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

IN THE MATTER OF:

THARESH UDUPA, DPM

Holder of License No. 0599
For the Practice of Podiatric Medicine
In the State of Arizona,

Respondent.

Case No. 12-23-C

**CONSENT AGREEMENT
AND ORDER OF
DECREE OF CENSURE**

CONSENT AGREEMENT

RECITALS

In the interest of a prompt and judicious settlement of this case, consistent with the public interest, statutory requirements and responsibilities of the Arizona Board of Podiatry Examiners (Board), and under A.R.S. §32-801, *et seq.*, and 41-1092.07(F)(5), Tharesh Udupa, DPM, holder of license number 0599 to practice podiatric medicine in the State of Arizona (Respondent), and the Board enter into the following Recitals, Findings of Fact, Conclusions of Law and Order (Consent Agreement) as the final disposition of this matter.

1. Respondent has read and understands this Consent Agreement as set forth herein, and has been provided the opportunity to discuss this Consent Agreement with an attorney. Respondent voluntarily enters into this Consent Agreement for the purpose of avoiding the expense and uncertainty of an administrative hearing.
2. Respondent understands that he has a right to a public administrative hearing concerning the above-captioned matter, at which administrative hearing he could present evidence and cross-examine witnesses. By entering into this Consent Agreement, Respondent knowingly and voluntarily relinquishes all rights to such an administrative hearing, as well as all rights of rehearing, review, reconsideration, appeal, judicial review or any other administrative

1 and/or judicial action, concerning the matters set forth herein. Respondent affirmatively agrees
2 that this Consent Agreement shall be irrevocable.

3 3. Respondent understands that this Consent Agreement or any part of the Agreement
4 may be considered in any future disciplinary action by the Board against him.

5 4. Respondent understands that acceptance of this Consent Agreement does not
6 preclude any other agency, subdivision or officer of this State from instituting any other civil or
7 criminal proceedings with respect to the conduct that is the subject of this Consent Agreement.

8 5. Respondent understands that this Consent Agreement deals with Board investigation
9 number 12-23-C involving allegations of unprofessional conduct against Respondent. The
10 investigation into this case against Respondent shall be concluded upon the Board's adoption of
11 this Consent Agreement.

12 6. All admissions made by Respondent in this Consent Agreement are made solely for
13 the final disposition of this matter, and any related administrative proceedings or civil litigation
14 involving the Board and Respondent. Therefore, any admissions made by Respondent in this
15 Consent Agreement are not intended for any other use, such as the context of another regulatory
16 agency's proceedings, whether in the State of Arizona or in any other state or federal court.

17 7. Respondent acknowledges and agrees that, upon signing this Consent Agreement and
18 returning this document to the Board's Executive Director, or Counsel for the State, Respondent
19 may not revoke his acceptance of the Consent Agreement or make any modifications to the
20 document, regardless of whether the Consent Agreement has been issued by the Board's
21 President. Any modification to this original document is ineffective and void unless mutually
22 approved by the parties in writing.

23 8. Respondent understands that the foregoing Consent Agreement shall not become
24 effective unless and until adopted by the Board and signed by its President or the Executive
25 Director on behalf of the President.

26

1 9. Respondent understands and agrees that if the Board does not adopt this Consent
2 Agreement, he will not assert as a defense that the Board's consideration of this Consent
3 Agreement constitutes bias, prejudice, prejudgment or other similar defenses.

4 10. Respondent understands that this Consent Agreement is a public record that may be
5 publicly disseminated as a formal action of the Board, and shall be reported as required by law to
6 the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.

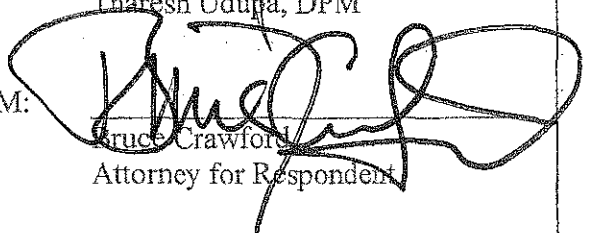
7 11. Respondent understand that any violation of the Consent Agreement constitutes
8 unprofessional conduct under A.R.S §32-841.01(21), (violating any formal order, probation or
9 stipulation of the Board), and may result in disciplinary action under A.R.S. §32-852.01.

10
11 DATED: 6/3/14

SIGNED:


Tharesh Udupa, DPM

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13 APPROVED AS TO FORM:


Bruce Crawford
Attorney for Respondent

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16 **FINDINGS OF FACT**

17 12. The Board is the duly constituted authority for the regulation and control of the
18 practice of podiatric medicine in the State of Arizona.

19 13. Respondent holds license number 0599 issued by the Board to practice podiatric
20 medicine in the State of Arizona.

21 14. On July 23, 2013, patient T.F. sought treatment with Respondent for a complaint
22 of left heel pain. Documentation in the patient chart indicates the patient disclosed that he was
23 taking the medication Coumadin.

24 15. Following examination of the patient, Respondent recommended stretching of the
25 calf muscle and application of ice. Respondent also prescribed Ibuprofen 600mg to be taken
26 three (3) times per day for ten (10) days. The patient took the medication as prescribed.

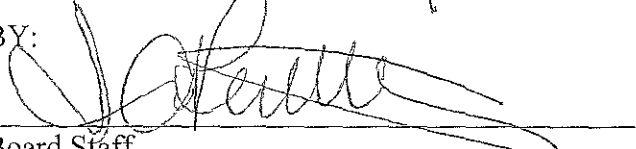
1 ORIGINAL of the foregoing filed this
2 10 day of Aug, 2014, with:

3 Arizona Board of Podiatry Examiners
4 1400 W. Washington St. #230
5 Phoenix, AZ 85007

6 COPY of the forgoing sent via US Mail this
7 15 day of Aug, 2014, to:

8 Bruce Crawford
9 1920 E. Southern Ave. #101
10 Tempe, AZ 85285
11 Attorney for Respondent.

12 John Tellier
13 Assistant Attorney General
14 1275 W. Washington, CIV/LES
15 Phoenix, Arizona 85007
16 Attorney for the State

17 BY: 
18 _____
19 Board Staff

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