

1 5. On February 13, 2013, Respondent performed surgery on IV to reduce the
2 hernia and redo the gastric wrap. Post-operatively, IV's status included hypoxia, acidosis,
3 tachycardia, and hypotension. There was no documentation that IV was seen by
4 Respondent that evening.

5 6. On February 14, 2013, IV had improved mildly but remained hypoxic. That
6 afternoon and evening, IV deteriorated with sepsis, continued hypoxia and hypotension. IV
7 was transferred to the ICU where she was intubated, started on pressors and arterial
8 monitoring with fluid resuscitation. Respondent also performed an endoscopy.

9 7. Subsequently, IV was transferred to a different hospital, where she
10 underwent total gastrectomy, blind pouch esophagus, and feeding tube jejunostomy.

11 8. The standard of care required Respondent to reduce the stomach from the
12 chest prior to attempting to fix the hiatal hernia. Respondent deviated from this standard of
13 care by failing to reduce the stomach from the chest prior to attempting to fix the hiatal
14 hernia.

15 9. The standard of care required Respondent to convert to an open operation
16 when difficulty arises during a laparoscopic procedure. Respondent deviated from the
17 standard of care by failing to convert to an open operation when difficulty arose during the
18 laparoscopic procedure.

19 10. The standard of care required Respondent to treat hypoxia. Respondent
20 deviated from the standard of care by failing to treat hypoxia.

21 11. The standard of care required Respondent to transfer a patient to a higher
22 level of care or request assistance during the operation. Respondent deviated from the
23 standard of care by failing to timely transfer the patient to a higher level of care or request
24 assistance during the operation.

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CONSENT TO ENTRY OF ORDER

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

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

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

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

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

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

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.

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10 Michael Trimble MD DATED: 12/28/2017
MICHAEL R. TRIMBLE, M.D.

11 EXECUTED COPY of the foregoing mailed
12 this 28th day of Dec, 2017 to:
13 1st February 2018
Michael R. Trimble, M.D.
Address of Record

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15 ORIGINAL of the foregoing filed
16 this 1st day of February 2017 with:

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

20 Michelle Rivas
Board staff

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