

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **SCOTT T. ROETHLE, M.D.**

4 Holder of License No. 57048
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Case No. MD-20-0001A

**ORDER FOR LETTER
OF REPRIMAND; AND
CONSENT TO THE SAME**

7 Scott T. Roethle, M.D. ("Respondent") elects to permanently waive any right to a
8 hearing and appeal with respect to this Order for a Letter of Reprimand; admits the
9 jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order
10 by the Board.

11 **FINDINGS OF FACT**

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

14 2. Respondent is the holder of license number 57048 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-20-0001A after receiving a Disciplinary
17 Alert Report (DAR) indicating that Respondent had action taken against his Iowa medical
18 license by the Iowa Board of Medicine ("Iowa Board").

19 4. Effective December 20, 2019, Respondent entered into a Statement of
20 Charges and Settlement Agreement with the Iowa Board for the issuance of a \$5000.00
21 civil penalty, citation and warning in File No. 02-2018-481 arising out of allegations that
22 Respondent prescribed medications to a patient via telemedicine without establishing an
23 appropriate physician-patient relationship.

24 5. Respondent licenses in Colorado, Illinois, Alabama and Maine were
25 subsequently issued reciprocal disciplinary action by the regulatory boards in each state.

1 6. On June 26, 2020, Respondent entered into a Stipulation and Order with the
2 Idaho State Board of Medicine (“Idaho Board”) for the issuance of a Reprimand against
3 Respondent’s Idaho medical license arising out of allegations that Respondent failed to
4 prescribe and provide treatment to Idaho patients within the scope of the Medical Practice
5 Act and the Idaho Telehealth Access Act. The Stipulation and Order noted that
6 Respondent had prescribed controlled substances (testosterone) to two Idaho patients
7 without having an Idaho controlled substance registration number nor an Idaho DEA
8 number.

9 7. In his response to the Board’s investigation, Respondent described his
10 employment with a locum tenens telemedicine company in 2017 treating patients in need
11 of low risk treatments for chronic pain issues using DME braces and/or compounded
12 topical pain creams. Respondent reported that patients were screened via telephone by
13 company staff members. If deemed medically appropriate, patients were entered into a
14 physician consult system for review and consultation. Respondent stated that he followed
15 the procedure of reviewing the detailed medical history and symptom reports as provided
16 through the medical team intake and history. Respondent additionally reported his belief
17 that it was not a mandatory requirement to have direct interaction with every patient in
18 cases of straight-forward treatment decisions and low-risk therapies.

19 8. Board staff requested Medical Consultant (“MC”) review of Respondent’s
20 care and treatment of two patients treated under Respondent’s Arizona license.

21 9. JJ was a 40 year-old male first evaluated for low energy, weight gain, and
22 decreased libido “on or about June 20, 2018” via a telephone telemedicine consult.
23 Respondent prescribed JJ testosterone phentermine/ephedrine, vitamins, and amino acid
24 injections for weight loss.

25

1 10. BC was a 42 year-old male first evaluated by Respondent on or about
2 August 2, 2018 for "symptoms of aging". Respondent noted BC had low levels of
3 testosterone and prescribed testosterone injections 100mg biweekly; injectable amino
4 acids, vitamins, and HCG; and phentermine for weight loss.

5 11. The standard of care requires a physician to monitor a patient's blood
6 pressure and heart rate when prescribing phentermine and/or ephedrine. Respondent
7 deviated from the standard of care by prescribing phentermine to Patient JJ without
8 adequate monitoring of blood pressure and heart rate during treatment, and by prescribing
9 phentermine and ephedrine to Patient BC without adequate monitoring of blood pressure
10 and heart rate during treatment.

11 12. The standard of care requires a physician to have an established patient-
12 doctor relationship prior to prescribing medication. Respondent deviated from the
13 standard of care by prescribing medications to JJ and BC without establishing a physician-
14 patient relationship.

15 13. The standard of care prohibits a physician from prescribing non-FDA
16 approved medications without clinical justification. Respondent deviated from the standard
17 of care for patients JJ and BC by prescribing a non-FDA approved injections of
18 vitamins/amino acids without clinical justification.

19 14. The standard of care requires a physician to consider other etiologies of
20 fatigue and decreased libido prior to prescribing testosterone. Respondent deviated from
21 the standard of care for patients JJ and BC by failing to consider other etiologies of fatigue,
22 decreased libido, and weight gain prior to prescribing testosterone.

23 15. There was potential for patient JJ in that supra therapeutic levels of
24 testosterone can cause irritability and aggressive behavior. Additionally, long term
25 elevation of testosterone can be associated with elevated LDL cholesterol and increased

1 risk of heart disease and stroke. There was potential for patient harm for patient BC in that
2 the patient's elevated red blood cell and microcytic indices were not addressed.

3 **CONCLUSIONS OF LAW**

4 a. The Board possesses jurisdiction over the subject matter hereof and over
5 Respondent.

6 b. The conduct and circumstances described above constitute unprofessional
7 conduct pursuant to A.R.S. § 32-1401(27)(e) ("Failing or refusing to maintain adequate
8 records on a patient.").

9 c. The conduct and circumstances described above constitute unprofessional
10 conduct pursuant to A.R.S. § 32-1401(27)(p) ("Action that is taken against a doctor of
11 medicine by another licensing or regulatory jurisdiction due to that doctor's mental or
12 physical inability to engage safely in the practice of medicine, the doctor's medical
13 incompetence or for unprofessional conduct as defined by that jurisdiction and that
14 corresponds directly or indirectly to an act of unprofessional conduct prescribed by this
15 paragraph. The action taken may include refusing, denying, revoking or suspending a
16 license by that jurisdiction or a surrendering of a license to that jurisdiction, otherwise
17 limiting, restricting or monitoring a licensee by that jurisdiction or placing a licensee on
18 probation by that jurisdiction.

19 d. The conduct and circumstances described above constitute unprofessional
20 conduct pursuant to A.R.S. § 32-1401(27)(r) ("Committing any conduct or practice that is
21 or might be harmful or dangerous to the health of the patient or the public.").

22 e. The conduct and circumstances described above constitute unprofessional
23 conduct pursuant to A.R.S. § 32-1401(27)(tt) ("Prescribing, dispensing or furnishing a
24 prescription medication or a prescription-only device as defined in section 32-1901 to a
25 person unless the licensee first conducts a physical examination of that person or has

1 previously established a doctor-patient relationship. The physical or mental health status
2 examination may be conducted during a real-time telemedicine encounter with audio and
3 video capability, unless the examination is for the purpose of obtaining a written
4 certification from the physician for the purposes of title 36, chapter 28.1.”).

5 **ORDER**

6 IT IS HEREBY ORDERED THAT:

- 7 1. Respondent is issued a Letter of Reprimand.

8
9 DATED AND EFFECTIVE this 8th day of April, 2021.

10 ARIZONA MEDICAL BOARD

11
12 By Patricia E. McSorley
13 Patricia E. McSorley
14 Executive Director

15 **CONSENT TO ENTRY OF ORDER**

16 1. Respondent has read and understands this Consent Agreement and the
17 stipulated Findings of Fact, Conclusions of Law and Order (“Order”). Respondent
18 acknowledges he has the right to consult with legal counsel regarding this matter.

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

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

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

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

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

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

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

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

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

5
6 
7 _____
8 SCOTT T. ROETHLE, M.D.

DATED: 3/12/2021

9 EXECUTED COPY of the foregoing mailed
10 this 8th day of April, 2021 to:

11 Scott T. Roethle, M.D.
12 Address of Record

13 ORIGINAL of the foregoing filed
14 this 8th day of April, 2021 with:

15 Arizona Medical Board
16 1740 West Adams, Suite 4000
17 Phoenix, Arizona 85007

18 
19 _____
20 Board staff