

1 4. The Board initiated case number PA-08-0068 on November 12, 2008, after
2 receiving a confidential report that Respondent was recently involved in a car accident,
3 after which police found methamphetamines and drug paraphernalia in his car.

4 5. During its investigation of this complaint, Board staff learned that the
5 Bullhead City Police Department had responded to a car accident involving Respondent
6 on November 7, 2008. According to the Bullhead City Police Department report,
7 Respondent ran a stop sign at an intersection and caused a collision with another vehicle
8 (containing four passengers including two children) that resulted in the other vehicle rolling
9 over onto its side. No one was seriously injured

10 6. The Bullhead City police reported finding two bags of methamphetamine
11 (containing approximately 1.0 and 0.8 grams of methamphetamines) in Respondent's car,
12 along with multiple items testing positive for methamphetamine residue, including a digital
13 scale, two empty baggies, and a straw. In addition, police found two boxes of synthetic
14 urine, which can be used to prevent detection of illegal substances during a urine drug
15 screen.

16 7. The Bullhead City police arrested Respondent at the accident scene after a
17 brief struggle. Respondent again struggled with police and had to be physically subdued
18 when police delivered him to the hospital emergency room for an evaluation of his minor
19 injuries from the accident and possibly from the earlier struggle during his initial arrest.

20 8. The Bullhead City police allege Respondent was in possession of dangerous
21 drugs and drug paraphernalia. Both of these crimes are felonies in Arizona.

22 9. As a condition of participation in the Board's MAP program, Respondent
23 entered into a consent agreement with the Board that required him to "appear and submit
24 to specimen collection not later than two hours after telephonic notice to appear is given."
25 Board staff provided telephonic notice to Respondent on November 12, 2008 to appear

1 and submit to specimen collection, but he failed to appear for such collection within two
2 hours after notification. The results of the urine test were negative for all controlled
3 substances, including opiates, even though Respondent admits to have taken Vicodin (an
4 opiate) since the accident.

5 10. During a November 21, 2008 interview with Board Staff and the Board's
6 contracted addiction medicine specialist, Respondent admitted that he had taken
7 methamphetamines in the past. He also admitted to currently taking Vicodin, Celebrex,
8 Roboxin and Percocet. According to Respondent, these medications had been prescribed
9 to him by a physician.

10 11. Based on the interview of Respondent on November 21, 2008, and a review
11 of the Board's investigative file, the Board's contracted addiction medicine specialist, Dr.
12 Michel Sucher, concluded that Respondent was not safe to perform health care tasks as a
13 physician assistant.

14 12. On November 21, 2008, the Board ordered Respondent to undergo a
15 residential evaluation at a Board approved facility within 14 days of the effective date of
16 the order and comply with any recommendations made by the evaluating facility and
17 approved by the Board.

18 13. As a condition of participating in the Board's MAP program, Respondent
19 entered into an agreement with the Board that required him to notify the Board
20 immediately of any change in his supervising physician. Although one of Respondent's
21 supervising physicians suspended his supervision of Respondent after Respondent's
22 automobile accident and arrest, Respondent failed to notify the Board of this change in his
23 supervision.

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1 **INTERIM CONCLUSIONS OF LAW**

2 1. The Board possesses jurisdiction over the subject matter hereof and over William J.
3 LiPuma, holder of License No. 1843, for the practice of health care tasks as a physician
4 assistant in the State of Arizona, pursuant to A.R.S. § 32-2504.

5 2. The conduct and circumstances described above constitute unprofessional conduct
6 pursuant to A.R.S. § 32-2501(21)(u) "Committing of a felony, whether or not involving
7 moral turpitude, or a misdemeanor involving moral turpitude. In either case, conviction by
8 a court of competent jurisdiction or a plea of no contest is conclusive evidence of the
9 commission.";

10 3. The conduct and circumstances described above constitute unprofessional conduct
11 pursuant to A.R.S. § 32-2501(21)(dd) "Violating a formal order, probation agreement or
12 stipulation issued or entered into by the board or its executive director.";

13 4. The conduct and circumstances described above constitute unprofessional conduct
14 pursuant to A.R.S. § 32-2501(21)(z) "Failing to furnish legally requested information to the
15 board or its investigator in a timely manner.";

16 5. Pursuant to A.R.S. § 32-2551(C), and based on the foregoing Interim Findings of
17 Fact and Conclusions of Law, the public safety imperatively requires emergency action.

18 **ORDER**

19 Based on the foregoing Interim Findings of Fact and Conclusions of Law, set forth
20 above,

21 **IT IS HEREBY ORDERED THAT:**

22 1. William J. LiPuma, P.A.'s license to practice health care tasks as a physician
23 assistant in the State of Arizona, License No. 1843, is summarily suspended until
24 Respondent completes the residential evaluation ordered by the Board on November 21,
25 2008; provided, however, that if, at the conclusion of the Board ordered residential

1 evaluation, the residential evaluation facility determines that Respondent is not safe to
2 perform health care tasks, Respondent's summary suspension shall continue in full force
3 and effect and Respondent shall not perform health care tasks pending a formal hearing
4 before a hearing officer at the Office of Administrative Hearings.

5 2. The Interim Findings of Fact and Conclusions of Law constitute written notice
6 to William J. LiPuma, P.A. of the charges of unprofessional conduct made by the Board
7 against him. William J. LiPuma, P.A. is entitled to a formal hearing to defend these
8 charges within sixty (60) days of the effective date of this order.

9 3. The Board's Executive Director is instructed to refer this matter to the Office of
10 Administrative Hearings for scheduling of an administrative hearing to be commenced no
11 later than sixty (60) days from the date of the issuance of this order, unless stipulated and
12 agreed otherwise by William J. LiPuma, P.A.

13 DATED this 25th day of November, 2008.



14 ARIZONA REGULATORY BOARD
15 OF PHYSICIAN ASSISTANTS

16
17 By: *Lisa S. Wynn*
18 LISA S. WYNN
Executive Director

19 ORIGINAL of the foregoing filed
this 25th day of November, 2008 with:

20 Arizona Regulatory Board of Physician Assistants
21 9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258

22 EXECUTED COPY of the foregoing mailed
23 this 25th day of November, 2008 to:

24 William J. LiPuma, P.A.
25 Address of Record

William J. LiPuma