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

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| In the Matter of<br><br>**Timothy Mark Sullivan, P.A.**<br><br>Holder of License No. **3803**<br>For the Performance of Healthcare Tasks<br>In the State of Arizona. | **Case No. PA-11-0120A**<br>**INTERIM ORDER FOR PRACTICE RESTRICTION AND CONSENT TO SAME** |

## CONSENT AGREEMENT

Timothy M. Sullivan, P.A. ("Physician Assistant") elects to permanently waive any right to a hearing and appeal with respect to this Interim Order for Practice Restriction; admits the jurisdiction of the Arizona Regulatory Board of Physician Assistants ("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. Physician Assistant is the holder of license number 3803 for the performance of health care tasks in the State of Arizona.

3. On, October 5, 2011, the Board received a complaint alleging that the Physician Assistant may be diverting Percocet from a patient. As a result of the allegation, the Board referred the Physician Assistant to the Physician Health Program for an Assessment to be completed October 14, 2011.

4. On October 10, 2011, the Physician Assistant notified Board Staff that he is unable to report for the assessment as required due to lack of funds.

## CONCLUSIONS OF LAW

1. The Board possesses jurisdiction over the subject matter hereof and over Physician Assistant.

2. The Executive Director has authority to enter into this consent agreement to restrict the Physician Assistant's practice based upon evidence of danger to the public health and safety pursuant to A.R.S. § 32-2505(C)(23).

## ORDER

IT IS HEREBY ORDERED THAT:

1. Physician Assistant's practice is restricted in that he shall not perform health care tasks in the State of Arizona and is prohibited from prescribing any form of treatment including prescription medications until Physician Assistant applies to the Board and receives permission to do so. The Board may require any combination of staff approved assessments, evaluations, treatments, examinations or interviews it finds necessary to assist in determining whether Physician Assistant is able to safely resume such practice.

2. This is an interim order and not a final decision by the Board regarding the pending investigative file and as such is subject to further consideration by the Board.

DATED this 14th day of October, 2011.

ARIZONA REGULATORY BOARD
OF PHYSICIAN ASSISTANTS

[S E A L]

By _____
Lisa S. Wynn
Executive Director

## CONSENT TO ENTRY OF ORDER

1. Physician Assistant has read and understands this Order for Interim Practice Restriction and Consent to Same and the stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Physician Assistant acknowledges he has the right to consult with legal counsel regarding this matter.

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

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

4. The Interim Order is not effective until approved and signed by the Executive Director.

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

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

7. This Interim Order is a public document that will be publicly disseminated as a formal action of the Board and will be reported to the National Practitioner's Data Bank and on the Board's website.

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

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

Timothy Sullivan, PA-C

Timothy Sullivan, P.A.

DATED: 10-13-11

EXECUTED COPY of the foregoing mailed
this 14th day of October, 2011 to:

Timothy Sullivan, P.A.
Address of Record

ORIGINAL of the foregoing filed
this 14th day of October, 2011 with:

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

Celina Shepherd

Arizona Regulatory Board of
Physician Assistants Staff