

1 BEFORE THE ARIZONA MEDICAL BOARD

2 In the Matter of

3 **LOKESH S. TANTUWAYA, M.D.**

4 Holder of License No. 46000
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Case No. MD-16-1071A

**ORDER FOR LETTER OF
REPRIMAND; AND
CONSENT TO THE SAME**

7 Lokesh S. Tantuwaya, M.D. ("Respondent") elects to permanently waive any right to
8 a hearing and appeal with respect to this Order for a Letter of Reprimand; admits the
9 jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order
10 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 46000 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-16-1071A after receiving notification
17 that Respondent failed to disclose to the Board three medical malpractice settlements paid
18 on his behalf since 2013.

19 4. Respondent failed to respond to the Board's investigation. During the course
20 of the investigation, Board staff determined that Respondent had failed to maintain a
21 current address with the Board. After the case was referred to the Office of Administrative
22 Hearings for a Formal Hearing, Respondent provided Board staff with a narrative and
23 patient records for each of the three malpractice cases originally requested by the Board.
24 Respondent stated that he was out of the country during the pendency of the Board's
25 investigation.

1 5. On or about August 25, 2014, Respondent was charged with felonies in San
2 Diego County Superior Court case SCN335891, and subsequently entered into a plea
3 agreement for reduced charges. Additionally, on or about May 8, 2017, Respondent was
4 charged with a felony in San Diego County Superior Court case CN372748, which was
5 later dismissed although Respondent was later convicted of a single non-reportable
6 misdemeanor. Respondent failed to report these charges to the Board within ten days as
7 required by statute. Respondent asserts that the May 8, 2017 felony charge was
8 erroneously entered.

9 6. On or about December 26, 2017, Respondent's Arizona medical license
10 expired.

11 7. Respondent has also reported that he has not practiced medicine in Arizona
12 during the period that his license was active.

13 8. Respondent reported felony charges entered against him in the United
14 States District Court for the Central District of California in CR 18-0040-JLS.

15 9. Respondent acknowledges that the Board has not reviewed the substance of
16 the medical malpractice settlements reported by him, or the charges entered in
17 SCN335891, CN372748, and CR-18-0040-JLS and that in the event that he reapplies for
18 licensure, the records and matters will be reviewed in accordance with A.R.S. § 32-1422.

19 **CONCLUSIONS OF LAW**

20 a. The Board possesses jurisdiction over the subject matter hereof and over
21 Respondent.

22 b. The conduct and circumstances described above constitute unprofessional
23 conduct pursuant to A.R.S. § 32-1401(27)(a) ("Violating any federal or state laws, rules or
24 regulations applicable to the practice of medicine."). Specifically, Respondent's conduct
25 violated A.R.S. § 32-3208(A) ("A health professional who has been charged with a . . .

1 felony after receiving or renewing a license or certificate must notify the health
2 professional's regulatory board in writing within ten working days after the charge is filed.”).

3 c. The conduct and circumstances described above constitute unprofessional
4 conduct pursuant to A.R.S. § 32-1401(27)(dd)(“Failing to furnish information in a timely
5 manner to the board or the board's investigators or representatives if legally requested by
6 the board.”).

7 **ORDER**

8 IT IS HEREBY ORDERED THAT:

9 1. Respondent is issued a Letter of Reprimand.

10 DATED AND EFFECTIVE this 14th day of June, 2018.

11 ARIZONA MEDICAL BOARD

12
13 By Patricia E. McSorley
14 Patricia E. McSorley
15 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 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 to
23 a hearing or judicial review in state or federal court on the matters alleged, or to challenge
24 this Order in its entirety as issued by the Board, and waives any other cause of action
25 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 thereof)
10 to the Board's Executive Director, Respondent may not revoke the consent to the entry of
11 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 *LS Tantuwaya*
22 _____
LOKESH S. TANTUWAYA, M.D.

DATED: _____ May 1, 2018 _____

23 EXECUTED COPY of the foregoing mailed
24 this 14th day of June, 2018 to:

25 Lokesh S. Tantuwaya, M.D.
Address of Record

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

Arizona Medical Board
1740 West Adams, Suite 4000
Phoenix, Arizona 85007

Mary Bobey
Board staff