

1 2. Respondent's license is placed on Probation for **Five Years**¹ and is subject
2 to the following terms and conditions:

3 3. Respondent shall continue to be monitored by the PAPA program
4 administered through the Arizona State Board of Pharmacy for a period of five years.

5 4. Respondent shall provide quarterly reports from the PAPA program to
6 Board staff to ensure his compliance.

7 5. Respondent shall immediately provide a copy of this Order to all employers,
8 hospitals and free standing surgery centers where Respondent currently has or in the
9 future gains or applies for employment or privileges. Within 30 days of the date of this
10 Order, Respondent shall provide Board staff with a signed statement of compliance with
11 this notification requirement. Respondent is further required to notify, in writing, all
12 employers, hospitals and free standing surgery centers where Respondent currently has
13 or in the future gains or applies for employment or privileges, of a chemical dependency
14 relapse or violation of this Interim Consent Agreement.

15 6. In the event Respondent resides or practices as a physician assistant in a
16 state other than Arizona, Respondent shall participate in the rehabilitation program
17 sponsored by that state's medical licensing authority or medical society. Respondent
18 shall cause the monitoring state's program to provide written quarterly reports to Board
19 staff regarding Respondent's attendance, participation, and monitoring. The monitoring
20 state's program and Respondent shall immediately notify Board staff if Respondent is
21 non-compliant with any aspect of the monitoring requirements or is required to undergo
22 any additional treatment.

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24 _____
25 ¹ Respondent's probation shall be retroactive to November 20, 2015.

1 7. The PAPA program shall immediately notify the Board if Respondent is
2 non-compliant with any aspect of his PAPA program contract or is required to undergo
3 any additional treatment.

4 8. The Board retains jurisdiction and may initiate new action based upon any
5 violation of this Order, including, but not limited to, summarily suspending Respondent's
6 license.

7 9. Respondent shall be responsible for all costs associated with participating
8 in the PAPA program.

9 10. The relationship between Respondent and the PAPA program is a direct
10 relationship. Respondent shall not use any attorney or other intermediary to communicate
11 with the PAPA program on participation and compliance issues. All questions and/or
12 concerns shall be directed to Board staff.

13 11. In the event of chemical dependency relapse by Respondent or
14 Respondent's use of drugs or alcohol in violation of this Order, Respondent shall
15 promptly enter into an Interim Order for Practice Restriction and Consent to the Same
16 that requires, among other things, that Respondent not perform health care tasks until
17 such time as Respondent successfully completes long-term inpatient treatment for
18 chemical dependency designated by the PHP Contractor and obtains affirmative approval
19 from the Board or its Executive Director to return to the performance of health care tasks.
20 Prior to approving Respondent's request to return to the performance of health care
21 tasks, Respondent may be required to submit to witnessed biological fluid collection or
22 undergo any combination of physical examination, psychiatric or psychological
23 evaluation. In no respect shall the terms of this paragraph restrict the Board's authority to
24 initiate and take disciplinary action for violation of this Order.

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1 12.. Respondent shall obey all state, federal and local laws, all rules governing
2 the performance of health care tasks in Arizona, and remain in full compliance with any
3 court order criminal probation, payments and other orders.

4 13. The Board retains jurisdiction and may initiate a new action based upon any
5 violation of this Order.

6 14. Prior to the termination of Probation, Respondent must submit a written
7 request to the Board for release from the terms of this Order. Respondent's request
8 must be in writing and submitted at least 30 days prior to the date he would like the
9 matter to appear before the Board. In doing so, Respondent must provide the Board
10 with evidence establishing that he has successfully satisfied all of the terms and
11 conditions of this Order. Such evidence shall include a report from the PAPA program
12 supporting the termination of Probation. The Board has the sole discretion to determine
13 whether all of the terms and conditions of this Order have been met and whether
14 Respondent has adequately demonstrated that he has addressed all of the issues
15 identified in it. At that time, the Board shall determine whether it is appropriate to
16 release Respondent from this Order or take any other action that is consistent with its
17 statutory and regulatory authority.

18 15. This Order supersedes all previous agreements between the parties
19 concerning case PA-15-0092A.

20 DATED AND EFFECTIVE this 26th day of May, 2016.

21
22 ARIZONA REGULATORY BOARD OF
23 PHYSICIAN ASSISTANTS

24 By Patricia E. McSorley
25 Patricia E. McSorley
 Executive Director

CONSENT TO ENTRY OF ORDER

Respondent understands and agrees that:

1. Any record prepared in this matter, all investigative materials prepared or received by the Board concerning the allegations, and all related materials and exhibits may be retained in the Board's file pertaining to this matter.

2. Respondent has read and understands this Order as set forth herein, and has had the opportunity to discuss this Order with an attorney or has waived the opportunity to discuss this Order with an attorney. Respondent voluntarily enters into this Order and by doing so agrees to abide by all of its terms and conditions.

3. By entering into this Order, Respondent freely and voluntarily relinquishes all rights to an administrative hearing on the matters set forth herein, as well as all rights of rehearing, review, reconsideration, appeal, judicial review or any other administrative and/or judicial action, concerning the matters related to the Order.

4. The findings contained in the Findings of Fact portion of the Order are conclusive evidence of the facts stated herein and may be used for purposes of determining sanctions in any future disciplinary matter.

5. Respondent acknowledges and agrees that upon signing this Order and returning it to the Board's Executive Director, Respondent may not revoke her acceptance of this Order or make any modifications to it. Any modification of this original document is ineffective and void unless mutually approved by the parties in writing.

6. Respondent understands that this Order shall not become effective unless and until it is approved by the Board and signed by the Board's Executive Director.

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7. Respondent understands and agrees that if the Board does not adopt this Order, she will not assert in any future proceedings that the Board's consideration of this Order constitutes bias, prejudice, prejudgment, or other similar defense.

8. Respondent understands that this Order is a public record that may be publicly disseminated as a formal action of the Board and will be reported to the National Practitioner's Data Bank and posted on the Board's web site as a disciplinary action.

9. Respondent understands that any violation of this Order constitutes unprofessional conduct under A.R.S. § 32-2501(18)(dd) ("[v]iolating a formal order, probation, consent agreement or stipulation issued or entered into by the board or its executive director.").

10. Respondent and read and understands the terms of this agreement.


MICHAEL M. ABRAHAM, P.A.

DATED: 3/28/2016

EXECUTED COPY of the foregoing mailed
this 26th day of May, 2016 to:

Michael M. Abraham, P.A.
Address of Record

ORIGINAL of the foregoing filed
this 26th day of May, 2016 with:

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


Board Staff