

INTERIM FINDINGS OF FACT

1
2 1. On June 29, 2009, Respondent entered into a Consent Agreement and Order for
3 Probation ("Order") with the Board for monitoring his recovery from substance abuse.

4 2. As part of that Order, Respondent agreed to take only medication prescribed to
5 him by approved physicians.

6 3. As part of that Order, Respondent agreed to submit to biological fluid collection
7 for testing as directed by Board staff.

8 4. As part of that Order, Respondent agreed that a positive finding of a drug or
9 medication not prescribed in accordance with the Order shall be considered proof of relapse and
10 that his license shall be summarily suspended pending a formal administrative hearing.

11 5. On June 9, 2010, Respondent submitted a sample of biological fluid for testing.

12 6. On June 10, 2010, Board staff was notified by the testing laboratory that the
13 sample was invalid because the creatinine level was 1.4 mg/dL (cut off is 20); and the specific
14 gravity was 1.0019 (cut off is 1.003). The testing laboratory informed Board staff that it
15 suspected that the sample was not human urine.

16 7. On June 10, 2010, Board staff spoke with Respondent and told him that, because
17 of the allegations made by the testing laboratory on June 10, 2010, he was to submit to an
18 observed urine test and a hair test the next day, June 11, 2010. Board staff later left a phone
19 message that the he was to write "observed" on the testing order, to ensure the laboratory staff
20 did so.

21 8. On June 10, 2010, Respondent notified Board staff he would be out of the country
22 June 13 through June 17, 2010, and therefore not eligible for testing.

23 9. On June 11, 2010, Respondent submitted to the biological fluid testing.

24 10. On June 11, 2010, the laboratory called Board staff to say that the hair test could
25 not be done because Respondent had no head or body hair sufficiently long to test.

26 11. On June 14, 2010, Board staff was notified that the results of the biological fluid
27 testing were negative for all medications, including amphetamines, despite Respondent having

1 reported being prescribed and taking Vyvanse in May and June, 2010. A valid sample had been
2 obtained, however, the sample collected had not been observed. Respondent had written
3 "monitored" instead of "observed" on the chain of custody form.

4 12. On June 16, 2010, Respondent was notified by letter that all future biological
5 fluid samples must be observed.

6 13. On July 2, 2010, Respondent notified Board staff he would be out of the state
7 between July 4 and July 12, 2010, and therefore was not eligible for testing.

8 14. On the morning of July 27, 2010, at Respondent's request, he met with the
9 Executive Director and Deputy Director of the Board to discuss certain matters pertaining to his
10 health, his practice, and his compliance with the Order.

11 15. At that meeting, Respondent confirmed that he left his previous place of
12 employment in late June or early July and was not currently employed as a physician.

13 16. Respondent was directly to submit to another urine test that day, July 27, 2010,
14 and to write "observed" on the chain of custody form. Respondent agreed to do so, and left the
15 Board's office before 11:00 a.m.

16 17. Respondent submitted to the observed sample at 9:40 p.m. on July 27, 2010.

17 18. On July 28, 2010, the testing laboratory informed Board staff that Respondent
18 tested positive for amphetamines (500 ng/mL) and methamphetamine (500 ng/mL). The
19 amphetamines are explained by the prescription for Vyvanse 70 mg. The laboratory also
20 reported that the sample was "dilute" with a Creatinine of 13.3 mg/dL (cut off is 20) and a
21 specific gravity of 1.002 (cut off is 1.003).

22 **INTERIM CONCLUSIONS OF LAW**

23 1. Pursuant to A.R.S. § 32-1800, et seq. the Board has subject matter and personal
24 jurisdiction in this matter.

25 2. The conduct and circumstances described in paragraphs 1 through 19 above, if
26 proven true, constitute unprofessional conduct as defined in the following paragraphs of A.R.S. §
27 32-1854:

1 (6) Engaging in the practice of medicine in a manner that harms or may harm
2 a patient or that the Board determines falls below the community standard.

3 (25) Violating a formal order, probation or a stipulation issued by the board
4 under this chapter

5 (38) Any conduct or practice that endangers a patient's or the public's health or
6 may reasonably be expected to do so.

7 (39) Any conduct or practice that impairs the licensee's ability to safely and
8 skillfully practice medicine or that may reasonably be expected to do so.

9 **FINDING OF EMERGENCY**

10 The public health, safety or welfare imperatively required emergency action, pursuant to
11 A.R.S. § 32-1855(C), when the Board summarily suspended Respondent's license to practice
12 osteopathic medicine in the State of Arizona.

13 **ORDER**

14 Pursuant to the authority vested in the Board, and based upon the Interim Findings of
15 Fact and Interim Conclusions of Law, **IT IS HEREBY ORDERED THAT:**

16 1. Pursuant to A.R.S. §§ 32-1855(C) and 41-1064(C), License No. 4405 held by
17 AARON GLOSKOWSKI, D.O. to practice osteopathic medicine is summarily suspended in the
18 State of Arizona effective on the date of this order, pending further disciplinary proceedings or
19 until further Order of the Board.

20 2. The Interim Findings of Fact and Conclusions of Law constitute written notice to
21 Respondent of the charges of unprofessional conduct made by the Board against him.
22 Respondent is entitled to a formal hearing to defend these charges within thirty (30) days after
23 issuance of the Order.

24 3. The Board's Executive Director is instructed to refer this matter to the Office of
25 Administrative Hearings for scheduling of an administrative hearing to be commenced no later
26 than thirty (30) days from the date of the issuance of this order, unless stipulated and agreed
27 otherwise by Respondent.

1 4. Service of this Order is effective upon either personal delivery or the date of
2 mailing, by U.S. certified mail, addressed to Respondent's last known address of record with the
3 Board. See A.R.S. § 32-1855(F).



4 ISSUED THIS 2nd DAY OF AUGUST, 2010.
5 STATE OF ARIZONA
6 BOARD OF OSTEOPATHIC EXAMINERS
7 IN MEDICINE AND SURGERY

8 By: 
9 Elaine LeTarte, Executive Director

10 Original "Summary Suspension of License
11 & Hearing Notice" filed this
12 3rd day of August, 2010 with the:

13 Arizona Board of Osteopathic Examiners
14 In Medicine and Surgery
15 9535 East Doubletree Ranch Road
16 Scottsdale AZ 85258-5539

17 Copy of the foregoing "Summary
18 Suspension of License & Hearing Notice"
19 sent via email and certified, return receipt requested
20 this 3rd day of August, 2010 to:

21 Aaron Gloskowski, D.O.
22 Address of Record

23 Copies of the foregoing "Summary
24 Suspension of License & Hearing Notice"
25 sent via regular mail this 3rd day of August, 2010 to:

26 Camila Alarcon, AAG
27 Office of the Attorney General CIV/LES
1275 West Washington
Phoenix AZ 85007 