

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

3
4 **In the Matter of:**

5
6 **GEORGE N. THOMPSON, D.P.M.**

7 **Holder of License No. 0403**

8 **For the Practice of Podiatry**

9 **In the State of Arizona,**

10 **Respondent.**

Complaint No. 08-17-B

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

(Decree of Censure and Civil Penalty)

11 The Arizona State Board of Podiatry Examiners (“the Board”) considered this matter at its
12 public meeting on July 9, 2008. George Thompson, D.P.M., (“Respondent”) appeared before the
13 Board for an informal interview pursuant to the authority vested in the Board by A.R.S. § 32-
14 852.01. The Board voted to issue the following Findings of Fact, Conclusions of Law and Order
15 after due consideration of the facts and law applicable to this matter.
16

17 **FINDINGS OF FACT**

- 18 1. The Board is the duly constituted authority for the regulation and control of the
19 practice of podiatry in the State of Arizona.
20 2. Respondent holds license no. 0403 to practice podiatry in the State of Arizona.
21 3. Respondent was issued a subpoena in Case 05-36-C on January 12, 2006 for
22 inspection, review and copying, no later than January 25, 2006 a list of all patient names and
23 dates of service for the year 2005. A subpoena in Case 05-36-C was also issued on February 10,
24 2006 for inspection, review and copying, no later than February 28, 2006 all medical records in
25 your care, custody, or control for the following patients: R.W., A.F. and E.S.
26 4. Respondent did not submit records in compliance with the subpoena(s) issued in
27 05-36-C.
28

1 5. Respondent was issued a subpoena in Case 06-03-C on March 9, 2006 for
2 inspection, review and copying, no later than March 31, 2006 all medical records in your care,
3 custody, or control for patient N.B. The records were received dated October 10, 2006.

4 6. Respondent did not timely submit records in compliance with the subpoena issued
5 in 06-03-C.

6 7. Respondent was issued an Order by the Board on January 22, 2007 for him to
7 undergo a psychiatric evaluation to schedule an appointment within 20 days from receipt of the
8 order.

9 8. Respondent was issued another Order by the Board on November 15, 2007 for him
10 to undergo the psychiatric evaluation with the same requirements and schedule an appointment
11 with Dr. Henry Schulty within 20 days from the date of the order. The evaluation must then be
12 completed within 30 days. He was required to call the Board office to inform staff that he had
13 called to schedule the appointment and the date. The cost of the examination would be paid by
14 the board. This was sent to Dr. Thompson and his attorney Thomas Kelley at the time.

15 9. Respondent failed to undergo a psychiatric evaluation required by the Board.

16
17 **CONCLUSIONS OF LAW**

18 1. The Board possesses jurisdiction over the subject matter hereof and over
19 Respondent.

20 2. The Board has received substantial evidence supporting the Findings of Fact
21 described above and said findings constitute unprofessional conduct or other grounds for the
22 Board to take disciplinary action.

23
24 3. The conduct and circumstances described above constitute Unprofessional
25 Conduct pursuant to A.R.S. § 32-854.01(21) (Violating any formal order, probation or
26 stipulation issued by the board pursuant to this chapter).
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ORDER

1 Based upon the foregoing Findings of Fact and Conclusions of Law,

2 IT IS HEREBY ORDERED:

- 3
- 4 1. Respondent is issued a Decree of Censure for failure to comply with subpoenas
5 issued in cases 05-36-C and 06-03-C and failure to comply with the Board's
6 Order to undergo a psychiatric evaluation.
 - 7 2. Respondent shall pay a civil penalty of two hundred dollars (\$200.00)
8 within ninety (90) days of the effective date of this Order.
 - 9 3. Respondent shall bear all costs incurred regarding compliance with this Order.
 - 10 4. This Order is conclusive evidence of the matters described and may be considered
11 by the Board in determining an appropriate sanction in the event a subsequent
12 violation occurs. In the event Respondent violates any term of this Order, the
13 Board may, after opportunity for Informal Interview or Formal Hearing, take any
14 other appropriate disciplinary action authorized by law, including suspension or
15 revocation of Respondent's license.
- 16

17 REHEARING/APPEAL RIGHTS

18 Respondent has the right to petition for a rehearing or review of this Order. Pursuant to
19 § 41-1092.09 the petition must be filed with the Board within thirty-five (35) days from the date
20 of mailing if the Order was served via certified mail. Pursuant to A.A.C. R4-25-401, the petition
21 must set forth legally sufficient reasons for granting the rehearing or review. The filing of a
22 petition for rehearing or review is required to preserve any rights of appeal to the Superior Court
23 that the party may wish to pursue.

24 This Order shall be effective and in force upon the expiration of the above time period for
25 filing a motion for rehearing or review with the Board. However, the timely filing of a motion
26 for rehearing or review shall stay the enforcement of the Board's Order, unless, pursuant to
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1 A.A.C. R4-25-401 (G), the Board has expressly found good cause to believe that this Order shall
2 be effectively immediately upon the issuance and has so stated in this Order.
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5 DATED this 11th day of July, 2008.

6 ARIZONA STATE BOARD OF
7 PODIATRY EXAMINERS

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10 Dedrie Polakof, D.P.M.
11 Board President
12 Dee Doyle,
13 Executive Director

14 **Original** of the foregoing filed
15 This 11th day of July, 2008 with:

16 Arizona State Board of Podiatry Examiners
17 1400 W. Washington, Ste, 230
18 Phoenix, Arizona 85007

19 **Copies** of the foregoing mailed vial certified mail # 7007 0710 0004 3828 4432 this
20 11th day of July, 2008 to:

21 George Thompson
22 PO Box 31711
23 Phoenix, AZ 85046-1711

24 **Copies** of the foregoing mailed this 11th day of July, 2008

25 Keely Verstegen
26 Assistant Attorney General
27 1275 W. Washington, CIV/LES
28 Phoenix, Arizona 85007
Counsel for the Board

#243997