BEFORE THE ARIZONA BOARD OF OSTEOPATHIC EXAMINERS

IN MEDICINE AND SURGERY

IN THE MATTER OF: **WILLIAM WILLIS, D.O.** Holder of License No. **4742** For the practice of osteopathic medicine in the State of Arizona	**Case No.: DO-15-0232A** **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER FOR STAYED REVOCATION, SUSPENSION AND EVALUATIONS**

On June 5, 2017, the Arizona Board of Osteopathic Examiners (hereafter "Board") filed a Complaint and Notice of Hearing with the Office of Administrative Hearings for William Willis, D.O. (hereafter "Respondent") relating to his practice of osteopathic medicine. Respondent did not file an answer to the Complaint and Notice of Hearing. The State filed a Motion to Deem the Allegations as admitted, which the Board considered on September 16, 2017. Although he was properly noticed, Respondent did not appear on September 16, 2017, and the Board voted to grant the State's Motion and accept the State's factual allegations and alleged violations as its Findings of Fact and Conclusions of Law. The Board requested Board staff to contact Respondent to notify him that the Board would consider the discipline that it would impose at its meeting on October 14, 2017. On October 14, 2017, Respondent appeared by phone and participated in the Board's discussion. Respondent was not represented by counsel.

After hearing from Respondent and considering the documents and evidence submitted, the Board voted to enter the following Findings of Fact, Conclusions of Law, and Order for Stayed Revocation, Suspension and Evaluations.

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. 4742 issued by the Board for the practice of osteopathic medicine in the State of Arizona.

FINDINGS OF FACT

3. On or about June 16, 2015, Respondent was arrested in West Virginia on an outstanding arrest warrant issued in Nevada in 2013 for unpaid gambling debts. Respondent was charged in Nevada with two felonies: Nonsufficient funds/checks and theft. On June 17, 2015, Respondent was charged with being a fugitive from justice.

4. Respondent did not report any of the criminal charges to the Board.

5. Subsequent to Respondent's arrest, he resigned his position with the Veterans Administration Hospital ("VA Hospital") in West Virginia while under investigation or under the threat of investigation.

6. On or about October 9, 2015, Respondent's license to practice medicine was summarily suspended by the West Virginia Board of Osteopathic Medicine based on his failure to disclose on his 2014 and 2015 license renewal applications that he was the subject of a criminal investigation and for resigning his position with the VA Hospital.

7. On April 2, 2016, Respondent entered into an Agreed Order with Kentucky Board of Medical Licensure that fully restricted his medical license indefinitely and pended reinstatement of his license on the resolution of the action in West Virginia. The Agreed Order provides that if the West Virginia action is not resolved by July 1, 2017, Respondent is required to undergo a clinical skills assessment as a condition of reinstatement.

8. As part of the Board's investigation of case no. DO-15-0232A, the Board requested Respondent to appear before the Board on July 30, 2016 for an investigative hearing pursuant to A.R.S. §32-1855 (E). Respondent did not appear for the Investigative Hearing and, as a result, the Board voted to refer the matter for a formal administrative hearing.

CONCLUSIONS OF LAW

9. The conduct described above constitutes unprofessional conduct pursuant to A.R.S. § 32-3208(B), which states, "[a] health professional who has been charged with a misdemeanor involving conduct that may affect patient safety or a felony after receiving or renewing a license or certificate must notify the health professional's regulatory board in writing within ten working days after the charge is filed."

10. The conduct described above constitutes unprofessional conduct pursuant to A.R.S. § 32-1854(18), which states, "[t]he denial of or disciplinary action against a license by any other state, territory, district, or country, unless it can be shown that this occurred for reasons that did not relate to the person's ability to safely and skillfully practice osteopathic medicine or to any act of unprofessional conduct as provided in this section."

ORDER

Pursuant to the authority vested in the Board,

IT IS HEREBY ORDERED that osteopathic medical License number 4742 issued to Respondent, William Willis, D.O, , is **REVOKED**; however the **REVOCATION IS STAYED** for so long as Respondent remains in compliance with this Order and the license is instead placed on a twenty-four (24) month **SUSPENSION** commencing from the effective date of this Order. If Respondent is noncompliant with any terms of this Order during the period of stayed revocation and suspension, the stay of the revocation shall be lifted and Respondent's license shall be automatically revoked without a formal hearing.

1. **IT IS HEREBY FURTHER ORDERED** that during the period of stayed revocation and suspension, Respondent must complete various evaluations described below. If Respondent wishes to have the suspension lifted, he must petition the Board in writing and make that request. The request will be considered at a future meeting of the Board. Respondent must personally appear at that meeting and discuss his request.

2. **IT IS HEREBY FURTHER ORDERED** that Respondent shall undergo a psychiatric evaluation by licensed, board-certified psychiatrist that has been pre-approved by the Board's Executive Director. The notification shall be in writing, by facsimile (480-657-7715) or email (jenna.jones@azdo.gov).

Respondent shall schedule the appointment within twelve (12) months of the effective date of this Order and complete the evaluation within eighteen (18) months of the effective date of this Order. Respondent shall ensure the psychiatrist provides Board staff with a copy of the initial report within forty-five (45) days of the date of the evaluation. Respondent shall comply with all treatment recommendations that the evaluator makes. Respondent shall ensure that if the evaluator recommends psychiatric treatment, the evaluator will provide quarterly updates to the Board. The written updates shall be presented to the Board's Executive Director on the fifteenth (15th) of every month and shall inform the Board of such topics as issues addressed in treatment, Respondent's response to treatment suggestions and his progress made in treatment.

3. **Physical evaluation.** Respondent shall undergo a complete physical by a licensed physician who is approved by the Board's Executive Director, which may be his primary care physician. The physical evaluation is to be scheduled within twelve (12) months of the effective date of this Order and completed within eighteen (18) months of the effective date of this Order. At least ten (10) days prior to the initial appointment for the physical that this Order requires, Respondent shall notify the Board's Executive Director of the date(s) of the appointment for the physical evaluation and the name of the physician who will be conducting the evaluation. The notification shall be in writing, by facsimile (480-657-7715) or email (jenna.jones@azdo.gov).

4. **Practice Assessment**. Respondent shall undergo a practice assessment by the Physician Assessment and Clinical Education Program ("PACE"), at the University of San Diego

(619-543-6770 / www.paceprogram.ucsd.edu) or undergo a physician practice assessment through The Center for Personalized Education for Physicians ("CPEP") in Denver, Colorado (303-577-3232 or www.cpepdoc.org), or an equivalent program that is pre-approved by the Board's Executive Director. The evaluation or assessment is to be scheduled within twelve (12) months of the effective date of the Order and completed within eighteen (18) months of the effective date of this Order.

5. Respondent shall notify the Board's Executive Director of the date(s) of the appointment for the physician practice assessment or evaluation and which organization will be conducting the assessment or evaluation. The notification shall be in writing, by facsimile (480-657-7715) or email (jenna.jones@azdo.gov).

6. **Costs:** Respondent shall bear all costs incurred regarding compliance with this Order.

7. **Obey All Laws:** Respondent shall obey all federal, state and local laws, and all rules governing the practice of medicine in the State of Arizona.

8. **Failure to Comply**: As noted above, Respondent's failure to comply with completion of the evaluations before the expiration of the Suspension term shall result in the Board lifting the stay of REVOCATION of Respondent's license number 4742 without a formal hearing, and may constitute unprofessional conduct for violating a Board Order pursuant to A.R.S. § 32-1854(25).

ISSUED THIS 27th DAY OF OCTOBER, 2017.
ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

By: Jenna Jones

Jenna Jones, Executive Director

NOTICE OF RIGHT TO REQUEST REVIEW OR REHEARING

Any party may request a rehearing or review of this matter pursuant to A.R.S. § 41-1092.09. 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. R4-22-106(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 effective five (5) days after date of mailing. A.R.S. § 41-1092.09(C). If a motion for rehearing or review is not filed, the Board's Order becomes effective thirty-five (35) days after it is mailed to Respondent.

Original of the Foregoing filed
this 27th day of October, 2017 with:

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

Copy of the foregoing sent by certified mail, return receipt requested
this 27th day of October, 2017 to:

William Willis, D.O.
Address of record