

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

SHEPHERD G. PRYOR, M.D.

Holder of License No. 33720
For the Practice of Allopathic Medicine
In the State of Arizona.

Case No. MD-18-0552A

**INTERIM CONSENT AGREEMENT
FOR PRACTICE RESTRICTION**

INTERIM CONSENT AGREEMENT

Shepherd G. Pryor, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Interim Consent Agreement for Practice Restriction and consents to the entry of this Order by the Arizona Medical Board ("Board").

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 No. 33720 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-18-0552A after receiving a self-report on June 11, 2018 from Respondent that he was alleged to have been impaired while performing a surgical procedure on June 8, 2018. Respondent denied the allegation of impairment, but acknowledged that he may have an issue with substance use.

4. Respondent subsequently underwent an inpatient evaluation at a Board-approved facility. Based on the findings, the facility opined that Respondent is not currently safe to practice, pending completion of inpatient treatment and post-treatment fitness for duty assessment.

1 with and agreement of the lead Board member and the Chief Medical Consultant, has the
2 discretion to determine whether it is appropriate to release Respondent from this Interim
3 Consent Agreement.

4 3. The Board retains jurisdiction and may initiate new action based upon any
5 violation of this Interim Consent Agreement, including, but not limited to, summarily
6 suspending Respondent's license.

7 4. Because this is an Interim Consent Agreement and not a final decision by
8 the Board regarding the pending investigation, it is subject to further consideration by the
9 Board. Once the investigation is complete, it will be promptly provided to the Board for its
10 review and appropriate action.

11 5. This Interim Consent Agreement shall be effective on the date signed by the
12 Board's Executive Director.

13
14 DATED this 18th day of September, 2018.

15 ARIZONA MEDICAL BOARD

16 By Patricia E. McSorley
17 Patricia E. McSorley
18 Executive Director

19 **RECITALS**

20 Respondent understands and agrees that:

21 1. The Board, through its Executive Director, may adopt this Interim Consent
22 Agreement, or any part thereof, pursuant to A.R.S. § 32-1405(C)(25) and A.A.C. R4-16-
23 504.

1 2. Respondent has read and understands this Interim Consent Agreement as
2 set forth herein, and has had the opportunity to discuss this Interim Consent Agreement
3 with an attorney or has waived the opportunity to discuss this Interim Consent Agreement
4 with an attorney. Respondent voluntarily enters into this Interim Consent Agreement and
5 by doing so agrees to abide by all of its terms and conditions.

6 3. By entering into this Interim Consent Agreement, Respondent freely and
7 voluntarily relinquishes all rights to an administrative hearing on the matters set forth
8 herein, as well as all rights of rehearing, review, reconsideration, appeal, judicial review or
9 any other administrative and/or judicial action, concerning the matters related to the
10 Interim Consent Agreement.

11 4. Respondent understands that this Interim Consent Agreement does not
12 constitute a dismissal or resolution of this matter or any matters that may be currently
13 pending before the Board and does not constitute any waiver, express or implied, of the
14 Board's statutory authority or jurisdiction regarding this or any other pending or future
15 investigations, actions, or proceedings. Respondent also understands that acceptance of
16 this Interim Consent Agreement does not preclude any other agency, subdivision, or
17 officer of this State from instituting civil or criminal proceedings with respect to the conduct
18 that is the subject of this Interim Consent Agreement. Respondent further does not
19 relinquish Respondent's rights to an administrative hearing, rehearing, review,
20 reconsideration, judicial review or any other administrative and/or judicial action,
21 concerning the matters related to a final disposition of this matter, unless Respondent
22 affirmatively does so as part of the final resolution of this matter.
23
24
25

1 5. Respondent acknowledges and agrees that upon signing this Interim
2 Consent Agreement and returning it to the Board's Executive Director, Respondent may
3 not revoke Respondent's acceptance of this Interim Consent Agreement or make any
4 modifications to it. Any modification of this original document is ineffective and void unless
5 mutually approved by the parties in writing.

6 6. Respondent understands that this Interim Consent Agreement shall not
7 become effective unless and until it is signed by the Board's Executive Director.

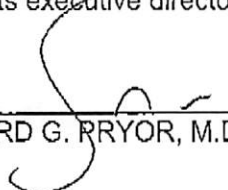
8 7. Respondent understands and agrees that if the Board's Executive Director
9 does not adopt this Interim Consent Agreement, Respondent will not assert in any future
10 proceedings that the Board's consideration of this Interim Consent Agreement constitutes
11 bias, prejudice, prejudgment, or other similar defense.

12 8. Respondent understands that this Interim Consent Agreement is a public
13 record that may be publicly disseminated as a formal action of the Board, and that it shall
14 be reported as required by law to the National Practitioner Data Bank.

15 9. Respondent understands that this Interim Consent Agreement does not
16 alleviate Respondent's responsibility to comply with the applicable license-renewal
17 statutes and rules. If this Interim Consent Agreement remains in effect at the time
18 Respondent's allopathic medical license comes up for renewal, Respondent must renew
19 the license if Respondent wishes to retain the license. If Respondent elects not to renew
20 the license as prescribed by statute and rule, Respondent's license will not expire but
21 rather, by operation of law (A.R.S. § 32-3202), become suspended until the Board takes
22 final action in this matter. Once the Board takes final action, in order for Respondent to be
23
24
25

1 licensed in the future, Respondent must submit a new application for licensure and meet
2 all of the requirements set forth in the statutes and rules at that time.

3 10. Respondent understands that any violation of this Interim Consent
4 Agreement constitutes unprofessional conduct under A.R.S. § 32-1401(27)(s) ("Violating a
5 formal order, probation, consent agreement or stipulation issued or entered into by the
6 board or its executive director under this chapter.").

7
8 
9 _____
10 SHEPHERD G. PRYOR, M.D.

DATED: 9/14/18

10 EXECUTED COPY of the foregoing e-mailed
11 this 15th day of September, 2018 to:

12 Shepherd G. Pryor, M.D.
13 Address of Record

14 Attorney for Respondent
15 Address of Record

16 ORIGINAL of the foregoing filed
17 this 18th day of September, 2018 with:

18 Arizona Medical Board
19 1740 West Adams, Suite 4000
20 Phoenix, Arizona 85007

21 Mary Baker
22 _____
23 Board staff