

1 Hospital (Board Investigation Number PA-05-0012A), and (2) by writing a 30-day
2 prescription for Vicodin, a schedule III drug, at a time when Mr. King did not have Board
3 approval to perform health care tasks under the supervision of the patient's physician and
4 in that Mr. King did not have approval to prescribe controlled substances for more than
5 72 hours (Board Investigation Number PA-05-0034A).

6 4. The hearing was convened as scheduled on December 18, 2008 but did not
7 conclude on that date and further hearing was held on February 2, 2009.

8 5. The State presented the testimony of Investigator Elle Steger; Mr. King was
9 represented by counsel but did not appear personally or testify at the hearing because he
10 is out of the country. Mr. King submitted an affidavit that was admitted into evidence over
11 the objection of the State. See King's Exhibit 26. Although the affidavit was accepted into
12 evidence it can be given very limited weight because Mr. King was not subject to cross-
13 examination about the statements therein.

14 Theft of Ophthalmoscopes (PA-05-0012A)

15 6. In an interview with Board staff on July 24, 2008, Mr. King admitted that
16 between January and June 2005 he stole between 12 and 15 ophthalmoscopes from
17 Banner and sold these on the internet. See State's Exhibit 40 (transcript of Examination
18 Under Oath conducted by the Board on July 24, 2008).

19 7. Mr. King paid Banner \$9,321.28 in restitution.

20 8. Given the reported value of the ophthalmoscopes, \$9,321.28 would cover
21 the cost of 29 ophthalmoscopes, which is the number Banner could not account for when
22 Mr. King's thefts were discovered.

23 Practicing Without Supervision and Vicodin Prescription (PA-05-0034A)

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1 9. Mr. King admits that in October 2005 he wrote a prescription for Vicodin at
2 a time when he did not have Board approval to perform health care tasks under the
3 supervision of the patient's physician. See State's Exhibit 40.

4 10. In October 2005 Mr. King was working for Dr. Rodney Iancovici. According
5 to Mr. King and Dr. Iancovici, Dr. Iancovici's office manager was supposed to turn in the
6 required paperwork, but did not do so in a timely manner because there was not enough
7 money in the account to cover the expense. Once Mr. King learned of the problem he
8 personally took the required paperwork to the Board for approval.

9 11. A physician's assistant must receive the Board's approval of his supervising
10 physician before engaging in professional activity (i.e., he may not begin work based on
11 submission of the paperwork, but must wait until he is notified of approval). See State's
12 Exhibits 40 and 25 (letter from Mr. King dated October 24, 2005).

13 12. Mr. King has explained that based on his work with cardiology patients, he
14 thought that the number of Vicodin tablets was within his authority to prescribe, although
15 he knew that it was a month's supply and, also that he did not originally know for how
16 long the prescription would be.

17 13. At the time Mr. King wrote the prescription for Vicodin, the patient had
18 regularly been receiving 30-day prescriptions written by Dr. Iancovici. Ms. Steger testified
19 that there was no evidence in the Board's files to suggest that the patient suffered any
20 harm as a result of Mr. King's action, which information would typically be in the file had
21 any harm occurred.

22 14. The Board has adopted the Arizona Medical Board's Substantive Policy
23 Statement 9 (SPS 9), which is an advisory policy with respect to complaints and the
24 appropriate level of discipline. See State's Exhibit 50.

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1 ORIGINAL of the foregoing filed this
2 26th day of August, 2010 with:

3 Arizona Regulatory Board of Physician Assistants
4 9545 East Doubletree Ranch Road
5 Scottsdale, Arizona 85258

6 COPY OF THE FOREGOING FILED
7 this 26th day of August, 2010 with:

8 Cliff J. Vanell, Director
9 Office of Administrative Hearings
10 1400 W. Washington, Ste 101
11 Phoenix, AZ 85007

12 Executed copy of the foregoing
13 mailed by U.S. Mail this
14 26th day of August, 2010 to:

15 Steven J. King, P.A.
16 Address of Record

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