

1 BEFORE THE ARIZONA REGULATORY BOARD
2 OF PHYSICIAN ASSISTANTS

3 In the Matter of

4 **CHARLES S. LARSEN, P.A.**

5 Holder of License No. 3179
6 For the Performance of Healthcare Tasks
7 In the State of Arizona

Case No. PA-14-0023A

**ORDER FOR LETTER OF
REPRIMAND AND PROBATION
AND CONSENT TO THE SAME**

8 Charles S. Larsen, P.A. ("Respondent"), elects to permanently waive any right to a
9 hearing and appeal with respect to this Order for Letter of Reprimand and Probation;
10 admits the jurisdiction of the Arizona Regulatory Board of Physician Assistants ("Board");
11 and consents to the entry of this Order by the Board.

12 **FINDINGS OF FACT**

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

15 2. Respondent is the holder of license number 3179 for the performance of
16 health care tasks in the State of Arizona.

17 3. The Board initiated case number PA-14-0023A after receiving a report of
18 non-compliance from the Board's Physician Health Program ("PHP") Contractor.
19 Specifically, it was reported that Respondent consumed alcohol in violation of his October
20 2013 Stipulated Rehabilitation Agreement ("SRA").

21 4. Respondent was charged with a DUI in August of 2013. He was
22 subsequently assessed by the Board's PHP Contractor and had a drug screen positive for
23 alcohol and marijuana. During his assessment, Respondent admitted to smoking
24 marijuana and denied consuming alcohol.
25

1 containing poppy seeds or alcohol.

2 4. Respondent shall not take any illegal drugs or mood altering medications.

3 5. Respondent shall attend the PHP's relapse prevention group therapy
4 sessions one time per week for the duration of this Order, unless excused by the relapse
5 prevention group facilitator for good cause. Individual relapse therapy may be substituted
6 for one or more of the group therapy sessions, if PHP pre-approves substitution. The
7 relapse prevention group facilitators or individual relapse prevention therapist shall submit
8 monthly reports to the PHP regarding attendance and progress.

9 6. If requested by the PHP, Respondent shall attend ninety 12-step meetings or
10 other self-help group meetings appropriate for substance abuse and approved by the
11 PHP, for a period of ninety days. Upon completion of the ninety meetings in ninety days,
12 Respondent shall participate in a 12-step recovery program or other self-help program
13 appropriate for substance abuse as recommended by the PHP. Respondent shall attend a
14 minimum of three 12-step or other self-help program meetings per week. Two meetings
15 per month must be Caduceus meetings. Respondent must maintain a log of all self-help
16 meetings.

17 7. Respondent shall promptly obtain a primary care physician ("PCP") and shall
18 submit the name of the physician to the PHP in writing for approval. The approved PCP
19 shall be in charge of providing and coordinating Respondent's medical care and treatment.
20 Except in an *Emergency*, Respondent shall obtain medical care and treatment only from
21 the PCP and from health care providers to whom the PCP refers Respondent. Respondent
22 shall promptly provide a copy of this Order to the PCP. Respondent shall also inform all
23 other health care providers who provide medical care or treatment that Respondent is
24 participating in PHP. "Emergency" means a serious accident or sudden illness that, if not
25 treated immediately, may result in a long-term medical problem or loss of life.

1 8. All prescriptions for controlled substances shall be approved by the PHP
2 prior to being filled except in an *Emergency*. Controlled substances prescribed and filled in
3 an emergency shall be reported to the PHP within 48 hours. Respondent shall take no
4 *Medication* unless the PCP or other health care provider to whom the PCP refers
5 Respondent prescribes and the PHP approves the *Medication*. Respondent shall not self-
6 prescribe any *Medication*. "Medication" means a prescription-only drug, controlled
7 substance, and over-the counter preparation, other than plain aspirin, plain ibuprofen, and
8 plain acetaminophen.

9 9. Respondent shall submit to random biological fluid, hair, and/or nail testing
10 for five years from the date of this Order (as specifically directed below) to ensure
11 compliance with PHP.

12 10. Respondent shall provide the PHP in writing with one telephone number that
13 shall be used to contact Respondent on a 24 hour per day/seven day per week basis to
14 submit to biological fluid, hair, and/or nail testing to ensure compliance with PHP. For the
15 purposes of this section, telephonic notice shall be deemed given at the time a message to
16 appear is left at the contact telephone number provided by Respondent. Respondent
17 authorizes any person or organization conducting tests on the collected samples to
18 provide testing results to the PHP. Respondent shall comply with all requirements for
19 biological fluid, hair, and/or nail collection. Respondent shall pay for all costs for the
20 testing.

21 11. Respondent shall provide the PHP with written notice of any plans to travel
22 out of state.

23 12. Respondent shall immediately notify the Board and the PHP in writing of any
24 change in office or home addresses and telephone numbers.

25 13. Respondent provides full consent for the PHP to discuss the Respondent's

1 case with the Respondent's PCP or any other health care providers to ensure compliance
2 with PHP.

3 14. The relationship between the Respondent and the PHP is a direct
4 relationship. Respondent shall not use an attorney or other intermediary to communicate
5 with the PHP on participation and compliance issues.

6 15. Respondent shall be responsible for all costs, including costs associated with
7 participating in PHP, at the time service is rendered or within 30 days of each invoice sent
8 to the Respondent. An initial deposit of two months PHP fees is due upon entering the
9 program. Failure to pay either the initial PHP deposit or monthly fees 60 days after
10 invoicing will be reported to the Board by the PHP and may result in disciplinary action up
11 to and including license revocation.

12 16. Respondent shall immediately provide a copy of this Order to all employers,
13 hospitals and free standing surgery centers where Respondent currently has or in the
14 future gains or applies for employment or privileges. Within 30 days of the date of this
15 Order, Respondent shall provide the PHP with a signed statement of compliance with this
16 notification requirement. Respondent is further required to notify, in writing, all employers,
17 hospitals and free standing surgery centers where Respondent currently has or in the
18 future gains or applies for employment or privileges, of a chemical dependency relapse or
19 violation of this Order.

20 17. In the event Respondent resides or practices in a state other than Arizona,
21 Respondent shall participate in the rehabilitation program sponsored by that state's
22 medical licensing authority or medical society. Respondent shall cause the monitoring
23 state's program to provide written quarterly reports to the PHP regarding Respondent's
24 attendance, participation, and monitoring. The monitoring state's program and Respondent
25 shall immediately notify the PHP if Respondent is non-compliant with any aspect of the

1 monitoring requirements or is required to undergo any additional treatment.

2 18. The PHP shall immediately notify the Board if Respondent is non-compliant
3 with any aspect of the monitoring requirements or this Order.

4 19. In the event of chemical dependency relapse by Respondent or
5 Respondent's use of controlled substances or alcohol in violation of this Order,
6 Respondent shall promptly enter into an Interim Consent Agreement for Practice
7 Restriction that requires, among other things, that Respondent not perform healthcare
8 tasks until such time as Respondent successfully completes long-term inpatient treatment
9 for chemical dependency designated by the PHP and obtains affirmative approval from the
10 Executive Director, in consultation with the Lead Board Member and Chief Medical
11 Consultant, to return to the performance of healthcare tasks. Prior to approving
12 Respondent's request to return to practice, Respondent may be required to undergo any
13 combination of physical examination, psychiatric or psychological evaluation. In no respect
14 shall the terms of this paragraph restrict the Board's authority to initiate and take
15 disciplinary action for violation of this Order.

16 20. Respondent shall obey all federal, state and local laws, and all rules
17 governing the practice of medicine in the State of Arizona.

18 21. Respondent shall appear in person before the Board and/or its staff and PHP
19 for interviews upon request, with reasonable notice.

20 22. This Order supersedes all previous consent agreements and stipulations
21 between the Board and/or the Executive Director and Respondent.

22 23. Prior to the termination of Probation, Respondent must submit a written
23 request to the Board for release from the terms of this Order. Respondent's request for
24 release will be placed on the next pending Board agenda, provided a complete submission
25 is received by Board staff no less than 14 days prior to the Board meeting. Respondent's

1 request for release must provide the Board with evidence establishing that he has
2 successfully satisfied all of the terms and conditions of this Order. The Board has the sole
3 discretion to determine whether all of the terms and conditions of this Order have been
4 met or whether to take any other action that is consistent with its statutory and regulatory
5 authority.

6 DATED AND EFFECTIVE this 26th day of February, 2015.

7
8 ARIZONA REGULATORY BOARD OF
9 PHYSICIAN ASSISTANTS

10
11 By Patricia E. McSorley
12 Patricia E. McSorley
13 Interim Acting Executive Director

14 **CONSENT TO ENTRY OF ORDER**

15 1. Respondent has read and understands this Consent Agreement and the
16 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent
17 acknowledges he has the right to consult with legal counsel regarding this matter.

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

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

24 4. The Order is not effective until approved by the Board and signed by its
25 Executive Director.

1 5. All admissions made by Respondent are solely for final disposition of this
2 matter and any subsequent related administrative proceedings or civil litigation involving
3 the Board and Respondent. Therefore, said admissions by Respondent are not intended
4 or made for any other use, such as in the context of another state or federal government
5 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
6 any other state or federal court.

7 6. Upon signing this agreement, and returning this document (or a copy
8 thereof) to the Board's Executive Director, Respondent may not revoke the consent to the
9 entry of the Order. Respondent may not make any modifications to the document. Any
10 modifications to this original document are ineffective and void unless mutually approved
11 by the parties.

12 7. This Order is a public record that will be publicly disseminated as a formal
13 disciplinary action of the Board and will be reported to the National Practitioner's Data
14 Bank and on the Board's web site as a disciplinary action.

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

17 9. If the Board does not adopt this Order, Respondent will not assert as a
18 defense that the Board's consideration of the Order constitutes bias, prejudice,
19 prejudgment or other similar defense.

20 10. Any violation of this Consent Agreement constitutes unprofessional conduct
21 and may result in disciplinary action. A.R.S. §§ 32-2501(21)(dd) ("[v]iolating a formal
22 order, probation agreement or stipulation issued or entered into by the board or its
23 executive director.") and 32-2551.

24 **11. Respondent has read and understands the conditions of probation.**

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Charles S. Larsen P.A.

CHARLES S. LARSEN, P.A.

DATED: 1/1/15

EXECUTED COPY of the foregoing mailed
this 26th day of February, 2015 to:

Charles S. Larsen, P.A.
Address of Record

ORIGINAL of the foregoing filed
this 26th day of February, 2015 with:

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

Mary Coley
Board Staff