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**BEFORE THE ARIZONA MEDICAL BOARD**

In the Matter of

**MARVIN C. SCHNEIDER, M.D.**

Holder of License No. 4036  
For the Practice of Allopathic Medicine  
In the State of Arizona.

**Case No. MD-17-1123A**

**INTERIM CONSENT AGREEMENT  
FOR PRACTICE RESTRICTION**

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**INTERIM CONSENT AGREEMENT**

Marvin C. Schneider, 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").

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**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. 4036 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-17-1123A after receiving a complaint regarding Respondent's care and treatment of a 61 year-old female patient ("DC") alleging inappropriate prescribing of controlled substances.

4. A Medical Consultant ("MC") who reviewed Respondent's care of DC noted deviations from the standard of care. The MC stated that Respondent deviated from the standard of care by continuing to prescribe high dose opioids, while the patient was on Carisoprodol and diazepam, and by failing to refer this high risk patient to a pain management specialist for further treatment.

5. There was the potential for patient harm in that DC was at unreasonable risk of increased sedation, respiratory depression, hormonal dysfunction and constipation.

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1 the Chief Medical Consultant, has the discretion to determine whether it is appropriate to  
2 release Respondent from this Interim Consent Agreement.

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

6 4. Because this is an Interim Consent Agreement and not a final decision by  
7 the Board regarding the investigation, it is subject to further consideration by the Board.

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

#### 10 RECITALS

11 Respondent understands and agrees that:

12 1. The Board, through its Executive Director, may adopt this Interim Consent  
13 Agreement, or any part thereof, pursuant to A.R.S. § 32-1405(C)(25) and A.A.C. R4-16-  
14 504.

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

20 3. By entering into this Interim Consent Agreement, Respondent freely and  
21 voluntarily relinquishes all rights to an administrative hearing on the matters set forth  
22 herein, as well as all rights of rehearing, review, reconsideration, appeal, judicial review or  
23 any other administrative and/or judicial action, concerning the matters related to the  
24 Interim Consent Agreement.  
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1           4.     Respondent understands that this Interim Consent Agreement does not  
2 constitute a dismissal or resolution of this matter or any matters that may be currently  
3 pending before the Board and does not constitute any waiver, express or implied, of the  
4 Board's statutory authority or jurisdiction regarding this or any other pending or future  
5 investigations, actions, or proceedings. Respondent also understands that acceptance of  
6 this Interim Consent Agreement does not preclude any other agency, subdivision, or  
7 officer of this State from instituting civil or criminal proceedings with respect to the conduct  
8 that is the subject of this Interim Consent Agreement. Respondent further does not  
9 relinquish his rights to an administrative hearing, rehearing, review, reconsideration,  
10 judicial review or any other administrative and/or judicial action, concerning the matters  
11 related to a final disposition of this matter, unless he/she affirmatively does so as part of  
12 the final resolution of this matter.

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

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

21           7.     Respondent understands and agrees that if the Board's Executive Director  
22 does not adopt this Interim Consent Agreement, he will not assert in any future  
23 proceedings that the Board's consideration of this Interim Consent Agreement constitutes  
24 bias, prejudice, prejudgment, or other similar defense.  
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1 8. Respondent understands that this Interim Consent Agreement is a public  
2 record that may be publicly disseminated as a formal action of the Board, and that it shall  
3 be reported as required by law to the National Practitioner Data Bank.

4 9. Respondent understands that this Interim Consent Agreement does not  
5 alleviate Respondent's responsibility to comply with the applicable license-renewal  
6 statutes and rules. If this Interim Consent Agreement remains in effect at the time  
7 Respondent's allopathic medical license comes up for renewal, Respondent must renew  
8 the license if Respondent wishes to retain the license. If Respondent elects not to renew  
9 the license as prescribed by statute and rule, Respondent's license will not expire but  
10 rather, by operation of law (A.R.S. § 32-3202), become suspended until the Board takes  
11 final action in this matter. Once the Board takes final action, in order for Respondent to be  
12 licensed in the future, Respondent must submit a new application for licensure and meet  
13 all of the requirements set forth in the statutes and rules at that time.

14 10. Respondent understands that any violation of this Interim Consent  
15 Agreement constitutes unprofessional conduct under A.R.S. § 32-1401(27)(s) ("[v]iolating  
16 a formal order, probation, consent agreement or stipulation issued or entered into by the  
17 board or its executive director under this chapter.").

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20 MARVIN C. SCHNEIDER, M.D. <sup>MCD</sup>

DATED: 27 Aug 2018

21 DATED this 27 <sup>MCD</sup> day of August <sup>MCD</sup>, 2018.  
22 31<sup>st</sup> august

ARIZONA MEDICAL BOARD

23 By Patricia E. McSorley  
24 Patricia E. McSorley  
25 Executive Director

1 EXECUTED COPY of the foregoing e-mailed  
2 this 31<sup>st</sup> day of August, 2018 to:

3 Marvin C. Schneider, M.D.  
4 Address of Record

5 ORIGINAL of the foregoing filed  
6 this 31<sup>st</sup> day of August, 2018 with:

7 Arizona Medical Board  
8 1740 West Adams, Suite 4000  
9 Phoenix, Arizona 85007

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11 Board staff

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