entered into by the
4 Board or its executive director under the provisions of this chapter.").

5 6. The conduct and circumstances described in the above Findings of Fact constitute
6 unprofessional conduct by Respondent pursuant to A.R.S. § 32-1401(25)(dd)("[f]ailing to
7 furnish information in a timely manner to the Board or its investigators or representative if
8 legally requested by the Board.").

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10 7. Pursuant to the provisions of A.R.S. § 32-1451(D), the Board has the authority to
11 take emergency action to summarily suspend a physician's medical license to protect the
12 public health, safety and welfare pending proceedings for revocation or other action. The
13 evidence of record is more than adequate to establish that the Board properly exercised its
14 authority to summarily suspend Respondent's medical license and was neither arbitrary nor
15 capricious.

16 8. The evidence of record supports the revocation of Respondent's medical license to
17 protect the public health and safety.

18 9. Pursuant to the provisions of A.R.S. § 32-1451(K), Respondent should be ordered to
19 pay the costs of the formal hearing in this matter.

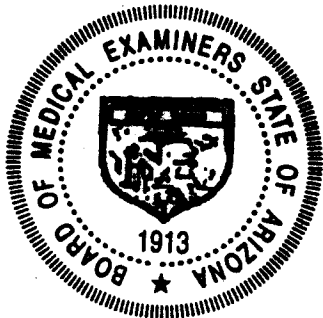
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21 **ORDER**

22 License Number 26941 issued to Respondent is revoked 30 days after the effective
23 date of this Order. Respondent shall not submit an application for a new license less than
24 five years after the date of revocation.
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1 DATED this 22nd day of August, 2001.

2 BOARD OF MEDICAL EXAMINERS
3 OF THE STATE OF ARIZONA

4 (SEAL)



5
6 By:

Claudia Foutz
7 CLAUDIA FOUTZ
8 Executive Director
9 TOM ADAMS
10 Deputy Director

11 Original of the foregoing filed this
12 22 day of August, 2001, with:

13 Arizona Board of Medical Examiners
14 9545 East Doubletree Ranch Road
15 Scottsdale, AZ 85258

16 Copy of the foregoing filed this
17 28 day of August, 2001, with:

18 Cliff J. Vanell, Director
19 Office of Administrative Hearings
20 1400 W. Washington, Ste. 101
21 Phoenix, AZ 85007

22 Executed copy of the foregoing mailed
23 by Certified Mail this
24 22 day of August, 2001, to:

25 Renata Maria Hanzlik
1106 North Beeline Highway
Payson, Arizona 85541-3741

Executed copy of the foregoing mailed
this 22 day of August, 2001, to:

Roberto Pulver, Assistant Attorney General
Office of the Attorney General
1275 W. Washington
Phoenix, AZ 85007

1 Attorney for the State

2 Executed copy of the foregoing hand delivered
3 this 22 day of August, 2001, to:

4 Christine Cassetta, Assistant Attorney General
5 Arizona Board of Medical Examiners
6 9545 East Doubletree Ranch Road
7 Scottsdale, AZ 85258
8 Legal Advisor to the Board

9 *Aracde Bell*
10 Board Operations

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