BEFORE THE ARIZONA MEDICAL BOARD

Case No. MD-18-0726A

INTERIM FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER
FOR SUMMARY SUSPENSION OF
LICENSE

INTRODUCTION

The above-captioned matter came for discussion before the Arizona Medical Board ("Board") at its August 23, 2018 meeting, where it had been placed on the agenda to consider possible summary action against Subodh S. Shroff, M.D. ("Respondent"). Having considered the information in the matter and being fully advised, the Board enters the following Interim Findings of Fact, Conclusions of Law and Order for Summary Suspension of License, pending a formal hearing or other Board action. A.R.S. § 32-1451(D).

INTERIM 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 37588 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-18-0726A after receiving notification that Respondent may have a health condition that impairs his ability to safely practice medicine.

4. Based on the information received during the investigation, the Executive Director issued an Interim Order for Physician Health Program Assessment on August 8, 2018. Respondent failed to complete the Assessment as required by the Order.
5. Board staff offered Respondent an Interim Consent Agreement for Practice Limitation ("Interim Consent for Practice Limitation"). Respondent declined the offered Interim Consent for Practice Limitation.

6. Information obtained during the investigation indicates that Respondent has a medical condition that may render him unsafe to practice medicine. Respondent confirmed to Board staff that he is retired from the formal practice of medicine, but he continues to treat his friends and neighbors. Respondent’s Controlled Substance Prescription Monitoring Profile ("CSPMP") report indicates that Respondent recently prescribed controlled substances to at least two patients.

7. During the Board’s consideration of the above captioned matter on August 23, 2018, Board staff presented the foregoing, as well as a report from a Board investigator who spoke with one of his treating providers who indicated that Respondent has recommendations for continuing care regarding his medical condition and that in her opinion; due to his lack of insight into his symptoms, he is unlikely to follow treatment recommendations without ongoing supervision. Respondent appeared and informed the Board that he does continue to treat patients. Based on the evidence presented, the Board voted unanimously to summarily suspend Respondent’s license.

INTERIM CONCLUSIONS OF LAW

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

2. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(r) ("Committing any conduct or practice that is or might be harmful or dangerous to the health of the patient or the public.") and § 32-1401(27)(s) ("Violating a formal order, probation, consent agreement or stipulation issued or entered into by the board or its executive director under this chapter.").
3. Based on the foregoing Interim Findings of Fact and Conclusions of Law, the public health, safety or welfare imperatively requires emergency action. A.R.S. § 32-1451(D).

ORDER

Based on the foregoing Interim Findings of Fact and Conclusions of Law, set forth above, 

IT IS HEREBY ORDERED THAT:

1. Respondent's license to practice allopathic medicine in the State of Arizona, License No. 37588, is summarily suspended. Respondent is prohibited from practicing medicine in the State of Arizona and is prohibited from prescribing any form of treatment including prescription medications or injections of any kind.

2. The Interim Findings of Fact and Conclusions of Law constitute written notice to Respondent of the charges of unprofessional conduct made by the Board against Respondent. Respondent is entitled to a formal hearing to defend these charges as expeditiously as possible after the issuance of this Order.

3. The Board's Executive Director is instructed to refer this matter to the Office of Administrative Hearings for scheduling of an administrative hearing to be commenced within sixty days from the date of the issuance of this Order, unless stipulated and agreed otherwise by Respondent. A.R.S. § 32-1451(D).

DATED AND EFFECTIVE this 23rd day of August, 2018.

ARIZONA MEDICAL BOARD

By Patricia E. McSorley
Executive Director
EXECUTED COPY of the foregoing mailed this 23rd day of August, 2018 to:

Subodh S. Shroff, M.D.
Address of Record

ORIGINAL of the foregoing filed this 23rd day of August, 2018 with:

Arizona Medical Board
1740 West Adams, Suite 4000
Phoenix, Arizona 85007

Board staff