



- 1           4.     Patient filled out an initial patient form, but left portions of the form blank.
- 2           5.     Respondent's front-office assistant reviewed the form with Patient and
- 3 entered "N/A" on portions of the form where Patient denied having a history of the
- 4 particular ailment listed on the form.
- 5           6.     Patient had a history of asthma and had been treated at Desert Samaritan
- 6 Medical Center for asthma-related symptoms.
- 7           7.     Respondent examined Patient, noted Patient had hypertension and
- 8 prescribed Procardia. Patient was seen on several subsequent visits for follow-up of
- 9 hypertension.
- 10          8.     On February 21, 1997, Patient was involved in an automobile accident and
- 11 was examined by an emergency room physician. Patient was given Procardia
- 12 sublingually and instructed to follow-up with Respondent, his primary care physician.
- 13          9.     On February 24, 1997, Respondent examined Patient and gave him
- 14 samples of Levatol, a beta blocker that is contraindicated in patients suffering from
- 15 asthma or asthmatic bronchitis.
- 16          10.    Approximately two hours after the office visit and taking the Levatol, Patient
- 17 experienced breathing problems.
- 18          11.    Patient's family called for paramedics, who found Patient in full code and
- 19 transported him to Desert Samaritan Medical Center.
- 20          12.    Patient died thereafter. A subsequent autopsy performed by the Maricopa
- 21 County Medical Examiner found that death was accidental due to asthma with an
- 22 adverse drug reaction. The medication indicated in the Medical Examiner's Report was
- 23 Levatol.
- 24          13.    Respondent made no effort to obtain Patient's prior medical records.
- 25          14.    Respondent did not question Patient about prior treating physicians.





1 Scottsdale, Arizona 85258

2 Executed copy of the foregoing  
3 mailed by U.S. Certified Mail this  
4 12 day of October, 2001, to:

5 Thomas M. Ryan  
6 Treon Strick Lucia & Aguirre PA  
7 2700 North Central  
8 Suite 1400  
9 Phoenix, Arizona 85004-1133

10 Executed copy of the foregoing mailed this  
11 12 day of October, 2001, to:

12 Gerardo Sabal, M.D.  
13 P.O. Box 52109  
14 Phoenix, Arizona 85072-2109

15 Copy of the foregoing hand-delivered this  
16 12 day of October, 2001, to:

17 Christine Cassetta  
18 Assistant Attorney General  
19 Sandra Waitt, Management Analyst  
20 Lynda Mottram, Compliance Officer  
21 Lisa Maxie-Mullins, Legal Coordinator (Investigation File)  
22 Arizona Board of Medical Examiners  
23 9545 East Doubletree Ranch Road  
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