

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

3 In the Matter of:) **CASE NO. 15-08-B**
4)
4 **VALERIE L. SCHADE, DPM**)
Holder of License No. **0690**) **CONSENT AGREEMENT FOR**
5) **DECREE OF CENSURE**
For the Practice of Podiatry)
6 In the State of Arizona)
7 _____)

8 In the interest of a prompt and judicious settlement of the above-captioned matter before
9 the Arizona State Board of Podiatry Examiners (“Board”) and in the interest of protecting the
10 people of the State of Arizona, consistent with the statutory requirements and responsibilities of
11 the Board pursuant to A.R.S. § 32-801, *et seq.* and A.R.S. § 41-1092.07 (F)(5), Dr. Valerie L.
12 Schade, DPM (“Respondent”), holder of license number 0690 to practice podiatry in the State of
13 Arizona, and the Board enter into the following Consent Agreement, Findings of Fact,
14 Conclusions of Law, and Order for Decree of Censure (“Consent Agreement”) as the final
15 disposition of this matter.

16 **CONSENT AGREEMENT**

17 Respondent understands and agrees that:

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 she 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.

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

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

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

17 6. Respondent acknowledges that it is the Board's position that if this matter
18 proceeded to formal hearing, the Board could establish sufficient evidence to support a
19 conclusion that certain of Respondent's conduct constituted unprofessional conduct under
20 A.R.S. § 32-854.01. Therefore, Respondent has agreed to enter into this Consent Agreement as
21 an economical and practical means of resolving the issues associated with the Board's
22 investigation.

23 7. The Consent Agreement shall be subject to approval by the Board and shall be
24 effective only when signed by the Executive Director and accepted by the Board. In the event
25 that the Board does not approve this Consent Agreement, it is withdrawn and shall be of no
26 evidentiary value and shall not be relied upon nor introduced in any action by any party. The

1 parties agree that if the Board rejects this Consent Agreement and this case proceeds to hearing,
2 Respondent shall assert no claim that the Board was prejudiced by its review and discussion of
3 this document or any other records relating thereto.

4 8. Respondent understands that a Decree of Censure constitutes disciplinary action.
5 Respondent further understands that any disciplinary action taken against a licensee by the
6 Board must be reported to the National Practitioner Data Bank, in accordance with federal
7 regulations.

8 9. Respondent understands that this Consent Agreement is a public record that may
9 be publicly disseminated as a formal action of the Board. Respondent further understands that
10 this Consent Agreement may be considered by the Board in determining disciplinary sanctions in
11 future cases.

12 10. Respondent understands that any violation of this Consent Agreement could be
13 grounds for further disciplinary action by the Board.

14 **FINDINGS OF FACT**

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

18 2. Dr. Valerie L. Schade, DPM, is the holder of License Number 0690, which
19 enabled her to practice podiatry in the State of Arizona.


20 3. Respondent has been continuously licensed to practice podiatry in the State of
21 Arizona since August 31, 2011. Respondent's license to practice podiatry was renewed late on
22 September 9, 2015 and is effective until June 30, 2016.

23 4. Between March 14, 2014 and May 27, 2014, Respondent aided an employee on
24 several different occasions in unlawfully acquiring and obtaining possession of a Schedule II
25 controlled substance.

1 CONCLUSIONS OF LAW

2 1. The conduct described in the Findings of Fact constitute grounds for disciplinary
3 action pursuant to A.R.S. §§ 32-852 and 32-852.01 and violates the provisions of A.R.S. § 32-
4 854.01(18) which states, "Violating any federal or state law applicable to the practice of
5 podiatry."

6 2. The conduct described in the Findings of Fact constitute grounds for disciplinary
7 action pursuant to A.R.S. §§ 32-852 and 32-852.01 and violates the provisions of A.R.S. § 32-
8 854.01(20) which states, "Any conduct or practice that is or might be harmful or dangerous to
9 the health of the patient."

10 
11 _____
12 Valerie L. Schade, D.P.M., Licensee

13 Dated: 01 February 2016

14 ORDER

15 Based upon the foregoing Findings of Fact and Conclusions of Law, **IT IS HEREBY**
16 **ORDERED THAT** Valerie L. Schade, DPM, holder of license number ⁰⁶⁹⁰ ~~0645~~, shall be censured
17 by way of this DECREE OF CENSURE upon the signing of this Consent Agreement by the
18 Executive Director of the Board at the approval of the Board.
19

20 DATED THIS ___ DAY OF _____ 2016.
21 ARIZONA STATE BOARD OF PODIATRY EXAMINERS

22 By: _____
23 Barbara A. Campbell, DPM, Board President

24 SEE BELOW (Pg. 5)

1 **ORDER**

2 Based upon the foregoing Findings of Fact and Conclusions of Law, **IT IS HEREBY**
3 **ORDERED THAT** Valerie L. Schade, DPM, holder of license number 0690, shall be censured
4 by way of this DECREE OF CENSURE upon the signing of this Consent Agreement by the
5 Executive Director of the Board at the approval of the Board.

6 DATED THIS 22ND DAY OF MARCH, 2016.
7 ARIZONA STATE BOARD OF PODIATRY EXAMINERS

8 By: Barbara A. Campbell, D.P.M.
9 Barbara A. Campbell, DPM, Board President

10 Original Consent Agreement for
11 Decree of Censure filed this
12 22nd day of March, 2016 with:

13 Arizona State Board of Podiatry Examiners
14 1400 West Washington Street, Suite 230
15 Phoenix, Arizona 85007

16 Copy of the foregoing sent via regular US mail this
17 22nd day of March, 2016 to:

18 Valerie L. Schade, DPM
19 8416 42nd Street W
20 University Place, WA 98466

21 Copy of the foregoing sent via electronic mail this
22 22nd day of March, 2016 to:

23 Frankie Shinn-Eckberg, Assistant Attorney General
24 Office of Arizona Attorney General
25 frankie.eckberg@azag.gov

26 Copy of the foregoing sent via electronic mail this
22nd day of March, 2016 to:

John P. Ager, Esq.
jpa@sa-firm.com

By: John P. Ager