BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of
ALDEMIR T. COELHO, MD.

Case No. MD-15-0768A

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

Holder of License No. 12445
For the Practice of Allopathic Medicine
In the State of Arizona.

Aldemir T. Coelho, M.D. ("Respondent") elects to permanently waive any right to a
hearing and appeal with respect to this Order for a Letter of Reprimand 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 duly 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 12445 for the practice of
allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-15-0768A after receiving a complaint
regarding Respondent’s care and treatment of a 26 year-old female patient ("KM") alleging
inadequate examination and treatment of the patient.

4. KM made an appointment for a well woman exam and refill of her birth
control medication at Respondent’s Clinic. When KM arrived, she was told that the
physician she had scheduled her appointment with was not available and that she would
be seen by Respondent. KM agreed and was first seen by a Medical Assistant ("MA").

5. Two MAs initially saw KM, one performed an examination and the other
acted as a translator. KM requested a PAP smear and an STD test. KM was not offered a
breast exam, and a detailed history was not obtained. KM underwent a PAP smear
performed by the MA, and a urine sample was requested for the performance of a
pregnancy test. KM again requested an STD test and was told that she would have to
return for another visit for that test, and that she would have to return for a third visit to
discuss the results of the lab tests and PAP smear. At that time, another MA entered the
room and suggested KM complete genetic testing; assuring KM that it was covered by her
insurance. KM agreed to proceed with the test and submitted to a cheek swab for the
testing.

6. Respondent arrived after the examination was completed and asked KM if
she had any questions. KM was given a three month prescription for birth control with no
refills at the front desk. KM asked for additional refills and was told she would need to
return for additional appointments. After consultation with Respondent, staff members told
KM that she would not be receiving additional refills because she was probably sterile due
to the length of time she had been on birth control. KM cancelled her labs, informed
Respondent's staff that she would not come back, and requested reimbursement and
return of her registration fee and paperwork. Respondent returned KM's registration
paperwork, refunded the registration fee and called the police due to KM's agitated
behavior.

7. The documentation for the examination indicated that KM's cervix was “red”
or inflamed; however, there is no record that this was addressed or treated during KM's
visit.

8. Respondent's office subsequently sent KM's sample for genetic testing.
KM's insurance denied coverage for the test, and KM received an explanation of benefits
from her insurer stating that she owed $3800.00 for it.

9. In his response to the Board, Respondent denied that he allowed his MA to
perform the PAP smear on KM, and stated that he entered into the treatment room after

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KM was prepped, draped, and, "with her legs in the 'up position'... With her head down and her legs up, the patient was unable to see me perform the Pap smear."

10. The standard of care for a primary care office performing a well woman exam required Respondent to obtain a medical and family history, a present medication list, a drug allergy list, a review of systems and a relatively complete examination. Any abnormal findings on the exam should be discussed and treated as indicated. Respondent deviated from this standard of care by failing to perform a complete examination of KM, by failing to address abnormal exam results, and by diagnosing the patient with multiple diagnoses without appropriate supporting documentation.

11. Actual harm occurred to the patient in that KM was aggravated and there was apparent generation of medical records that do not reflect who performed the exam and what was done to the patient.

12. There was the potential for patient harm in that KM may have to pay for unnecessary genetic testing.

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.").

d. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(ii)("Lack of or inappropriate direction,
collaboration or direct supervision of a medical assistant or a licensed, certified or
registered health care provider employed by, supervised by or assigned to the physician.

ORDER

IT IS HEREBY ORDERED THAT:

1. Respondent is issued a Letter of Reprimand.

2. Respondent is placed on Probation for a period of 6 months 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 general well-woman examinations;
      and no less than 10 hours of Board staff pre-approved Category I CME in medical
      recordkeeping. Respondent shall within thirty days of the effective date of this Order
      submit his 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. The Probation shall terminate upon proof of successful completion of the CME
      coursework.

   b. 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.
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 5th day of May, 2017.

ARIZONA MEDICAL BOARD

By 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 he 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 has read and understands the conditions of probation.

[Signature]

DATED: April 21, 2017

ALDEMIR T. COELHO, M.D.

EXECUTED COPY of the foregoing mailed this 5th day of May, 2017 to:

Aldemir T. Coelho, M.D.
Address of Record

ORIGINAL of the foregoing filed this 5th day of May, 2017 with:

Arizona Medical Board
9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258

[Signature]
Board staff