

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **PETER J. DELENICK, M.D**

4 Holder of License No. 43968
5 For the Practice of Medicine
6 In the State of Arizona.

Case No. MD-17-0915A

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

7 Peter J. Delenick, 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 43968 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-17-0915A after receiving a Disciplinary
17 Action Report from the Federation of State Medical Boards indicating that Respondent had
18 been disciplined by the Maryland State Board of Physicians ("Maryland Board").

19 4. On August 30, 2017, Respondent entered into a Consent Order with the
20 Maryland Board for a Reprimand and minimum 3 year Probation in case number 2016-
21 0741B.

22 5. On November 28, 2017, Respondent requested to surrender his Arizona
23 license. Respondent reports that he has not practiced in Arizona for four years, and does
24 not intend to return to practice in Arizona.

25

1 CONCLUSIONS OF LAW

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

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

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

17 ORDER

18 IT IS HEREBY ORDERED THAT Respondent immediately surrender License
19 Number 43968, issued to Peter J. Delenick, M.D., for the practice of allopathic medicine in
20 the State of Arizona, and return his certificate of licensure to the Board.

21
22 DATED and effective this 1ST day of February, 2018.

23 ARIZONA MEDICAL BOARD

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

1 **CONSENT TO ENTRY OF ORDER**

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

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

7 3. By consenting to this Order, Respondent voluntarily relinquishes any rights
8 to a hearing or judicial review in state or federal court on the matters alleged, or to
9 challenge this Order in its entirety as issued by the Board, and waives any other cause of
10 action related thereto or arising from said Order.

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

13 5. All admissions made by Respondent are solely for final disposition of this
14 matter and any subsequent related administrative proceedings or civil litigation involving
15 the Board and Respondent. Therefore, said admissions by Respondent are not intended
16 or made for any other use, such as in the context of another state or federal government
17 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
18 any other state or federal court.

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

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

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

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

8
9
10 Peter J. Delenick
PETER J. DELENICK, M.D.

Dated: 1-15-2018

11
12 EXECUTED COPY of the foregoing mailed by
US Mail this 1st day of February 2018 to:

13 Peter J. Delenick, M.D.
14 Address of Record

15 ORIGINAL of the foregoing filed this
16 1st day of February 2018 with:

17 The Arizona Medical Board
18 ~~9545 East Doubletree Ranch Road~~ 1740 W. Adams, Suite 4000
~~Scottsdale, AZ 85258~~ Phoenix, AZ 85007

19 Michelle Rebus
20 Board staff