

1 BEFORE THE BOARD OF MEDICAL EXAMINERS

2 IN THE STATE OF ARIZONA

3
4 In the Matter of

5 **ROBERT F. KASA, M.D.**

6 Holder of License No. 27418
7 For the Practice of Medicine
8 In the State of Arizona.

**CONSENT AGREEMENT
FOR ISSUANCE OF LICENSE
AND ORDER OF PROBATION**

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10 IT IS HEREBY AGREED by and between Robert F. Kasa, M.D. and the Board of
11 Medical Examiners (Board), that the Board will enter the following Order. Dr. Kasa
12 acknowledges that any violation of this Order constitutes unprofessional conduct as
13 defined by A.R.S. § 32-1401(25)(r), and may result in disciplinary action pursuant to
14 A.R.S. § 32-1451. Furthermore, by signing this consent agreement, Dr. Kasa waives and
15 relinquishes any right to appeal from or challenge this Consent Agreement by filing any
16 type of civil action in state or federal court seeking to reverse, modify or otherwise
17 challenge the legal validity of the Consent Agreement.

18
19 
20 _____
ROBERT F. KASA, M.D.

Dated: 5/28/99

21
22 **ORDER**

23 It is hereby ordered that Robert F. Kasa, M.D., be issued License No. 27418 for the
24 practice of allopathic medicine in Arizona, under the following terms and conditions:

- 25 1. Dr. Kasa shall be prohibited from practicing surgery; and

1 4. Following completion of the ninety (90) meetings in ninety (90) days, Dr.
2 Kasa shall participate in a 12-step recovery program or other self-help program
3 appropriate for substance abuse as recommended by the group therapist and approved by
4 the Board. Dr. Kasa shall attend a minimum of three (3) 12-step or other self-help program
5 meetings per week.

6 5. Board-Approved Primary Care Physician. Dr. Kasa shall promptly obtain
7 a primary care Physician and shall submit the name of the Physician to Board staff in
8 writing for approval.

9 6. The Board-approved primary care Physician shall be in charge of providing
10 and coordinating Dr. Kasa's medical care and treatment. Except in an *Emergency*, Dr.
11 Kasa shall obtain medical care and treatment only from the Board-approved primary care
12 Physician and from health care providers to whom the Board-approved primary care
13 Physician refers Dr. Kasa from time to time. Dr. Kasa shall request that the Board-
14 approved primary care Physician document all referrals in the medical record.

15 7. Dr. Kasa shall promptly inform the Board-approved primary care Physician of
16 his rehabilitation efforts and provide a copy of this Consent Agreement to that Physician.
17 Dr. Kasa shall also inform all other health care providers who provide medical care or
18 treatment that he is participating in the Board's rehabilitation program.

19 8. Medication. Except in an *Emergency*, Dr. Kasa shall take no *Medication*
20 unless his Board-approved primary care Physician or other health care provider to whom
21 the Board-approved primary care Physician makes referral prescribes *the Medication*. Dr.
22 Kasa shall not self-prescribe any *Medication*.

23 9. If a controlled substance is prescribed, dispensed, or is administered to Dr.
24 Kasa by any person other than the Board-approved primary care Physician, he shall notify
25 the Board-approved primary care Physician in writing within 48 hours. The notification

1 shall contain all information required for the medication log entry specified in paragraph
2 10. Dr. Kasa shall request that the notification be made a part of the medical record. This
3 paragraph does not authorize Dr. Kasa to take any *Medication* other than in accordance
4 with paragraph 8.

5 **10. Medication Log.** Dr. Kasa shall maintain a current legible log of all
6 *Medication* taken by or administered to him and he shall make the log available to the
7 Board and its staff upon request. For *Medication* (other than controlled substances) taken
8 on an on-going basis, Dr. Kasa may comply with this paragraph by logging the first and
9 last administration of the *Medication* and all changes in dosage or frequency. The log, at a
10 minimum, shall include the following:

- 11 a. Name and dosage of *Medication* taken or administered;
- 12 b. Date taken or administered;
- 13 c. Name of prescribing or administering Physician;
- 14 d. Reason *Medication* was prescribed or administered.

15 This paragraph does not authorize Dr. Kasa to take any *Medication* other than in
16 accordance with paragraph 8.

17 **11. No Alcohol or Poppy Seeds.** Dr. Kasa shall not consume alcohol or any
18 food or other substance containing poppy seeds.

19 **12. Biological Fluid Collection.** During all times that Dr. Kasa is physically
20 present in the State of Arizona and such other times as Board staff may direct, Dr. Kasa
21 shall promptly comply with requests from Board staff, the group therapist, or the program
22 director to submit to witnessed biological fluid collection. If Dr. Kasa is directed to contact
23 an automated telephone message system to determine when to provide a specimen, Dr.
24 Kasa shall do so within the hours specified by Board staff. For the purposes of this
25 paragraph, in the case of an in-person request, "promptly comply" means "immediately".

1 In the case of a telephonic request, "promptly comply" means that, except for good cause
2 shown, Dr. Kasa shall appear and submit to specimen collection not later than two hours
3 after telephonic notice to appear is given. The Board in its sole discretion shall determine
4 good cause.

5 **13.** Dr. Kasa shall provide Board staff in writing with one telephone number
6 which shall be used to contact Dr. Kasa on a 24 hours per day/seven days per week basis
7 to submit to biological fluid collection. For the purposes of this section, telephonic notice
8 shall be deemed given at the time a message to appear is left at the contact telephone
9 number provided by Dr. Kasa. Dr. Kasa authorizes any person or organization conducting
10 tests on the collected samples to provide testing results to the Board and the program
11 director.

12 **14.** Dr. Kasa shall cooperate with collection site personnel regarding biological
13 fluid collection. Repeated complaints from collection site personnel regarding Dr. Kasa's
14 lack of cooperation regarding collection may be grounds for termination from the program.

15 **15.** Dr. Kasa shall pay for all costs, including personnel and contractor costs,
16 associated with participating in the MAP Program within 30 days of each invoice sent to
17 him.

18 **16. Examination.** Dr. Kasa shall submit to mental, physical, and medical
19 competency examinations at such times and under such conditions as directed by the
20 Board to assist the Board in monitoring his ability to safely engage in the practice of
21 medicine and compliance with the terms of this Order.

22 **17. Treatment.** Dr. Kasa shall submit to all medical, substance abuse, and
23 mental health care and treatment ordered by the Board, or recommended by the program
24 director.

25 **18. Obey All Laws.** Dr. Kasa shall obey all federal, state and local laws, and all

1 rules governing the practice of medicine in the State of Arizona.

2 19. Interviews. Dr. Kasa shall appear in person before the Board and its staff
3 and committees for interviews upon request, upon reasonable notice.

4 20. Address and Phone Changes, Notice. Dr. Kasa shall immediately notify
5 the Board in writing of any change in office or home addresses and telephone numbers.
6 Dr. Kasa shall provide Board staff at least three business days advance written notice of
7 any plans to be away from office or home for more than five (5) consecutive days. The
8 notice shall state the reason for the intended absence from home or office, and shall
9 provide a telephone number which may be used to contact Dr. Kasa.

10 21. Relapse, Violation. In the event of chemical dependency relapse by Dr.
11 Kasa or use of drugs or alcohol by him in violation of this Order, Dr. Kasa shall promptly
12 enter into a Interim Stipulated Order of Probation which requires, among other things, that
13 the Dr. Kasa not practice medicine until such time as he successfully completes an
14 inpatient or residential treatment program for chemical dependency designated by the
15 Board or staff and obtains the Board's affirmative approval to return to the practice of
16 medicine. Prior to approving Dr. Kasa request to return to the practice of medicine, the
17 Board may require him to submit to witnessed biological fluid collection, undergo any
18 combination of a physical examination, psychiatric or psychological evaluation or the
19 Board may conduct interviews for the purposes of assisting it in determining the ability of
20 Dr. Kasa to safely return to the practice of medicine.

21 22. Public Record. This Order is considered a public record.

22 23. Out-of State. In the event Dr. Kasa resides or practices medicine in a state
23 other than Arizona, Dr. Kasa shall participate in the rehabilitation program sponsored by
24 that state's licensing authority. Dr. Kasa shall cause the other state's program to provide
25 written reports to the Board regarding his attendance, participation, and monitoring. The

