

BEFORE THE ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

IN THE MATTER OF:)	Case Nos.: DO-14-0307A
)	
ROBERT MAROUK. D.O.)	FINDINGS OF FACT,
Holder of License No. 3583)	CONCLUSIONS OF LAW, AND
)	ORDER FOR DECREE OF CENSURE
)	
For the practice of osteopathic medicine in)	
the State of Arizona)	

In December 2014, the Arizona Board of Osteopathic Examiners (hereafter "Board") received notice of an automobile accident that occurred on April 20, 2014, involving Robert Marouk, D.O. (herein after "Respondent").

The Board duly noticed an Investigative Hearing on this matter for July 1, 2015, and March 25, 2016, which was continued to May 21, 2016, at Respondent's request. At the Board's request the May 21, 2016, Investigative Hearing was continued to July 30, 2016, for the purpose of considering this matter. On July 30, 2016, Respondent appeared personally and with counsel, Mr. Steve Myers for the Investigative Hearing.

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

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. 3583 issued by the Board for the practice of osteopathic medicine in the State of Arizona.

1 **FINDINGS OF FACT**

2 3. On December 8, 2014, the Board received a call from the Chandler police
3 department advising they were sending a copy of the police report and information regarding
4 an accident that Respondent had been involved in on April 20, 2014. Respondent caused a
5 three car accident and it was determined that he was impaired at the time of the accident. The
6 test results indicated Respondent had Oxycodone in his system without a valid prescription. At
7 the time of the accident, Respondent was not tested for Propofol but Respondent did have
8 several bottles of Propofol in his vehicle along with syringes to suggest that he was self-injecting
9 the medication.

10 4. In fact, pictures taken of Respondent at the scene of the accident and
11 subsequent information and testimony indicated he was improperly self-prescribing and
12 administering medications, including Propofol, to himself. Respondent was not using the
13 medications as part of a lawful course of treatment.

14 5. Respondent's conduct endangered the public's health or was reasonably
15 expected to do so.

16 6. Respondent's conduct impaired his ability to safely and skillfully practice
17 medicine or was reasonably expected to do so.

18 **CONCLUSIONS OF LAW**

19 7. The conduct described above is a violation of unprofessional conduct pursuant
20 to A.R.S. § 32-1854(22), which states "Using controlled substances or prescription-only drugs
21 unless they are provided by a medical practitioner, as defined in section 32-1901, as part of a
22 lawful course of treatment."
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1 8. The conduct described above is a violation of unprofessional conduct pursuant
2 to A.R.S. § 32-1854(38), which states "Any conduct or practice that endangers the public's
3 health or may reasonably be expected to do so."

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

7 **ORDER**

8 Pursuant to the authority vested in the Board,

9 **IT IS HEREBY ORDERED** that the license of Robert Marouk, D.O, holder of osteopathic
10 medical License number 3583 is issued a **DECREE OF CENSURE**.



18 ISSUED THIS 8th DAY OF AUGUST, 2016.
19 ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
20 IN MEDICINE AND SURGERY

21 By: Jenna Jones
22 Jenna Jones, Executive Director

23 **NOTICE OF RIGHT TO REQUEST REVIEW OR REHEARING**

24 Any party may request a rehearing or review of this matter pursuant to A.R.S. § 41-
25 1092.09. The motion for rehearing or review must be filed with the Arizona Board of
Osteopathic Examiners within thirty (30) days. If a party files a motion for review or rehearing,
that motion must be based on at least one of the eight grounds for review or rehearing that are
allowed under A.A.C. R4-22-108(D). Failure to file a motion for rehearing or review within 30
days has the effect of prohibiting judicial review of the Board's decision. Service of this order is

1 effective five (5) days after date of mailing. A.R.S. § 41-1092.09(C). If a motion for rehearing or
2 review is not filed, the Board's Order becomes effective thirty-five (35) days after it is mailed to
3 Respondent.

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5 Original "Findings of Fact, Conclusions of Law and Order for Decree of Censure"
6 filed this 8th day of August, 2016 with:

7 Arizona Board of Osteopathic Examiners
8 In Medicine and Surgery
9 9535 East Doubletree Ranch Road
10 Scottsdale AZ 85258-5539

11 Copy of the "Finding of Fact, Conclusions of Law and Order for Decree of Censure" sent by
12 certified mail, return receipt requested, this 8th day of August, 2016 to:

13 Steve Myers, Esq.
14 Myers & Jenkins
15 714 E. Rose Lane, Ste. 100
16 Phoenix, AZ 85012

17 Copies of this "Findings of Fact, Conclusions of Law and Order for Decree of Censure" filed/sent
18 this 8th day of August, 2016 to:

19 Robert Marouk, D.O.
20 Address of Record

21 Jeanne Galvin, AAG
22 Office of the Attorney General CIV/LES
23 1275 West Washington
24 Phoenix AZ 85007

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