

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2
3 In the Matter of

4 **PHILLIP L. SAUNDERS, M.D**

5 Holder of License No. 27714
6 For the Practice of Medicine
In the State of Arizona.

Case No. MD-17-0556A

**ORDER FOR SURRENDER
OF LICENSE AND CONSENT
TO THE SAME**

7 Phillip L. Saunders, M.D. ("Respondent"), elects to permanently waive any right to a
8 hearing and appeal with respect to this Order for Surrender of License; admits the
9 jurisdiction of the Arizona Medical Board ("Board") as well as the facts stated herein; and
10 consents to the entry of this Order by the Board.

11 **FINDINGS OF FACT**

12 1. The Board is the duly constituted authority for the regulation and control of
13 the practice of allopathic medicine in the State of Arizona.

14 2. Respondent is the holder of license number 27714 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-17-0556A after receiving notification
17 from the Alabama State Board of Medical Examiners ("Alabama Board") of an action taken
18 regarding Respondent's medical license.

19 4. The Alabama Board issued Respondent an "Order Temporarily Suspending
20 License and Setting Hearing" after review of an administrative complaint and petition for
21 summary suspension of license which alleged that Respondent is or may be "unable to
22 practice medicine or osteopathy with reasonable skill and safety to patients by reason of
23 illness, inebriation, excessive use of drugs, narcotics, alcohol, chemicals, or any other
24 substance, or as a result of any mental or physical condition; a violation of Ala. Code 32-
25 24-360(19)".

1 5. In lieu of a hearing in front of the Alabama Board, Respondent and the
2 Alabama entered into a Stipulation and Consent Order (“SCO”), which placed
3 Respondent’s Alabama medical license on indefinite probation until such time as
4 Respondent completes the required treatment for his chronic medical conditions
5 prescribed in the SCO. On July 27, 2017, Respondent voluntarily disclosed the SCO to the
6 Board.

7 6. Further, the Board finds that Respondent failed to previously disclose
8 multiple contracts with Alabama’s Physician Health Program (“APHP”) upon Arizona
9 licensure renewal from 2007 through 2017.

10 7. In lieu of summary suspension pursuant to A.R.S. § 32-1451.02(B),
11 Respondent entered into an Interim Agreement for Practice Restriction on June 21, 2017.

12 8. On October 25, 2017, Respondent disclosed that he is undergoing treatment
13 for a medical condition that has impaired his ability to safely practice medicine, and
14 requested to surrender his Arizona medical license.

15 **CONCLUSIONS OF LAW**

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

18 2. The conduct and circumstances described above constitute unprofessional
19 conduct pursuant to A.R.S. § 32-1401(27)(o) (“Action that is taken against a doctor of
20 medicine by another licensing or regulatory jurisdiction due to that doctor's mental or
21 physical inability to engage safely in the practice of medicine or the doctor's medical
22 incompetence or for unprofessional conduct as defined by that jurisdiction and that
23 corresponds directly or indirectly to an act of unprofessional conduct prescribed by this
24 paragraph. The action taken may include refusing, denying, revoking or suspending a
25 license by that jurisdiction or a surrendering of a license to that jurisdiction, otherwise

1 limiting, restricting or monitoring a licensee by that jurisdiction or placing a licensee on
2 probation by that jurisdiction.”).

3 3. The Board possesses statutory authority to enter into a consent agreement
4 with a physician and accept the surrender of an active license from a physician who
5 admits to being unable to safely engage in the practice of medicine. A.R.S. § 32-
6 1451(T)(1).

7 **ORDER**

8 IT IS HEREBY ORDERED THAT Respondent immediately surrender License
9 Number 27714, issued to Phillip L. Saunders, M.D., for the practice of allopathic medicine
10 in the State of Arizona, and return his certificate of licensure to the Board.

11
12 DATED and effective this 7th day of December, 2017.

13 ARIZONA MEDICAL BOARD

14 By: Patricia E. McSorley
15 Patricia E. McSorley
16 Executive Director

17 **CONSENT TO ENTRY OF ORDER**

18 1. Respondent has read and understands this Consent Agreement and the
19 stipulated Findings of Fact, Conclusions of Law and Order (“Order”). Respondent
20 acknowledges he has the right to consult with legal counsel regarding this matter.

21 2. Respondent acknowledges and agrees that this Order is entered into freely
22 and voluntarily and that no promise was made or coercion used to induce such entry.

23 3. By consenting to this Order, Respondent voluntarily relinquishes any rights
24 to a hearing or judicial review in state or federal court on the matters alleged, or to
25 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.

1 4. The Order is not effective until approved by the Board and signed by its
2 Executive Director.

3 5. All admissions made by Respondent are solely for final disposition of this
4 matter and any subsequent related administrative proceedings or civil litigation involving
5 the Board and Respondent. Therefore, Respondent acknowledges that said admissions
6 are sufficient for the Board to meet its burden of proof for disposition of this particular
7 matter; however, Respondent denies said admissions for any other use, such as in the
8 context of another state or federal government regulatory agency proceeding, civil or
9 criminal court proceeding, in the State of Arizona or any other state or federal court.

10 6. Upon signing this agreement, and returning this document (or a copy
11 thereof) to the Board's Executive Director, Respondent may not revoke the consent to the
12 entry of the Order. Respondent may not make any modifications to the document. Any
13 modifications to this original document are ineffective and void unless mutually approved
14 by the parties.

15 7. This Order is a public record that will be publicly disseminated as a formal
16 disciplinary action of the Board and will be reported to the National Practitioner's Data
17 Bank and on the Board's web site as a disciplinary action.

18 8. If the Board does not adopt this Order, Respondent will not assert as a
19 defense that the Board's consideration of the Order constitutes bias, prejudice,
20 prejudgment or other similar defense.

21 9. ***Respondent has read and understands the terms of this agreement.***

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23 
PHILLIP L. SAUNDERS, M.D.

Dated: 11/14/2017

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25 EXECUTED COPY of the foregoing mailed by
US Mail this 7th day of December, 2017 to:

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Phillip L. Saunders, M.D.
Address of Record

ORIGINAL of the foregoing filed this
7th day of December, 2017 with:

The Arizona Medical Board
9545 East Doubletree Ranch Road
Scottsdale, AZ 85258

Mary Bobey
Board staff