

1  
2  
3 **BEFORE THE ARIZONA STATE BOARD OF**  
4 **PODIATRY EXAMINERS**

3 In the Matter of: ) **CASE NO. 17-07-B**  
4 ) **18-12-B**  
4 **LOREN SCOTT WESSEL, DPM** )  
5 Holder of License No. 0367 ) **CONSENT AGREEMENT AND**  
6 ) **ORDER**  
6 For the Practice of Podiatry )  
6 In the State of Arizona )  
7 \_\_\_\_\_ )

8 **CONSENT AGREEMENT**

9 **RECITALS**

10 In the interest of a prompt and judicious settlement of the above-captioned matter before  
11 the Arizona State Board of Podiatry Examiners ("Board"), and in the interest of protecting the  
12 people of the State of Arizona, consistent with the statutory requirements and responsibilities of  
13 the Board pursuant to A.R.S. § 32-801, *et seq.* and A.R.S. § 41-1092.07 (F)(5), Loren Scott  
14 Wessel, DPM ("Respondent"), holder of license number 0367 to practice podiatry in the State of  
15 Arizona, and the Board enter into the following Consent Agreement for Findings of Fact,  
16 Conclusions of Law, and Order for Voluntary Surrender of License ("Consent Agreement") as the  
17 final disposition of this matter.

18 1. Respondent has the right to consult with an attorney prior to entering into this  
19 Consent Agreement. Respondent has read and understands this Consent Agreement as set forth  
20 herein, and has had the opportunity to discuss this Consent Agreement with an attorney or has  
21 waived the opportunity. Respondent voluntarily enters into this Consent Agreement for the  
22 purpose of avoiding the expense and uncertainty of an administrative hearing.

23 2. Respondent understands that he has a right to a public administrative hearing  
24 concerning each and every allegation set forth in the above-captioned matter, at which time  
25 Respondent could present evidence and cross-examine witnesses. By entering into this Consent  
26 Agreement, Respondent freely and voluntarily relinquishes all rights to such an administrative  
hearing, as well as all rights of rehearing, review, reconsideration, appeal, judicial review, or

1 any other administrative, and/or judicial action concerning the matters set forth herein.  
2 Respondent affirmatively agrees that this Consent Agreement shall be irrevocable and any  
3 modifications to this original document are ineffective and void unless mutually approved by  
4 the parties in writing.

5 3. Respondent agrees that the Board may adopt this Consent Agreement or any part  
6 of this agreement under A.R.S. §§ 32-852 and 32-852.01. Respondent understands that the  
7 Board may consider this Consent Agreement or any part of it in any future disciplinary action  
8 against him.

9 4. Respondent understands that this Consent Agreement does not constitute a  
10 dismissal or resolution of other matters currently pending before the Board, *if any*, and does not  
11 constitute any waiver, express or implied, of the Board's statutory authority or jurisdiction  
12 regarding any other pending or future investigation, action, or proceeding.

13 5. All admissions Respondent makes in this Consent Agreement are made solely  
14 for the final disposition of investigation number 17-07-B and 18-12-B, and any related  
15 administrative proceedings or civil litigation involving the Board and Respondent. Respondent  
16 further understands that acceptance of the Consent Agreement does not preclude any other  
17 agency, subdivision, or officer of this state from instituting other civil or criminal proceedings  
18 with respect to the conduct that is the subject of this Consent Agreement.

19 6. The Consent Agreement shall be subject to adoption by the Board and shall be  
20 effective only when signed by the President of the Board, or the Executive Director of the  
21 Board, on behalf of the President. In the event that the Board does not adopt this Consent  
22 Agreement, it is withdrawn and shall be of no evidentiary value and shall not be relied upon nor  
23 introduced in any action by any party. The parties agree that if the Board rejects this Consent  
24 Agreement and this case proceeds to hearing, Respondent shall assert no claim that the Board  
25 was prejudiced by its review and discussion of this document or any other records relating  
26 thereto.

1           7.       Respondent understands that a Voluntary Surrender of License constitutes a  
2 disciplinary action with the same force and effect of a Revocation. Respondent further  
3 understands that any disciplinary action taken against a licensee by the Board must be reported  
4 to the National Practitioner Data Bank, in accordance with federal regulations.

5           8.       Respondent understands that this Consent Agreement is a public record that may  
6 be publicly disseminated as a formal action of the Board.

7           9.       Respondent understands that any violation of this Consent Agreement could be  
8 grounds for further disciplinary action by the Board pursuant to A.R.S. § 32-854.01(21).

9  
10 DATED:

7-30-19

SIGNED:

  
Loren Scott Wessel, DPM

11  
12 APPROVED AS TO FORM:

  
Bruce D. Crawford  
Attorney for Respondent

13  
14                               **FINDINGS OF FACT**

15       1.       The Arizona State Board of Podiatry Examiners is the duly constituted agency for  
16 licensing and regulating the practice of podiatry in the State of Arizona and has jurisdiction over  
17 Respondent and the subject matter pursuant to A.R.S. § 32-801, *et seq.*

18       2.       Loren Scott Wessel, DPM, is the holder of License Number 0367, which enables him to  
19 practice podiatry in the State of Arizona.

20       3.       Respondent has been continuously licensed to practice podiatry in the State of Arizona  
21 since December 12, 1991. Respondent's license to practice podiatry was renewed on June 30,  
22 2018 and is effective until August 31, 2019.

23       4.       On or about June 21, 2017, Respondent was indicted in U.S. District Court, District of  
24 Arizona for one count of HEALTH CARE FRAUD and 55 counts of FALSE STATEMENT  
25 RELATING TO A HEALTH CARE MATTER. Respondent entered into a plea agreement on  
26

1 January 11, 2019 and pleaded guilty to one count of HEALTH CARE FRAUD, a Class C felony,  
2 in U.S. District Court Case Number CR17-00978-001-TUC-JAS(LCK). Respondent was  
3 sentenced to a federal prison term of 24 months beginning June 17, 2019 and restitution in the  
4 amount of \$965,985.00.

5 5. Respondent's history with the Board includes a September 16, 2016 Grand Jury  
6 indictment in Pima County for one count of FRAUDULENT SCHEMES AND ARTIFICES,  
7 three counts of ACQUISITION OF A NARCOTIC DRUG BY FRAUD, and one count of  
8 FORGERY. Respondent entered into a plea agreement on May 18, 2017 and pleaded guilty to  
9 FORGERY, a Class 4 felony, in Pima County Superior Court Case Number CR20164096-001.  
10 Respondent was placed on probation by the court for a period of three (3) years, commencing on  
11 July 17, 2017.

12 6. Respondent surrendered his DEA Registration on May 18, 2017 and voluntarily entered  
13 into a Consent Agreement with the Board for a 60 month period of Rehabilitative Probation on  
14 December 12, 2016 and for a three year period of Suspension that began on January 1, 2018 in  
15 Case Number 17-07-B. Prior to incarceration, Respondent had been in compliance with all terms  
16 and conditions of his Probation and Suspension.

17  
18 CONCLUSIONS OF LAW

19  
20 1. The Board possesses jurisdiction over the subject matter hereof and over  
21 Respondent pursuant to A.R.S. § 32-801, *et seq.*

22 2. The conduct described in the Findings of Fact constitutes grounds for disciplinary  
23 action pursuant to A.R.S. §§ 32-852 and 32-852.01 and violates the provisions of A.R.S. § 32-  
24 854.01(10) which states, "Committing a felony, whether or not involving moral turpitude, or a  
25 misdemeanor involving moral turpitude."

26 3. The conduct described in the Findings of Fact constitutes grounds for disciplinary  
action pursuant to A.R.S. §§ 32-852 and 32-852.01 and violates the provisions of A.R.S. § 32-

1 854.01(18) which states, "Violating any federal or state law applicable to the practice of  
2 podiatry."

3 **ORDER**

4 Based upon the foregoing Findings of Fact and Conclusions of Law, **IT IS HEREBY**  
5 **ORDERED THAT** license number 0367 issued to Loren Scott Wessel, DPM shall be  
6 **VOLUNTARILY SURRENDERED IMMEDIATELY** to the Board upon the signing of this  
7 Order by the President of the Board. Once the surrender is effectuated, Respondent shall not  
8 practice podiatry in the State of Arizona.

9  
10 DATED THIS      12TH DAY OF SEPTEMBER 2019.

11 ARIZONA BOARD OF PODIATRY EXAMINERS

12  
13 By: Barbara A. Campbell, D.P.M.  
14 Barbara A. Campbell, D.P.M., Board President

15  
16 Original Consent Agreement for  
17 Voluntary Surrender of License filed this  
18      12th day of September, 2019 with the:

19 Arizona State Board of Podiatry Examiners  
20 1740 West Adams Street, Suite 3004  
21 Phoenix, Arizona 85007

22 Copy of the foregoing send by Electronic,  
23 Certified and Regular mail this      12th day  
24 of September, 2019 to:

25 Dr. Loren Scott Wessel, DPM  
26 Address of Record

Bruce D. Crawford, Esq.  
Crawford & Kline, PLC  
1920 East Southern Avenue, Suite 101  
Tempe, AZ 85282