

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **LOUIS R. ZAKO, M.D**

4 Holder of License No. 41266
5 For the Practice of Medicine
6 In the State of Arizona.

Case No. MD-22-0153A

**ORDER FOR SURRENDER
OF LICENSE AND CONSENT
TO THE SAME**

7 Louis R. Zako, M.D. ("Respondent") elects to permanently waive any right to a
8 hearing and appeal with respect to this Order for Surrender of License; admits the
9 jurisdiction of the Arizona Medical Board ("Board") as well as the facts stated herein; and
10 consents to the entry of this Order by the Board.

11 **FINDINGS OF FACT**

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

14 2. Respondent is the holder of license number 41266 for the practice of allopathic
15 medicine in the State of Arizona.

16 3. The Board initiated case number MD-22-0153A after receiving notification that
17 Respondent's license in another state had been subject to discipline.

18 4. On December 9, 2021, the Michigan Medical Board Disciplinary
19 Subcommittee issued a Final Order placing Respondent's Michigan medical license on
20 probation for one year with a requirement to complete a minimum of 150 hours of continuing
21 medical education ("CME") in addition to the hours required for licensure renewal.

22 5. In his response, Respondent stated that the Michigan case arose out of his
23 failure to respond to a CME audit based on his retirement from the practice of medicine.

24 6. Respondent has requested surrender of his Arizona license based on his
25 retirement from the practice of medicine.

CONCLUSIONS OF LAW

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

3 2. The conduct and circumstances described above constitute unprofessional
4 conduct pursuant to A.R.S. § 32-1401(27)(p) (“Having action taken against a doctor of
5 medicine by another licensing or regulatory jurisdiction due to that doctor’s mental or
6 physical inability to engage safely in the practice of medicine or the doctor's medical
7 incompetence or for unprofessional conduct as defined by that jurisdiction and that
8 corresponds directly or indirectly to an act of unprofessional conduct prescribed by this
9 paragraph. The action taken may include refusing, denying, revoking or suspending a
10 license by that jurisdiction or a surrendering of a license to that jurisdiction, otherwise
11 limiting, restricting or monitoring a licensee by that jurisdiction or placing a licensee on
12 probation by that jurisdiction.”).

13 3. The Board possesses statutory authority to enter into a consent agreement
14 with a physician and accept the surrender of an active license from a physician who admits
15 to having committed an act of unprofessional conduct. A.R.S. § 32-1451(T)(2).

16 **ORDER**

17 IT IS HEREBY ORDERED THAT Respondent immediately surrender License
18 Number 41266, issued to Louis R. Zako, M.D., for the practice of allopathic medicine in the
19 State of Arizona, and return his certificate of licensure to the Board.

20 DATED and effective this 1st day of December, 2022.

21
22 ARIZONA MEDICAL BOARD

23 By: Pat E. McSorley
24 Patricia E. McSorley
25 Executive Director

CONSENT TO ENTRY OF ORDER

1 1. Respondent has read and understands this Consent Agreement and the
2 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent
3 acknowledges he has the right to consult with legal counsel regarding this matter.

4 2. Respondent acknowledges and agrees that this Order is entered into freely
5 and voluntarily and that no promise was made or coercion used to induce such entry.

6 3. By consenting to this Order, Respondent voluntarily relinquishes any rights to
7 a hearing or judicial review in state or federal court on the matters alleged, or to challenge
8 this Order in its entirety as issued by the Board, and waives any other cause of action related
9 thereto or arising from said Order.

10 4. The Order is not effective until approved by the Board and signed by its
11 Executive Director.

12 5. All admissions made by Respondent in this Order are solely for final
13 disposition of this matter and any subsequent related administrative proceedings or civil
14 litigation involving the Board and Respondent. Therefore, said admissions by Respondent
15 are not intended or made for any other use, such as in the context of another state or federal
16 government regulatory agency proceeding, civil or criminal court proceeding, in the State of
17 Arizona or any other state or federal court.

18 6. Notwithstanding any language in this Order, this Order does not preclude in
19 any way any other State agency or officer or political subdivision of this state from instituting
20 proceedings, investigating claims, or taking legal action as may be appropriate now or in the
21 future relating to this matter or other matters concerning Respondent, including but not
22 limited to, violations of Arizona's Consumer Fraud Act. Respondent acknowledges that,
23 other than with respect to the Board, this Order makes no representations, implied or
24 otherwise, about the views or intended actions of any other state agency or officer or political
25 subdivisions of the State relating to this matter or other matters concerning Respondent.

1 7. Upon signing this agreement, and returning this document (or a copy thereof)
2 to the Board's Executive Director, Respondent may not revoke the consent to the entry of
3 the Order. Respondent may not make any modifications to the document. Any modifications
4 to this original document are ineffective and void unless mutually approved by the parties.

5 8. This Order is a public record that will be publicly disseminated as a formal
6 disciplinary action of the Board and will be reported to the National Practitioner's Data Bank
7 and on the Board's web site as a disciplinary action.

8 9. If the Board does not adopt this Order, Respondent will not assert as a defense
9 that the Board's consideration of the Order constitutes bias, prejudice, prejudgment or other
10 similar defense.

11 10. ***Respondent has read and understands the terms of this agreement.***

12 Louis R. Zako, M.D.

Dated: October 30, 2022

13 LOUIS R. ZAKO, M.D.

14
15 EXECUTED COPY of the foregoing mailed by
US Mail this 15th day of December, 2022 to:

16 Louis R. Zako, M.D.
17 248 Meadows Lane
Harbor Springs, MI 49740

18 ORIGINAL of the foregoing filed this
19 15th day of December, 2022 with:

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

22 Michelle Poulos

23 Board staff