

1 5. Pursuant to A.R.S. 32-1451.02(B), on June 25, 2017, the Board voted to
2 summarily suspended Respondent's license based upon the action of the Illinois Board.

3 6. Respondent subsequently entered into a consent agreement with the Illinois
4 Board, effective December 2, 2017. The Consent Order states that, during negotiations,
5 Respondent expressed that it was his intention to retire from the practice of medicine. The
6 Consent Order provides that Respondent "will be placed on permanent inactive status and
7 thereafter Respondent will not engage in any form of medical practice under
8 aforementioned Illinois Physician and Surgeon License and Illinois Controlled Substance
9 License in the future." Respondent agreed that the Consent Order was a formal
10 disciplinary action.

11 CONCLUSIONS OF LAW

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

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

24 3. The conduct and circumstances described above constitute unprofessional
25 conduct pursuant to A.R.S. § 32-1401(27)(p) ("sanctions imposed by an agency of the

1 federal government, including restricting, suspending, limiting or removing a person from
2 the practice of medicine or restricting that person's ability to obtain financial
3 remuneration.)

4 4. The Board possesses statutory authority to enter into a consent agreement
5 with a physician and accept the surrender of an active license from a physician who
6 admits to having committed an act of unprofessional conduct. A.R.S. § 32-1451(T)(2).

7 ORDER

8 IT IS HEREBY ORDERED THAT Respondent immediately surrender License
9 Number 45421, issued to Philip J. Berent, M.D., for the practice of allopathic medicine in
10 the State of Arizona, and return his certificate of licensure to the Board.

11 DATED and effective this 14th day of February 2018.

12 ARIZONA MEDICAL BOARD

13 by:

14 *Christina Frederickson for*
15 Patricia E. McSorley
Executive Director

16 CONSENT TO ENTRY OF ORDER

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

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

22 3. By consenting to this Order, Respondent voluntarily relinquishes any rights
23 to a hearing or judicial review in state or federal court on the matters alleged, or to
24 challenge this Order in its entirety as issued by the Board, and waives any other cause of
25 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, said admissions by Respondent are not intended
6 or made for any other use, such as in the context of another state or federal government
7 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
8 any other state or federal court.

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

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

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

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

21 Philip J. Berent, M.D.
22 PHILIP J. BERENT, M.D.

Dated: 1.23.2018

24 EXECUTED COPY of the foregoing mailed by
25 US Mail this 14th day of February, 2018 to:

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Philip J. Berent, M.D.
Address of Record

ORIGINAL of the foregoing filed this
14th day of February, 2018 with:

The Arizona Medical Board
1740 W. Adams
Phoenix, AZ 85007

Maury Baker
Board Staff