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BEFORE THE ARIZONA STATE PODIATRY
EXAMINING BOARD

In the Matter of: }
WILLIAM ACCOMANDO, D.P.M. }
Podiatrist License No. 338 }

Case No. 98002-B
**CONSENT AGREEMENT
AND ORDER**

This matter came before the Arizona State Board of Podiatry Examiners ("Board") on February 11, 1998, for consideration to determine whether grounds existed for the imposition of discipline against WILLIAM ACCOMANDO, D.P.M.. ("licensee"). The Board was represented by Assistant Attorney General, Kristen E. Hoffmeyer. The proceedings in this matter are governed by A.R.S. §32-852.01 and §32-854.01.

In the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements and the responsibilities of the Arizona State Board of Podiatry Examiners and pursuant to A.R.S. § 41-1061(D), the undersigned parties enter into this Consent Agreement as a final disposition of this matter.

The parties stipulate to the following General Findings, Findings of Fact, Conclusions of Law and Order as the final disposition of this matter.

GENERAL FINDINGS

1. The Board has jurisdiction over Licensee and the subject matter pursuant to A.R.S. §32-801, et seq.
2. Licensee understands that he has the right to consult with an attorney prior to entering into this consent agreement.
3. Licensee waives any right to rehearing or review or to any judicial review or any other appeal of these matters.
4. Licensee acknowledges that this Consent Agreement and Order will be effective only upon its acceptance by the Board.

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FINDINGS OF FACT

5. Licensee acknowledges that sufficient evidence exists for the Board to make the following findings of fact in regard to case no. 98002-B:

a. Licensee holds license No. 338 with the Arizona State Board of Podiatry Examiners.

b. At all times relevant hereto, Licensee was a licensed podiatrist.

c. Licensee currently advertises in the Yellow Pages and on one (1) Phoenix radio station.

d. The content of the Yellow Pages and radio advertisements suggests that the licensee can achieve "relief from painful feet, legs, hips, heels, knees and back" and "varicose veins" with the use of orthotics. The Board is concerned that such statements in Licensee's advertisements may be "false, deceptive or misleading."

CONCLUSIONS OF LAW

6. Based upon the above findings of fact, the Board is concerned regarding the content of Licensee's advertisements in the Yellow Pages and on the radio. The Board is concerned that the content of such advertisements may be "false, deceptive or misleading, or advertising the quality of podiatric service" to the public. A.R.S. §32-854.01(5). As such, a letter of concern was issued to the licensee.

ORDER

7. Based upon the foregoing Findings of Fact and Conclusions of Law, the parties hereby agree to the provisions imposed as follows:

a. For a period of twelve (12) months from the date this agreement is signed by the Board, Licensee agrees to submit copies of all future advertisements for Board review and approval prior to publication/dissemination. This order shall encompass all forms of media advertisements, including print, radio, television, and office brochures/literature.

8. Failure to comply with the terms of this Order constitutes unprofessional conduct pursuant to A.R.S. §32-854.01(21), and is grounds for disciplinary action.

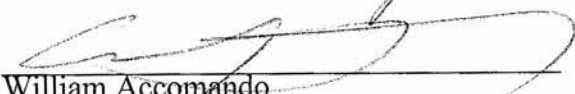
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ORDERED/ACCEPTED this 24th day of March, 1998.

ARIZONA STATE BOARD OF PODIATRIST
EXAMINERS

By: Linda Wells
Linda Wells
Executive Director

Accepted this 23 day of April, 1998:



William Accomando
Licensee