

1 surgery, L.O. and Respondent began corresponding socially on Facebook. Later, Respondent
2 began sending cell_phone text messages of a sexual nature to L.O. In these text messages,
3 Respondent made sexual advances to L.O., his patient.

4 4. Shortly thereafter, L.O. began receiving harassing Facebook messages from a
5 woman who identified herself as Respondent's wife.

6 5. In January 2011, Respondent performed a second surgery on L.O. L.O. and
7 Respondent continued to socially correspond on Facebook. In July 2011, after L.O. had
8 recovered, L.O. reported that Respondent sent her a text message inviting her to a hotel with
9 him for a weekend. Respondent stated that they only had lunch and did not spend the
10 weekend at a hotel together.

11 CONCLUSIONS OF LAW

12 6. The conduct described above is a violation of unprofessional conduct pursuant
13 to A.R.S. § 32-1854 (39), which states "Any conduct or practice that impairs the licensee's ability
14 to safely and skillfully endangers the public's health or may reasonably be expected to do so."

15 7. The conduct described above is a violation of unprofessional conduct pursuant
16 to A.R.S. § 32-1854 (6), which states "Engaging in the practice of medicine in a manner that
17 harms or may harm a patient or that the board determines falls below the community
18 standard."

19 8. The conduct described above is a violation of unprofessional conduct pursuant
20 to A.R.S. § 32-1854 (42), which states "Engaging in sexual conduct with a current patient or with
21 a former patient within six months after the last medical consultation unless the patient was
22 the licensee's spouse at the time of the contact or, immediately preceding the physician-patient
23 relationship, was in a dating or engagement relationship with the licensee. For the purposes of
24 this paragraph, "sexual conduct" includes:
25

1 (a) Engaging in or soliciting sexual relationships, whether consensual or
2 nonconsensual.

3 (b) Making sexual advances, requesting sexual favors or engaging in any other
4 verbal conduct or physical conduct of a sexual nature.
5

6 **ORDER**

7 Pursuant to the authority vested in the Board, **IT IS HEREBY ORDERED** that Ramon
8 Morales, D.O, holder of osteopathic medical License number 4391 is issued a **DECREE OF**
9 **CENSURE.**

10 **IT IS HEREBY FURTHER ORDERED** that Ramon Morales, D.O, holder of osteopathic
11 medical License number 4391 is placed on **PROBATION for a period of five (5) years** from the
12 effective date of this Order, to run concurrently with Order DO-11-0038A and DO-11-0174A,
13 with the following terms:

14 1. **IT IS HEREBY ORDERED** that Ramon Morales, D.O, holder of osteopathic
15 medical license number 4391 shall, within six months, complete twenty (20) hour of Continuing
16 Medical Education (CME) in the area of boundary issues and provide Board staff with
17 satisfactory proof of attendance. The CME hours shall be in addition to the hours required for
18 biennial renewal of his osteopathic medical license. The CME will require pre-approval from
19 the Board's Executive Director. Physician's failure to complete the CME will subject him to
20 future disciplinary action by the Board.

21 2. **IT IS FURTHER ORDERED** that Respondent shall have, at his own expense, a
22 chaperone present for the examination of all female patients. Respondent shall maintain a
23 chaperone log that shall be co-signed by chaperone.

24 3. **Obey All Laws.** Physician shall obey all federal, state and local laws, and all
25 rules governing the practice of medicine in the State of Arizona.

1 4. **Costs:** Respondent shall bear all costs incurred regarding compliance with this
2 Order.

3 5. **Failure to Comply / Violation:** Respondent's failure to comply with the
4 requirements of this Order shall constitute an allegation of unprofessional conduct as defined
5 at A.R.S. § 32-1854(25); proven violations may be grounds for further disciplinary action (e.g.,
6 suspension or revocation of license).



8 ISSUED THIS 17th DAY OF AUGUST 2012.
9 ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
10 IN MEDICINE AND SURGERY

11 By: Jenna Jones

12 Jenna Jones, Executive Director

13
14 **NOTICE OF RIGHT TO REQUEST REVIEW OR REHEARING**

15 Any party may request a rehearing or review of this matter pursuant to A.R.S. § 41-
16 1092.09. The motion for rehearing or review must be filed with the Arizona Board of
17 Osteopathic Examiners within thirty (30) days. If a party files a motion for review or rehearing,
18 that motion must be based on at least one of the eight grounds for review or rehearing that are
19 allowed under A.A.C. R4-22-106(D). Failure to file a motion for rehearing or review within 30
20 days has the effect of prohibiting judicial review of the Board's decision. Service of this order is
21 effective five (5) days after date of mailing. A.R.S. § 41-1092.09(C). If a motion for rehearing or
22 review is not filed, the Board's Order becomes effective thirty-five (35) days after it is mailed to
23 Respondent.

24 Original "Findings of Fact, Conclusions of Law and Order for Probation"
25 Filed this 17th day of August, 2012 with:

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 this "Findings of Fact, Conclusions of Law and Order for Probation"
6 sent by certified mail, return receipt requested this 17th day of August, 2012 to:

7 Ramon Morales, D.O.
8 Address of Record

9 Copies of this "Findings of Fact, Conclusions of Law and Order for Probation"
10 Sent via U.S. Mail, this 17th day of August, 2012 to:

11 Dee Dee Holden
12 Holden and Armer PC
13 6101 S. Rural Road, Ste. 112
14 Tempe, AZ 85283

15 David Derickson
16 Attorney At Law
17 4835 E. Cactus Road, Ste. 310
18 Scottsdale, AZ 85254

19 Sarah Selzer, AAG
20 Office of the Attorney General CIV/LES
21 1275 West Washington
22 Phoenix AZ 85007

23
24
25

