

1 E. Griffin Cipolla, D.O.
2 120 E Monterey Way
3 Phoenix AZ 85012

4 Copies of the foregoing "Termination
5 of Order For Probation" hand delivered
6 this 14th day of October, 2008 to:

7 Blair Driggs, AAG
8 Office of the Attorney General CIV/LES
9 1275 West Washington
10 Phoenix AZ 85007

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**BEFORE THE ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY**

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3 IN THE MATTER OF:) **Case No.: 3835**
4)
5 **E. GRIFFIN CIPOLLA,**) **CONSENT AGREEMENT FOR**
6 Holder of License No. **2811**) **PROBATIONARY ORDER WITH**
7) **TERMS**
8 For the practice of osteopathic medicine in the)
9 State of Arizona)
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8 By mutual agreement and understanding, the Arizona Board of Osteopathic Examiners
9 (hereafter "Board") and E. Griffin Cipolla, D.O. (hereinafter "Respondent"), collectively known
10 as "the parties", hereby agree to the following disposition to this matter.
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12 1. Respondent acknowledges that he has read this Consent Agreement and Order;
13 and, Respondent is aware of and understands the content of these documents.

14 2. Respondent understands that by entering into this Consent Agreement and Order,
15 he voluntarily relinquishes any rights to a hearing on the matters alleged as grounds for Board
16 action or to seek judicial review of the Interim Consent Agreement and Order in state or federal
17 court.

18 3. Respondent understands that this Consent Agreement and Order will not become
19 effective unless approved by the Board and signed by its Executive Director.

20 4. Respondent further understands that this Consent Agreement and Order, once
21 approved and signed, shall constitute a public record which will be disseminated as a formal
22 action of the Board.

23 5. Respondent admits to the statement of facts and conclusions of law contained in
24 the Consent Agreement and Order.

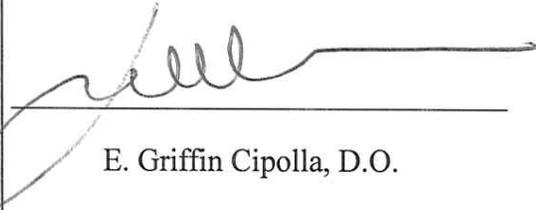
25 6. All admissions made by Respondent are solely for disposition of this matter and

1 any subsequent administrative proceedings or litigation involving the Board, Respondent and the
2 State of Arizona; and, therefore, said admissions by Respondent are not intended for any other
3 purpose or administrative regulatory proceeding or litigation in another state or federal court.

4 7. Respondent and the Board understand that this Consent Decree resolves any and
5 all allegations against, and the Board's investigation into, Respondent arising from Case No.
6 3835.

7 8. Respondent acknowledges and agrees that upon signing and returning this
8 document (or a copy thereof) to the Board's Executive Director, he may not later revoke or
9 amend any part of the Consent Agreement and Order, without first obtaining Board approval.

10 REVIEWED AND ACCEPTED THIS 27 DAY OF February, 2008.

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14 E. Griffin Cipolla, D.O.

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14 Jay Fradkin, Esq., Respondent's Counsel

15 **JURISDICTIONAL STATEMENTS**

16 1. The Board is empowered, pursuant to A.R.S. § 32-1800 *et seq.*, to regulate the
17 practice of osteopathic medicine in the State of Arizona, and the conduct of the persons licensed,
18 registered, or permitted to practice osteopathic medicine in the State of Arizona.

19 2. Respondent is the holder of License No. 2811 issued by the Board for the practice
20 of osteopathic medicine in the State of Arizona.

21 **FINDINGS OF FACT**

22 1. On January 9, 2007, the Board received a complaint from GP ("Complainant")
23 alleging that the Respondent, without authorization, requested a copy of GP's patient record from
24 his current primary care physician.¹

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¹ The Respondent had previously been the complainants' physician; however, was no longer in a doctor-patient relationship with the complaining party.

1 ten days of the date of this Order) of the psychiatrist and psychologist's name; and,
2 Respondent shall undertake and fully cooperate with a program of treatment established
3 by the psychiatrist and psychologist. In the event Respondent changes professionals, he
4 shall give the Board written notice within ten (10) days of said action. Respondent shall
5 not discontinue or reduce the frequency of psychotherapy sessions and/or medications
6 until he has submitted a written request to the Board and obtained Board approval.

7 B. Respondent shall complete **twenty (20) hours** of continuing medical education in
8 the area of HIPAA laws, regulation and compliance which shall be completed within six
9 (6) months. CME shall be in addition to that normally required and shall be approved by
10 the Executive Director prior to completion.

11 C. Respondent's therapist(s) shall receive a copy of this Order and Board staff shall
12 cooperate with and disclose all relevant information in the Board's files concerning
13 Respondent. The treating therapist(s) shall be directed by Respondent and or his legal
14 counsel to send to the Board a detailed written progress report every month for the
15 remainder of the treatment; and Respondent, shall waive any confidentiality concerning
16 his psychotherapy in order that the Board may receive full disclosure of information. The
17 expense of the aforementioned therapy and the reports to the Board by Respondent's
18 therapist shall be the sole responsibility of the Respondent.

19 ISSUED THIS 28th DAY OF SEPTEMBER, 2007. FEBRUARY, 2008

20 ARIZONA BOARD OF OSTEOPATHIC EXAMINERS



21 By: _____

22 Jack Confer, Executive Director

23 Original "Consent Agreement for
24 Probationary Order with Terms"
25 filed this 28th day of
February, 2008 with the:

1 Arizona Board of Osteopathic Examiners
2 In Medicine and Surgery
3 9535 East Doubletree Ranch Road
4 Scottsdale AZ 85258-5539

5 Copy of the foregoing "Consent Agreement
6 for Probationary Order with Terms" sent by
7 certified mail, return receipt requested this
8 28th day of February, 2008 to:

9 E. Griffin Cipolla, D.O.
10 c/o Jay Fradkin, Esq.
11 Jennings, Strouss & Salmon, PLC
12 201 East Washington Street, 11th Floor
13 Phoenix, AZ 85004-2385

14 Copies of the foregoing "Consent Agreement
15 For Probationary Order with Terms" sent via
16 regular mail this 28th day of February, 2008 to:

17 Blair Driggs, AAG
18 Office of the Attorney General CIV/LES
19 1275 West Washington
20 Phoenix AZ 85007

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