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BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

CARLOS O. CHACON, M.D.

Holder of License No. **40507**
For the Practice of Allopathic Medicine
In the State of Arizona.

Case No. MD-22-0008A

**INTERIM CONSENT AGREEMENT
FOR PRACTICE RESTRICTION**

INTERIM CONSENT AGREEMENT

Carlos O. Chacon, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Interim Consent Agreement for Practice Restriction and consents to the entry of this Order by the Arizona Medical Board ("Board").

INTERIM FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.

2. Respondent is the holder of License No. 40507 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-22-0008A after receiving notification that Respondent's ability to practice medicine in the State of California had been limited by a California Superior Court order as a condition of bail.

4. On or about December 15, 2021, in *The People of the State of California v. Carlos Orlando Chacon, M.D.*, San Diego County Superior Court case No. CS320628 Respondent was charged with crimes related to the practice of medicine.

5. On December 20, 2021, as a condition of bail, the Court ordered that Respondent was prohibited from (1) engaging in surgery unless anesthesia is administered by a licensed anesthesiologist physician or a CRNA capable of independent practice, and (2) directing unlicensed personnel to administer anesthesia, IV medications

1 or service IV bags. As an additional condition of release, Respondent was ordered to
2 abide by all advanced cardiac life support protocols. Respondent asserts that these
3 conditions were implemented into his practice in December of 2018.

4 6. The aforementioned information was presented to the investigative staff, the
5 medical consultant and the lead Board member. All reviewed the information and concur
6 that the interim consent agreement to restrict Respondent's practice pending the outcome
7 of a formal interview or formal hearing is appropriate.

8 7. The investigation into this matter is pending Board review.

9 **INTERIM CONCLUSIONS OF LAW**

10 1. The Board possesses jurisdiction over the subject matter hereof and over
11 Respondent.

12 2. Pursuant to A.R.S. § 32-1405(C)(25) the Executive Director has authority to
13 enter into a consent agreement when there is evidence of danger to the public health and
14 safety.

15 3. Pursuant to A.A.C. R4-16-504, the Executive Director may enter into an
16 interim consent agreement when there is evidence that a restriction is needed to mitigate
17 imminent danger to the public's health and safety. Investigative staff, the Board's medical
18 consultant and the lead Board member have reviewed the case and concur that an interim
19 consent agreement is appropriate.

20 **INTERIM ORDER**

21 IT IS HEREBY ORDERED THAT:

22 1. Respondent's practice of medicine in the State of Arizona is subject to the
23 following restrictions and stipulations:

- 24 a. Respondent is prohibited from performing surgery unless anesthesia
25 is administered by a licensed anesthesiologist or a CRNA.

1 3. By entering into this Interim Consent Agreement, Respondent freely and
2 voluntarily relinquishes all rights to an administrative hearing on the matters set forth
3 herein, as well as all rights of rehearing, review, reconsideration, appeal, judicial review or
4 any other administrative and/or judicial action, concerning the matters related to the
5 Interim Consent Agreement.

6 4. Respondent understands that this Interim Consent Agreement does not
7 constitute a dismissal or resolution of this matter or any matters that may be currently
8 pending before the Board and does not constitute any waiver, express or implied, of the
9 Board's statutory authority or jurisdiction regarding this or any other pending or future
10 investigations, actions, or proceedings. Respondent also understands that acceptance of
11 this Interim Consent Agreement does not preclude any other agency, subdivision, or
12 officer of this State from instituting civil or criminal proceedings with respect to the conduct
13 that is the subject of this Interim Consent Agreement. Respondent further does not
14 relinquish his/her rights to an administrative hearing, rehearing, review, reconsideration,
15 judicial review or any other administrative and/or judicial action, concerning the matters
16 related to a final disposition of this matter, unless Respondent affirmatively does so as part
17 of the final resolution of this matter.

18 5. Respondent acknowledges and agrees that upon signing this Interim
19 Consent Agreement and returning it to the Board's Executive Director, Respondent may
20 not revoke acceptance of this Interim Consent Agreement or make any modifications to it.
21 Any modification of this original document is ineffective and void unless mutually approved
22 by the parties in writing.
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1 6. Respondent understands that this Interim Consent Agreement shall not
2 become effective unless and until it is signed by the Board's Executive Director.

3 7. Respondent understands and agrees that if the Board's Executive Director
4 does not adopt this Interim Consent Agreement, he will not assert in any future
5 proceedings that the Board's consideration of this Interim Consent Agreement constitutes
6 bias, prejudice, prejudgment, or other similar defense.

7 8. Respondent understands that this Interim Consent Agreement is a public
8 record that may be publicly disseminated as a formal action of the Board, and that it shall
9 be reported as required by law to the National Practitioner Data Bank.

10 9. Respondent understands that this Interim Consent Agreement does not
11 alleviate Respondent's responsibility to comply with the applicable license-renewal
12 statutes and rules. If this Interim Consent Agreement remains in effect at the time
13 Respondent's allopathic medical license comes up for renewal, Respondent must renew
14 the license if Respondent wishes to retain the license. If Respondent elects not to renew
15 the license as prescribed by statute and rule, Respondent's license will not expire but
16 rather, by operation of law (A.R.S. § 32-3202), become suspended until the Board takes
17 final action in this matter. Once the Board takes final action, in order for Respondent to be
18 licensed in the future, Respondent must submit a new application for licensure and meet
19 all of the requirements set forth in the statutes and rules at that time.
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1 10. Respondent understands that any violation of this Interim Consent
2 Agreement constitutes unprofessional conduct under A.R.S. § 32-1401(27)(s) (“[v]iolating
3 a formal order, probation, consent agreement or stipulation issued or entered into by the
4 board or its executive director under this chapter.”).

5 

DATED: 03 / 18 / 2022

6 CARLOS O. CHACON, M.D.

7
8 DATED this 18th day of March, 2022.

9 ARIZONA MEDICAL BOARD

10
11 By 

12 Patricia E. McSorley
13 Executive Director

14 EXECUTED COPY of the foregoing e-mailed
15 this 21st day of March, 2022 to:

16 Carlos O. Chacon, M.D.
17 Address of Record

18 ORIGINAL of the foregoing filed
19 this 21st day of March, 2022 with:

20 Arizona Medical Board
21 1740 West Adams, Suite 4000
22 Phoenix, Arizona 85007



23 Board staff
24
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