BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of
HELEN E. WATT, M.D. Case No. MD-17-0370A
Holder of License No. 22016
For the Practice of Allopathic Medicine
In the State of Arizona.

ORDER FOR DECREES OF
CENSURE AND PROBATION;
AND CONSENT TO THE SAME

Helen E. Watt, M.D. ("Respondent") elects to permanently waive any right to a
hearing and appeal with respect to this Order for a Decree of Censure and Probation;
admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of
this Order by the Board.

FINDINGS OF FACT

1. The Board is the duty constituted authority for the regulation and control of
the practice of allopathic medicine in the State of Arizona.

2. Respondent is the holder of license number 22016 for the practice of
allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-17-0370A after receiving a complaint
alleging that Respondent may be inappropriately prescribing controlled substance
medications to patients.

4. Board staff obtained the charts of four patients during a site inspection to
Respondent's office. A Medical Consultant who reviewed the charts identified deviations
from the standard of care with regard to three of the patients.

5. Patient RJ, a 31-year-old male with a history of PTSD and traumatic
battlefield injury in 2004, established care with Respondent briefly in 2012, and re-
established care in 2015.

opioid medications including extended release morphine 15 mg and Oxycodone 30 mg as
well as Adderall 10 mg twice a day. During the course of treatment, RJ had multiple urine
drug screens that were inconsistent with prescribed medications, and multiple reports of
stolen medications, after which Respondent provided replacement prescriptions.

7. Patient RL was a male patient with past history of spinal fractures at T8 and
T12, which had been treated by other providers with Oxycodone and Subutex. In 2012,
RL established care with Respondent who continued to prescribe opioid pain medications
including Subutex and Oxycodone, as well as Xanax to RL through May, 2017. During the
course of treatment, Respondent continued to prescribe these medications to RL despite
multiple urine drug screens that were inconsistent with prescribed medications and/or
positive for alcohol and marijuana.

8. Patient JB, a female patient with a history of abnormal left septum growth
and neck pain, established care with Respondent on October 4, 2013. A prior practitioner
treated JB with Oxycodone 15 mg, which Respondent continued. In December of 2013,
JB was diagnosed with a bulging disc and degenerative joint disease with foraminal
narrowing.

9. Respondent continued to prescribe opioid medications including Oxycodone,
extended release morphine as well as Fioricet to JB through April, 2017. During the
course of treatment, JB reported stolen medications on multiple occasions and on one
occasion, JB reported that her sister flushed her medications down the toilet.

10. The standard of care requires a physician to appropriately manage the care
of patients being treated with opioid medications and to recognize red flags indicative of
drug seeking behavior. Respondent deviated from the standard of care in prescribing
opioids for patients RJ, RL, and JB by continuing to prescribe pain medications in patients
engaging in high-risk behavior, and failing to recognize red flags including repeated reports
of stolen medications.
11. There was potential for patient harm in that patients RJ, RL and JB were all
potentially diverting medications, creating a risk of injury or death to the public from use of
non-prescribed controlled substances.

CONCLUSIONS OF LAW

a. The Board possesses jurisdiction over the subject matter hereof and over
Respondent.

b. The conduct and circumstances described above constitute unprofessional
conduct pursuant to A.R.S. § 32-1401(27)(e)("Failing or refusing to maintain adequate
records on a patient.").

c. The conduct and circumstances described above constitute unprofessional
conduct pursuant to A.R.S. § 32-1401(27)(q)("Any conduct or practice that is or might be
harmful or dangerous to the health of the patient or the public.").

ORDER

IT IS HEREBY ORDERED THAT:

1. Respondent is issued a Decree of Censure.

2. Respondent is placed on Probation for a period of 2 years with the following
terms and conditions:

a. **Continuing Medical Education**

   Respondent shall within 6 months of the effective date of this Order obtain no less
   than 10 hours of Board staff pre-approved Category I Continuing Medical Education
   ("CME") in an intensive, in-person course regarding medical recordkeeping; and, no less
   than 10 hours of Board staff pre-approved Category I CME in an intensive, in-person
   course regarding controlled substance prescribing. Respondent shall within thirty days of
   the effective date of this Order submit her request for CME to the Board for pre-approval.

   Upon completion of the CME, Respondent shall provide Board staff with satisfactory proof
of attendance. The CME hours shall be in addition to the hours required for the biennial renewal of medical licensure.

b. Chart Reviews

Within 30 days of the effective date of this Order, Respondent shall enter into a contract with a Board-approved monitoring company to perform periodic chart reviews at Respondent's expense. The chart reviews shall commence upon proof of successful completion of the CME required by this Order, and shall involve current patients' charts for care rendered after completion of the CME. Based upon the chart review, the Board retains jurisdiction to take additional disciplinary or remedial action.

c. Obey All Laws

Respondent shall obey all state, federal and local laws, all rules governing the practice of medicine in Arizona, and remain in full compliance with any court ordered criminal probation, payments and other orders.

d. Tolling

In the event Respondent should leave Arizona to reside or practice outside the State or for any reason should Respondent stop practicing medicine in Arizona, Respondent shall notify the Executive Director in writing within ten days of departure and return or the dates of non-practice within Arizona. Non-practice is defined as any period of time exceeding thirty days during which Respondent is not engaging in the practice of medicine. Periods of temporary or permanent residence or practice outside Arizona or of non-practice within Arizona, will not apply to the reduction of the probationary period.

e. Probation Termination

Prior to the termination of Probation, Respondent must submit a written request to the Board for release from the terms of this Order. Respondent's request for release will be placed on the next pending Board agenda, provided a complete submission is received
by Board staff no less than 30 days prior to the Board meeting. Respondent’s request for release must provide the Board with evidence establishing that she has successfully satisfied all of the terms and conditions of this Order. The Board has the sole discretion to determine whether all of the terms and conditions of this Order have been met or whether to take any other action that is consistent with its statutory and regulatory authority.

3. The Board retains jurisdiction and may initiate new action against Respondent based upon any violation of this Order. A.R.S. § 32-1401(27)(r).

DATED AND EFFECTIVE this 14th day of February, 2018.

ARIZONA MEDICAL BOARD

By [Signature]
Patricia E. McSorley, Executive Director

CONSENT TO ENTRY OF ORDER

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

2. Respondent 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, Respondent 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 by the Board, and waives any other cause of action related thereto or arising from said Order.

4. The Order is not effective until approved by the Board and signed by its Executive Director.
5. All admissions made by Respondent are solely for final disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Respondent. Therefore, said admissions by Respondent 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 agreement, and returning this document (or a copy thereof) to the Board’s Executive Director, Respondent may not revoke the consent to the entry of the Order. Respondent 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 Order is a public record that will be publicly disseminated as a formal disciplinary action of the Board and will be reported to the National Practitioner's Data Bank and on the Board's web site as a disciplinary action.

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

10. Any violation of this Order constitutes unprofessional conduct and may result in disciplinary action. A.R.S. §§ 32-1401(27)(r) ("[v]iolating a formal order, probation, consent agreement or stipulation issued or entered into by the board or its executive director under this chapter.") and 32-1451.
11. Respondent acknowledges that, pursuant to A.R.S. § 32-2501(16), she cannot act as a supervising physician for a physician assistant while her license is on probation.

12. Respondent has read and understands the conditions of probation.

HELEN E. WATT, M.D.

DATED: 2/7/18

EXECUTED COPY of the foregoing mailed this 14th day of February, 2018 to:

David A. Rubin
Rubin Law PLC
3560 N Central Ave, Suite 1010
Phoenix, AZ 85012
Attorney for Respondent

ORIGINAL of the foregoing filed this 14th day of February, 2018 with:

Arizona Medical Board
9545 E. Doubletree Ranch Road
Scottsdale, AZ 85260

Board staff

Mary Boler