

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

3 In the Matter of:) **CASE NO. 17-07-B**
4)
4 **LOREN SCOTT WESSEL, DPM**)
Holder of License No. **0367**) **CONSENT AGREEMENT AND**
5) **ORDER**
6 For the Practice of Podiatry)
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 Wessel,
14 DPM (“Respondent”), holder of license number 0367 to practice podiatry in the State of Arizona,
15 and the Board enter into the following Consent Agreement for Findings of Fact, Conclusions of
16 Law, and Order for Suspension of License to Practice Podiatry (“Consent Agreement”) as the final
17 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 the
4 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 Board
7 may consider this Consent Agreement or any part of it in any future disciplinary action against
8 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 for
14 the final disposition of investigation number 17-07-B, and any related administrative proceedings
15 or civil litigation involving the Board and Respondent. Respondent further understands that
16 acceptance of the Consent Agreement does not preclude any other agency, subdivision, or officer
17 of this state from instituting other civil or criminal proceedings with respect to the conduct that
18 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 Board,
21 on behalf of the President. In the event that the Board does not adopt this Consent Agreement, it
22 is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in
23 any action by any party. The parties agree that if the Board rejects this Consent Agreement and
24 this case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced by
25 its review and discussion of this document or any other records relating thereto.

26

1 7. Respondent understands that a Suspension constitutes a disciplinary action.
 2 Respondent further understands that any disciplinary action taken against a licensee by the
 3 Board must be reported to the National Practitioner Data Bank, in accordance with federal
 4 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: 9-19-17

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 2016 and is effective until August 31, 2017. Respondent timely submitted an application for
 23 renewal.
 24

25 4. On or about September 1, 2016, Respondent was arrested in Pima County, Arizona by the
 26 Arizona Attorney General's Office.

1 5. On or about September 16, 2016, the Grand Jury of Pima County indicted Respondent for
2 one count of FRAUDULENT SCHEMES AND ARTIFICES, three counts of ACQUISITION OF
3 A NARCOTIC DRUG BY FRAUD, and one count of FORGERY. The investigation revealed that
4 Respondent ordered, for personal use, large amounts of oxycodone, hydrocodone, and oxycontin
5 pills from a veterinary service to remain undetected by the Drug Enforcement Agency. Respondent
6 also forged prescriptions for himself by using the issued DEA number and name of another
7 licensed podiatrist in Pima County, Arizona. At the same time, Respondent prescribed to his
8 stepson and ex-girlfriend over 90 prescriptions of oxycodone and oxycontin without either
9 individual's knowledge or consent.

10
11 6. On December 12, 2016, Respondent consented to a 60-month period of probation with the
12 Board in order to address Respondent's admitted substance abuse issues. Respondent is currently
13 compliant with all terms and conditions of this probation.

14 7. On May 18, 2017, Respondent entered into a plea agreement and pleaded guilty to
15 FORGERY, a Class 4 felony, in Pima County Superior Court Case Number CR20164096-001.
16 Respondent was placed on probation by the court for a period of three (3) years, commencing on
17 July 17, 2017.

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(4) which states, "Practicing podiatry under a trade name, under the name of another
25 podiatrist, under any other name than that which appears on the practitioner's license, or under any
26 title that misrepresents the practice of podiatry."

1 Arizona State Board of Podiatry Examiners
2 1400 West Washington Street, Suite 201
3 Phoenix, Arizona 85007

4 Copy of the foregoing sent by Electronic, Certified and Regular mail
5 this 12th day of October, 2017 to:

6 Loren Scott Wessel, DPM
7 Ajo Podiatry Group
8 3722 S. 16th Avenue
9 Tucson, AZ 85713
10 ajodpm@gmail.com

11 Copy of the foregoing sent by Electronic mail
12 12th day of October, 2017 to:

13 Frankie Shinn-Eckberg, Assistant Attorney General
14 Office of Arizona Attorney General
15 1275 West Washington Street
16 Phoenix, AZ 85007
17 frankie.eckberg@azag.gov

18 Bruce D. Crawford, Esq.
19 Crawford & Kline, PLC
20 1920 East Southern Avenue, Suite 101
21 Tempe, AZ 85282
22 bcrawford@crawford-kline.com

23
24
25
26
By: 