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**BEFORE THE ARIZONA REGULATORY BOARD
OF PHYSICIAN ASSISTANTS**

In the Matter of

RYAN W. MARINONE, P.A.

Applicant for Licensure
For the Performance of Healthcare Tasks
In the State of Arizona.

Case No. PA-11-0118A

**ORDER FOR PROBATIONARY
LICENSE AND CONSENT TO SAME**

The Arizona Regulatory Board of Physician Assistants ("Board") considered the license application ("Application") of Ryan W. Marinone, P.A. ("Applicant") at its public meeting on February 29, 2012. At that meeting, the Board voted to grant Applicant a probationary license that requires Applicant to participate in the Board's Physician Health Program ("PHP") two-year abuse track monitoring program. Applicant accepts the terms of the probationary license; elects to permanently waive any right to a hearing and appeal with respect to this Order for Probationary License; admits the jurisdiction of Board; and consents to the entry of this Order by the Board.

FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of physician assistants in the State of Arizona.

2. Applicant is an applicant for licensure for the performance of health care tasks in the State of Arizona.

3. The Board initiated case number PA-11-0118A after receiving Applicant's license application in which he disclosed that he was charged with Driving Under the Influence (DUI) on July 29, 2009. Additionally, Midwestern University College of Health Sciences, Arizona, reported that Applicant was formally counseled by the PA Program Director for two episodes of unprofessional conduct.

1 d. Applicant shall not take any controlled substances except as prescribed by a
2 physician for a proper therapeutic purpose.

3 e. Applicant shall submit to random biological fluid testing for two years from
4 the date of this order (as specifically directed below).

5 f. Applicant shall provide the Monitor in writing with one telephone number that
6 shall be used to contact Applicant on a 24 hour per day/seven day per week basis to
7 submit to biological fluid collection. For the purposes of this section, telephonic notice shall
8 be deemed given at the time a message to appear is left at the contact telephone number
9 provided by Applicant. Applicant authorizes any person or organization conducting tests
10 on the collected samples to provide testing results to the Monitor. Applicant shall comply
11 with all requirements for biological fluid collection. Applicant shall pay for all costs for the
12 biological fluid testing.

13 g. Applicant shall provide the Monitor with written notice of any plans to travel
14 out of state.

15 h. Applicant shall successfully complete a monitor approved 36 hour
16 alcohol/drug awareness education class.

17 i. Payment for Service. Applicant shall pay for all costs, including Monitor
18 costs, associated with participating in PHP at the time service is rendered, or within 30
19 days of each invoice sent to the Applicant. An initial deposit of two months monitoring
20 fees is due upon entering the program. Failure to pay either the initial monitoring deposit
21 or monthly fees 60 days after invoicing will be reported to the Board by the contractor and
22 may result in disciplinary action up to and including revocation.

23 j. In the event of the use of drugs or alcohol by Applicant in violation of this
24 Order, Applicant shall promptly enter into an Interim Order for Treatment and Consent to
25 the Same and enter into treatment at a Board approved facility. Following the successful

1 conclusion of treatment, Applicant shall execute a consent agreement for full participation
2 in PHP. **In no respect shall the terms of this paragraph restrict the Board's authority**
3 **to initiate and take disciplinary action for violation of this Order.**

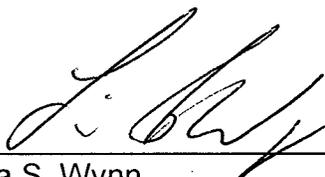
4 k. Applicant shall immediately provide a copy of this Order to all current and
5 future supervising physicians, employers and all hospitals and free standing surgery
6 centers where Applicant has privileges. Within 30 days of the date of this Order, Applicant
7 shall provide the Monitor with a signed statement of compliance with this notification
8 requirement. Applicant is further required to notify, in writing, all supervising physicians,
9 employers, hospitals and free standing surgery centers where Applicant currently has or in
10 the future gains employment or privileges, of a chemical dependency relapse.

11 l. In the event Applicant resides or practices as a physician assistant in a state
12 other than Arizona, Applicant shall participate in the rehabilitation program sponsored by
13 that state's medical licensing authority or medical society. Applicant shall cause the
14 monitoring state's program to provide written quarterly reports to the Monitor regarding
15 Applicant's attendance, participation, and monitoring. The monitoring state's program and
16 Applicant shall immediately notify the Monitor if Applicant: a) is non-compliant with any
17 aspect of the monitoring requirements; b) relapses; c) tests positive for controlled
18 substances; d) has low specific gravity urine drug test(s), missed and/or late urine drug
19 tests, or otherwise rejected urine drug tests; and e) is required to undergo any additional
20 treatment.

21
22 DATED AND EFFECTIVE this 5TH day of MARCH, 2012.
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ARIZONA REGULATORY BOARD OF
PHYSICIAN ASSISTANTS



By 

Lisa S. Wynn
Executive Director

8 **CONSENT TO ENTRY OF ORDER**

9 1. Applicant has read and understands this Order for Probationary License and
10 Consent to Same ("Order"). Applicant acknowledges he has the right to consult with legal
11 counsel regarding this matter.

12 2. Applicant acknowledges and agrees that this Order is entered into freely and
13 voluntarily and that no promise was made or coercion used to induce such entry.

14 3. By consenting to this Order, Applicant voluntarily relinquishes any rights to a
15 hearing or judicial review in state or federal court on the matters alleged, or to challenge
16 this Order in its entirety as issued by the Board, and waives any other cause of action
17 related thereto or arising from said Order.

18 4. The Order is not effective until approved signed by its Executive Director.

19 5. All admissions made by Applicant are solely for final disposition of this matter
20 and any subsequent related administrative proceedings or civil litigation involving the
21 Board and Applicant. Therefore, said admissions by Applicant are not intended or made
22 for any other use, such as in the context of another state or federal government regulatory
23 agency proceeding, civil or criminal court proceeding, in the State of Arizona or any other
24 state or federal court.

1 6. Upon signing this agreement, and returning this document (or a copy
2 thereof) to the Board's Executive Director, Applicant may not revoke the consent to the
3 entry of the Order. Applicant may not make any modifications to the document. Any
4 modifications to this original document are ineffective and void unless mutually approved
5 by the parties.

6 7. This Order is a public record that will be publicly disseminated as a formal
7 action of the Board.

8 8. If any part of the Order is later declared void or otherwise unenforceable, the
9 remainder of the Order in its entirety shall remain in force and effect.

10 9. Any violation of this Order constitutes unprofessional conduct as defined in
11 A.R.S. § 32-2501(21)(k), and may result in disciplinary action pursuant to A.R.S. § 32-
12 2551.

13 10. Respondent has read and understands the conditions of probation.

14 
15 _____
16 Ryan W. Marinone

DATED: 3/5/12

17
18 EXECUTED COPY of the foregoing mailed
19 this 5th day of March, 2012 to:

20 Ryan W. Marinone, P.A.
21 Address of Record

22 Sucher & Greenberg, P.C.
23 Address on file

24 ORIGINAL of the foregoing **signed**
25 Stipulated Rehabilitation Agreement filed
this 5th day of March, 2012 with:

1 Arizona Regulatory Board of Physician Assistants
2 9545 E. Doubletree Ranch Road
3 Scottsdale, AZ 85258

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Arizona Regulatory Board of Physician Assistants Staff

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