

1 prescribed a 30-day supply of Ativan as well as generic Ambien. Respondent's progress
2 notes from this visit do not reveal any concerns about discontinuing or limiting BB's
3 access to benzodiazepine. Respondent's supervising physician expressed concern and
4 suggested deactivating the prescription so that BB would not have access to large
5 amounts of benzodiazepine medications. Respondent did not attempt to do so until the
6 following day, at the earliest, by which time the prescription had been filled.

7 b. Respondent was to evaluate patient JB in June 2013. However, he instead spent
8 an hour with a different patient, JC, entering notation in JB's medical record and wrote
9 prescriptions which he gave to JC. Respondent did not attempt to verify the identity of
10 the patient who was in the room with him. He also claimed that he had not seen JC in
11 several months, but a review of the medical records showed that he had met with JC just
12 12 days before.

13 5. The standard of care required Respondent to properly treat a patient with
14 known chemical dependency issues, and to properly identify the patient before
15 commencing and interaction.

16 6. a. Respondent deviated from the standard of care by failing to properly
17 address long standing chemical dependency concerns in patient BB, by continuing to
18 prescribe benzodiazepine to BB despite this, and by failing to confirm that BB had been
19 given a recent prescription for benzodiazepine medication while issuing an additional
20 benzodiazepine prescription to her.

21 b. Respondent deviated from the standard of care by failing to identify the patient
22 he was examining and subsequently conducting an examination of JC as if he were JB.

23 7. a. The actions of Respondent in continuing to treat BB with benzodiazepine
24 placed her at risk of harm given her history of overdosing on these medications and
25 failing to address her history of chemical dependence. The ongoing prescribing of
26 benzodiazepines to BB place her at risk for further problems related to her chemical
dependency concerns.

1 2 Respondent acknowledges and agrees that this Order is entered into freely
2 and voluntarily and that no promise was made or coercion used to induce such entry.

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

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

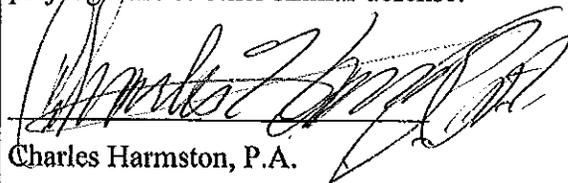
9 5. All admissions made by Respondent are solely for final disposition of this
10 matter and any subsequent related administrative proceeding or civil litigation involving
11 the Bard and Respondent. Therefore, said admissions by Respondent are not intended or
12 made for any other use, such as in the context of another state or federal government
13 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona
14 or any other state or federal court.

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

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

23 8. If any part of the Order is later declared void or otherwise unenforceable,
24 the remainder of the Order in its entirety shall remain in force and effect.
25
26

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

4 
5 _____
6 Charles Harmston, P.A.

Dated: 2-13-14

7 EXECUTED COPY of the foregoing mailed by
8 US Mail this 27th day of February 2014 to:

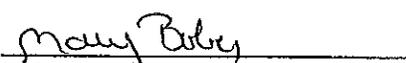
9 David W. Williams
10 Davis, Miles, McGuire, Gardner
11 80 E Rio Salado Parkway, Suite 401
12 Tempe, AZ 85281
13 Attorney for Respondent

14 EXECUTED COPY of the foregoing mailed by
15 US Mail this 27th day of February 2014 to:

16 Charles Harmston, P.A.
17 1642 S Priest Dr. Bldg 6, Suite 101
18 Tempe AZ 85281

19 ORIGINAL of the foregoing filed this
20 27th day of February 2014 with:

21 Arizona Regulatory Board of Physician Assistants
22 9545 E Doubletree Ranch Road
23 Scottsdale, AZ 85258

24 
25 _____
26 Arizona Regulatory Board of
Physician Assistants Staff
#3702531