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4 BEFORE THE BOARD OF PODIATRY EXAMINERS

5 STATE OF ARIZONA

6 In the Matter of Podiatry)
7 License No. 0322 Issued to:) No. 95020-C
8 Charles R. Connell, D.P.M.) DECISION AND ORDER
9 736 N. Country Club Dr.)
10 Mesa, Arizona 85201)

11 On August 22, 1995, the Board of Podiatry Examiners (hereafter Board) received a
12 written complaint from Sylvia G. Driscoll, a patient of licensee, Charles R. Connell (Dr.
13 Connell). Pursuant to A.R.S. §32-852.01, the Board requested that both Dr. Connell and
14 patient, Sylvia Driscoll attend an informal interview. Dr. Connell appeared for an informal
15 interview before the Board at its regular meeting on October 11, 1995. Patient Sylvia
16 Driscoll appeared for an informal interview before the Board on November 8, 1995. She
17 waived the confidentiality of her identity, complaint, medical condition, and discussion of
18 her medical records. Following the Board's consideration and review of the evidence
19 presented at the hearings, the Board enters the following Findings of Fact, Conclusions of
20 Law and Order of Censure, pursuant to A.R.S. §32-852.01(C).
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23 FINDINGS OF FACT

24 1. On December 27, 1994, Patient Sylvia Driscoll (hereafter Driscoll) visited Dr.
25 Connell for the purpose of treating the pain in her left foot. Her past medical history
26 revealed a long-standing history of diabetes and use of insulin for at least 34 years. Dr.
27 Connell's progress notes indicate x-rays were taken on this date. Dr. Connell diagnosed
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2 patient Driscoll with a possible hair line fracture of the navicular. Treatment consisted of
3 applying an unna boot on the left foot and patient Driscoll was given a prescription for
4 pain.

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6 2. On January 3 and January 10, 1995, patient Driscoll visited Dr. Connell for
7 follow-up care. Dr. Connell's progress notes indicate x-rays were taken on January 10,
8 1995. Dr. Connell diagnosed a continued fracture of the left foot navicular. In fact, no
9 evidence of a hair line fracture was present on x-rays taken on December 27, 1994 and
10 January 10, 1995.

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12 3. On February 3, 1995, patient Driscoll visited Dr. Connell complaining of pain in her
13 left foot. Dr. Connell diagnosed Charcot Foot and placed patient Driscoll in a soft cast.

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15 4. On February 9, 1995, patient Driscoll visited Dr. Connell complaining of continued
16 pain and discomfort in her left foot. X-rays were taken on this date. Dr. Connell
17 diagnosed a fracture, 3rd metatarsal. Treatment consisted of immobilization with a BK
18 walker boot. In fact, no evidence of a fracture, 3rd metatarsal or Charcot Foot was
19 present on the x-rays.

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21 5. Dr. Connell's progress notes indicate, patient Driscoll remained immobilized with a
22 BK walker boot from February 9 through February 14, 1995. On February 14, 1995,
23 patient Driscoll returned for follow-up care and complained of pain and discomfort in the
24 right foot. Dr. Connell's progress notes indicate x-rays were taken on this date. Dr.
25 Connell diagnosed patient Driscoll with possible tendon rupture right foot and possible
26 fracture navicular right foot.

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2 6. During the informal interview on October 11, 1995, the professional members of
3 the Board reviewed all x-rays taken on patient Driscoll, and concurred that the x-rays
4 revealed no evidence of a fractured left foot navicular, fracture of the right foot navicular,
5 and no evidence that patient Driscoll has Charcot Foot.
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7 CONCLUSIONS OF LAW

8 7. The Board has jurisdiction over Dr. Connell and the subject matter of this
9 complaint.
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11 8. The Board has the legal authority pursuant to A.R.S. §32-852.01(C) to issue
12 a Decree of Censure and to fix a period of terms best adapted to the public health and
13 safety and rehabilitate the podiatrist concerned.

14 9. Dr. Connell was provided notice of the patient's complaint, and participated
15 freely in an informal interview pursuant to A.R.S. §32-852.01(C).

16 10. The above findings of fact constitute a violation of A.R.S. §32-854.01(20). Dr.
17 Connell engaged in conduct or a practice which was harmful or dangerous to the health of
18 patient Driscoll, i.e., repeatedly misdiagnosing and treating her condition as a fracture and
19 Charcot Foot.
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21 ORDER

22 11. Based upon the foregoing Findings of Fact and Conclusions of Law, the Board
23 hereby:
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3 a. Issues a Decree of Censure with regard to Dr. Connell's license No. 0322 for
4 the practice of podiatry in the State of Arizona.

5 b. Additionally, Dr. Connell shall take:

6 (i) 15 hours of continuing medical education in current management of diabetic
7 patients and Charcot Foot. The 15 credit hours shall be in addition to the required 25
8 continuing medical education credits required each year, and are to be completed prior to
9 June 30, 1996.
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11 12. It is further ordered that any violation of this order constitutes unprofessional
12 conduct within the meaning of A.R.S. §32-854.01(21) and is grounds for further
13 disciplinary action pursuant to A.R.S. §32-852(6).
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15 DATED this 18th day of December, 1995.

16 ARIZONA BOARD OF PODIATRY EXAMINERS
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18 
19 Arthur J. Tallis, D.P.M., President

20 COPY of the foregoing mailed by
21 certified mail No. P 383 730 411
22 this 18th day of December, 1995, to:

23 CHARLES R. CONNELL, D.P.M.
24 736 N. Country Club Dr.
Mesa, Arizona 85201

25 Office of the Attorney General
26 Michelle Wood, Assistant Attorney General
Phoenix, Arizona 85007
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