BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

ARUN L. JAYARAMAN, M.D.
Holder of License No. 51195
For the Practice of Allopathic Medicine
In the State of Arizona.

Case No. MD-16-1109A

ORDER FOR PROBATION;
AND CONSENT TO THE SAME

Arun L. Jayaraman, M.D. ("Respondent"), elects to permanently waive any right to a
hearing and appeal with respect to this Order for 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 51195 for the practice of
   allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-16-1109A after receiving a self-report
   stating that Respondent was found to be impaired by alcohol when he presented for a
   scheduled shift.

4. Although Respondent attempted to relieve an anesthesiologist on shift,
   Respondent ultimately did not see or treat any patients while impaired.

5. Respondent was referred for an assessment with the Board’s Physician
   Health Program ("PHP") Contractor which was completed on October 3, 2016. Based on
   the assessment results, the PHP Contractor recommended that Respondent undergo an
   intensive evaluation at a Board-approved evaluation center.

6. Respondent presented for an evaluation on November 1, 2016 and was
   discharged with staff approval on November 3, 2016. The PHP Contractor reviewed the
   evaluation team’s recommendations and opined that Respondent is safe to practice
medicine provided that he enter into the PHP for a period of One (1) year for diagnostic
monitoring.

7. Respondent subsequently entered into an Interim Consent Agreement for
PHP participation, effective December 16, 2016.

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)(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 shall promptly enroll in and participate¹ in the Board’s Physician
Health Program (“PHP”) for a period of one year.

2. Respondent shall not consume alcohol or any food or other substance
containing poppy seeds or alcohol.

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

4. All prescriptions for controlled substances shall be approved by the PHP
Contractor prior to being filled except in an Emergency. Controlled substances prescribed
and filled in an emergency shall be reported to the PHP Contractor within 48 hours.

Respondent shall take no Medication unless Respondent’s Primary Care Physician
(“PCP”) or other health care provider to whom the PCP refers Respondent prescribes and
the PHP Contractor approves the Medication. Respondent shall not self-prescribe any
Medication. “Medication” means a prescription-only drug, controlled substance, and over-

¹ Respondent’s PHP participation shall be retroactive to December 16, 2016.
the counter preparation, other than plain aspirin, plain ibuprofen, and plain acetaminophen. “Emergency” means a serious accident or sudden illness that, if not treated immediately, may result in a long-term medical problem or loss of life.

5. Respondent shall submit to random biological fluid, hair and nail testing for one year from the date of this Order (as specifically directed below) to ensure compliance with the PHP.

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

7. Respondent shall provide the PHP Contractor with written notice of any plans to travel out of state.

8. Respondent shall successfully complete a PHP Contractor approved 36 hour alcohol/drug awareness education class.

9. Respondent provides full consent for the PHP Contractor to discuss the Respondent’s case with the Respondent’s PCP or any other health care providers to ensure compliance with the PHP.

10. The relationship between the Respondent and the PHP Contractor is a direct relationship. Respondent shall not use an attorney or other intermediary to communicate with the PHP Contractor on participation and compliance issues.
11. Respondent shall be responsible for all costs, including costs associated with participating in the PHP, at the time service is rendered or within 30 days of each invoice sent to the Respondent. An initial deposit of two months’ PHP fees is due upon entering the program. Failure to pay either the initial PHP deposit or monthly fees 60 days after invoicing will be reported to the Board by the PHP Contractor and may result in disciplinary action.

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

13. In the event Respondent resides or practices as a physician in a state other than Arizona, Respondent shall participate in the rehabilitation program sponsored by that state’s medical licensing authority or medical society. Respondent shall cause the monitoring state’s program to provide written quarterly reports to the PHP Contractor regarding Respondent’s attendance, participation, and monitoring. The monitoring state’s program and Respondent shall immediately notify the PHP Contractor if Respondent is non-compliant with any aspect of the monitoring requirements or is required to undergo any additional treatment.

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

15. In the event of the use of drugs or alcohol by Respondent in violation of this Order, Respondent shall promptly enter into an Interim Consent Agreement for Treatment.
at a PHP approved facility. Following the successful conclusion of treatment, Respondent shall enter into an Interim Consent Agreement for full participation in the PHP. In no respect shall the terms of this paragraph restrict the Board’s authority to initiate and take disciplinary action for violation of this Order.

16. 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 14 days prior to the Board meeting. Respondent’s request for release must provide the Board with evidence establishing that he 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.

17. This Order supersedes any and all Consent Agreements previously entered into by Respondent and the Board regarding this matter.

18. The Board retains jurisdiction and may initiate new action against Respondent based upon any violation of this Order.

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]
ARUN JAYARAMAN, M.D.

DATED: ____________

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

Robert J. Milligan, Esq.
Milligan Lawless, PC
5050 N 40th St, Suite 200
Phoenix, AZ 85018
Attorney for Respondent

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