

1 BEFORE THE ARIZONA MEDICAL BOARD

2 IN THE STATE OF ARIZONA

3 In the Matter of

4 **JAMES ROBROCK, M.D.**

5 Holder of License No. **16209**  
6 For the Practice of Medicine  
7 In the State of Arizona.

Board Case No. MD-02-0094A

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

(Decree of Censure)

8 On July 10, 2002, James Robrock, M.D., ("Respondent") appeared before a  
9 Review Committee ("Review Committee") of the Arizona Medical Board ("Board") with  
10 legal counsel, David Derickson, for a formal interview pursuant to the authority vested in  
11 the Review Committee by A.R.S. § 32-1451(P). The matter was referred to the Board for  
12 consideration at its public meeting on August 28, 2002. After due consideration of the  
13 facts and law applicable to this matter, the Board voted to issue the following findings of  
14 fact, conclusions of law and order.  
15

16 **FINDINGS OF FACT**

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

19 2. Respondent is the holder of License No. 16209 for the practice of medicine  
20 in the State of Arizona.

21 3. The Board initiated case number MD-02-0094A after receiving information  
22 from the Phoenix office of the Drug Enforcement Administration ("DEA") that Respondent  
23 and his wife had voluntarily submitted to interviews regarding DEA charges that  
24 Respondent had written and/or authorized 26 prescriptions for controlled substances to  
25 his wife, with refills, using fictitious patient names. The prescriptions totaled 2,000  
dosage units of Lortab 7.5, a Schedule III narcotic. The prescriptions were issued from

1 February 2000 through June 2001. The DEA had charged Respondent with 26 violations  
2 of the United States Code, Title 21, Section 841(a)(1), the illegal distribution of a  
3 controlled substance.

4 4. In an investigational interview with Board Staff Respondent indicated that  
5 he had issued prescriptions to his wife using her true name, but started to use fictitious  
6 names because he believed it was starting to look funny that he was prescribing to his  
7 wife and he felt that there would be a better chance of his conduct going undetected if he  
8 used a fictitious name.

9 5. At the formal interview Respondent indicated that he was frightened of  
10 losing his practice and professional standing. Respondent stated that he erred greatly in  
11 his decisions and should have never treated or prescribed for his wife. Respondent  
12 stated that his conduct was embarrassing and a transgression of conduct. Respondent  
13 indicated that he and his wife had taken steps to put their house in order by engaging in  
14 the requisite drug counseling. Respondent indicated that the DEA continues to monitor  
15 his medical practice. Respondent stated that he assumes full responsibility for his  
16 actions.

17 6. Respondent testified that his wife should have received treatment from a  
18 physician other than himself much sooner. Respondent also testified that he was aware  
19 of the statutory prohibition on a physician prescribing to members of his/her immediate  
20 family.

### 21 CONCLUSIONS OF LAW

22 1. The Arizona Medical Board possesses jurisdiction over the subject matter  
23 hereof and over Respondent.

1           2.       The Board has received substantial evidence supporting the Findings of  
2 Fact described above and said findings constitute unprofessional conduct or other  
3 grounds for the Board to take disciplinary action.

4           3.       The conduct and circumstances above in paragraphs 3, 4 and 6 constitute  
5 unprofessional conduct pursuant to A.R.S. § § 32-1401(24)(a) “[v]iolating any federal or  
6 state laws or rules and regulations applicable to the practice of medicine; 32-1401(24)(h)  
7 “[p]rescribing or dispensing controlled substances to members of the physician’s  
8 immediate family;” 32-1401(24)(t) “[k]nowingly making any false or fraudulent statement,  
9 written or oral, in connection with the practice of medicine or if applying for privileges or  
10 renewing an application for privileges at a health care institution.”

#### 11                               ORDER

12           Based upon the foregoing Findings of Fact and Conclusions of Law, IT IS  
13 HEREBY ORDERED that Respondent is issued a Decree of Censure for violating federal  
14 law relating to the practice of medicine; for knowingly writing prescriptions for controlled  
15 substances to fictitious patients; and for prescribing to a member of his immediate family.

#### 16                               RIGHT TO PETITION FOR REHEARING OR REVIEW

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

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

1 DATED this 28 day of AUGUST, 2002.



ARIZONA MEDICAL BOARD

6 By *Barry Cassidy*  
BARRY A. CASSIDY, Ph.D, PA-C  
Executive Director

7 ORIGINAL of the foregoing filed this  
8 29<sup>th</sup> day of AUGUST, 2002 with:

9 The Arizona Medical Board  
9545 East Doubletree Ranch Road  
10 Scottsdale, Arizona 85258

11 Executed copy of the foregoing  
12 mailed by U.S. Certified Mail this  
29<sup>th</sup> day of AUGUST, 2002, to:

13 David G. Derickson, Esq.  
14 3636 N. Central Ave., Suite 1150  
Phoenix, Arizona 85012-1972

15 Executed copy of the foregoing  
16 mailed by U.S. Mail this  
17 29<sup>th</sup> day of AUGUST, 2002, to:

18 James Robrock, M.D.  
19 485 S. Dobson Rd., Suite 205  
Chandler, Arizona 85224-5604

20 Copy of the foregoing hand-delivered this  
21 29<sup>th</sup> day of AUGUST, 2002, to:

22 Christine Cassetta  
23 Assistant Attorney General  
Sandra Waitt, Management Analyst  
24 Lynda Mottram, Senior Compliance Officer  
Investigations (Investigation File)  
25 Arizona Medical Board  
9545 East Doubletree Ranch Road  
Scottsdale, Arizona 85258

*Steve Geoghegan*