BEFORE THE ARIZONA BOARD OF OSTEOPATHIC EXAMINERS

IN MEDICINE AND SURGERY

IN THE MATTER OF:	**Case No.: 4027**
RONALD BITZA, D.O. Holder of License No. **1370**	**TERMINATION OF ORDER FOR PROBATION**
For the practice of osteopathic medicine in the State of Arizona	

IT IS HEREBY ORDERED that the Order for Probation dated November 24, 2009 has been terminated and that an unrestricted license is reinstated to Ronald Bitza, D.O. effective July 23, 2012.

ISSUED THIS 23rd DAY OF JULY, 2012.

STATE OF ARIZONA
BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

By: _____
Jenna Jones, Executive Director

Original "Termination of Order of Probation"
filed this 23rd day of July, 2012 with the:

Arizona Board of Osteopathic Examiners in Medicine and Surgery
9535 East Doubletree Ranch Road
Scottsdale AZ 85258-5539

Copy of the foregoing "Termination of Order of Probation"
sent by regular mail this 23rd day of July, 2012 to:

Ronald Bitza, D.O.
Address of record

_____

BEFORE THE ARIZONA BOARD OF OSTEOPATHIC EXAMINERS

IN MEDICINE AND SURGERY

IN THE MATTER OF: **RONALD BITZA, D.O.** Holder of License No. **1370** For the practice of osteopathic medicine in the State of Arizona	**Case No.: 4027** **AMENDMENT TO FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER FOR DECREE OF CENSURE, AND PROBATION**

The Arizona Board of Osteopathic Examiners (hereafter "Board") and Ronald Bitza, D.O. (Hereinafter "Respondent"), the parties, met on May 21, 2011, and after discussion and consideration of the documents and evidence of compliance before them, the Board voted to Amend the Findings of Fact, Conclusions of Law and Order for Decree of Censure and Probation issued November 24, 2009, as follows:

AMENDED ORDER

NOW, THEREFORE, IT IS ORDERED AS FOLLOWS:

Effective May 21, 2011, pursuant to A.R.S.§ 32-1855(C), License No. 1370 held by Ronald Bitza, D.O., remains under a **Decree of Censure** and on **Probation**, with all terms of the original Order, except that the term contained in paragraph 13, subparagraph B, page 4 of the original Order is set aside and replaced by the following:

13(B). Required to have a Board approved practice monitor to provide information to the Board every six months.

ISSUED THIS 23rd DAY OF MAY, 2011.
ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AN SURGERY

By: Elaine LeTarte
Elaine LeTarte, Executive Director

Original "Amendment to Findings of Fact, Conclusions of Law and Order for Decree of Censure and Probation" filed this 23rd day of May, 2011 at:

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

Original of "Amendment to Findings of Fact, Conclusions of Law and Order for Decree of Censure and Probation" sent by U.S. mail this 23rd day of May, 2011 to:

Ronald Bitza, D.O.
Address of Record

Copies of this "Amendment to Findings of Fact, Conclusions of Law and Order for Decree of Censure and Probation" sent by electronic mail this 23rd day of May, 2011 to:

Camila Alarcon, AAG
Office of the Attorney General CIV/LES
Camila.alarcon@azag.gov

Affiliated Monitors, Inc
c/o Catherine Keyes
ckeyes@affiliatedmonitors.com

Kathy Burke

BEFORE THE ARIZONA BOARD OF OSTEOPATHIC EXAMINERS

IN MEDICINE AND SURGERY

IN THE MATTER OF: **RONALD BITZA, D.O.** Holder of License No. **1370** For the practice of osteopathic medicine in the State of Arizona	**Case No.: 4027** **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER FOR DECREE OF CENSURE, AND PROBATION**

On January 15, 2008, the AZ Board of Osteopathic Examiners (hereafter "Board") received a complaint against Ronald Bitza, D.O. (Hereinafter "Respondent"). Respondent was notified of the complaint on March 13, 2008. On April 7, 2008, the Board received Respondent's response to the complaint.

On April 27, 2009, the Board noticed Respondent that the Board would conduct its initial case review of this matter on May 16, 2009. The Board conducted that review and voted to refer this matter to an Investigative Hearing. Respondent was not present.

On May 27, 2009, the Board invited the Respondent to an Investigative Hearing to be held July 18, 2009. The Respondent, through his attorney, Mr. Charles Buri, requested and was granted a continuance of the hearing until September 12, 2009.

On September 12, 2009 the Board conducted the Investigative Hearing. Respondent appeared and was represented by counsel.

On October 6, 2009, the Board met by conference call to approve the Order voted upon at the Investigative Hearing. Respondent attended and was represented by counsel.

On October 20, 2009, Respondent was re-noticed on this case, to include additional statutory allegations of unprofessional conduct in this matter. Respondent was also noticed that the hearing on this matter would continue on November 21, 2009.

On November 21, 2009, the Board concluded the Investigative Hearing. Respondent did not appear, but was represented by counsel.

After hearing testimony and considering the documents and evidence submitted, the Board voted to enter the following Findings of Fact and Conclusions of Law, and Order for Decree of Censure and Probation.

JURISDICTIONAL STATEMENTS

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

2. Respondent is the holder of License No. 1370 issued by the Board for the practice of osteopathic medicine in the State of Arizona.

FINDINGS OF FACT

3. Respondent falsified patient records, omitting potentially important patient medical information, potentially harming the patient through lack of continuity of care.

4. Respondent admitted falsifying patient records.

5 Respondent changed or alerted patient records, falsely representing another health care professional by signing other health care professionals' names to altered medical records.

6. Respondent failed to retain accurate patient medical records for the required period of time and failed to dispose of patient medical records properly.

7. Respondent engaged in conduct that endangers a patient by altering patient records after the fact by a provider who did not see the patient, potentially important patient medical information was omitted, potentially harming the patient through lack of continuity of care.

CONCLUSIONS OF LAW

8. The conduct described in paragraph 3, above, is a violation of unprofessional conduct pursuant to A.R.S. § 32-1854 (6), which states "Engaging in the practice of medicine in

a manner that harms or may harm a patient or that the board determines falls below the community standard.

9. The conduct described in paragraph 4, above, is a violation of unprofessional conduct pursuant to A.R.S. § 32-1854 (15), which states "Knowingly making any false or fraudulent statement, written or oral, in connection with the practice of medicine or when applying for or renewing privileges at a health care institution or a health care program."

10. The conduct described in paragraph 6, above, is a violation of unprofessional conduct pursuant to A.R.S. § 32-1854 (21), which states "Failing or refusing to establish and maintain adequate records on a patient as follows:

(a) If the patient is an adult, for at least seven years after the last date the licensee provided the patient with medical or health care services.

(b) If the patient is a child, either for at least three years after the child's eighteenth birthday or for at least seven years after the last date the licensee provided that patient with medical or health care services, whichever date occurs first.

(c) If the patient dies before the expiration of the dates prescribed in subdivision (a) or (b) of this paragraph, for at least three years after the patient's death."

11. The conduct described in paragraph 4, above, is a violation of unprofessional conduct pursuant to A.R.S. § 32-1854 (38), which states: "Any conduct or practice that endangers a patient's or the public's health or may reasonably be expected to do so."

ORDER

Pursuant to the authority vested in the Board, **IT IS HEREBY ORDERED** that Ronald Bitza, D.O, holder of osteopathic medical License number 1370,

12. Is issued a **DECREE OF CENSURE**.

13. Is placed on **PROBATION for a period of Five (5) Years** from the date this Order is issued, subject to the following terms:

A. Completion of thirty (30) hours of Continuing Medical Education in medical record keeping; thirty (30) hours of Continuing Medical Education in billing and coding, and thirty (30) hours of Continuing Medical Education in medical ethics. At least 30 hours of Continuing Medical Education is to be completed within the next six (6) months, and all 90 hours to be completed within one year. All Continuing Medical Education is to be pre-approved by the Executive Director.

B. Required to have a Board approved practice monitor to provide information to the Board quarterly.

C. All costs of compliance are to be borne by Respondent.

14. Respondent shall obey all federal, state and local laws, and all rules governing the practice of medicine in the State of Arizona.

15. Respondent shall appear in person before the Board and or Board staff for interviews upon request, upon reasonable notice.

16. Respondent shall immediately notify the Board in writing of any change in office or home addresses and telephone numbers.

17. In the event that Respondent ceases to practice medicine in the State of Arizona, by moving out of state, failing to renew his license, or maintaining an AZ license but ceasing to practice clinical medicine or administrative medicine requiring licensure, Respondent shall notify the Board that he has ceased practicing in AZ, in writing, within 10 days of ceasing to practice. In its sole discretion, the Board may stay the terms of this Order until such time as the Respondent resumes the practice of medicine in AZ, or may take other action to resolve the findings of fact and conclusions of law contained in this Order for Probation.

18. Respondent's failure to comply with the requirements of this Order shall constitute an allegation of unprofessional conduct as defined at A.R.S. § 32-1854(25); proven

violations may be grounds for further disciplinary action (e.g., suspension or revocation of license).

ISSUED THIS 24th DAY OF NOVEMBER 2009.
ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AN SURGERY

By: Elaine LeTarte

Elaine LeTarte, Executive Director

NOTICE OF RIGHT TO REQUEST REVIEW OR REHEARING

You have the right to request a rehearing or review of this matter pursuant to A.R.S. § 41-1092.09. The request for rehearing or review must be filed with the Arizona Board of Osteopathic Examiners within thirty (30) days. If you request a review or rehearing, you must base your request on at least one of the eight grounds for review or rehearing that are allowed under A.A.C. R4-22-106(D). Failure to file a motion for rehearing or review within 30 days has the effect of prohibiting you from seeking judicial review of the Board's decision in the AZ Courts.

Original "Findings of Fact, Conclusions of Law and Order for Civil Penalty" sent by certified mail, return receipt requested this 24th day of November, 2009 to:

Ronald Bitza, D.O.
Address of Record

Copies of this "Findings of Fact, Conclusions of Law and Order for Civil Penalty" of Censure" sent this 24th day of November 2009 to:

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

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