

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

Case No. MD-21-0650A

3 **JEREMY M. ALVORD, M.D.**

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

4 Holder of License No. 50936
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

7 Jeremy M. Alvord, M.D. ("Respondent") elects to permanently waive any right to a
8 hearing and appeal with respect to this Order for Letter of Reprimand and Probation;
9 admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of
10 this Order 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 50936 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-21-0650A after receiving a self-report
17 from Respondent disclosing diversion of controlled substances, and a health condition that
18 may affect Respondent's ability to safely practice medicine.

19 4. Respondent entered into an Interim Consent Agreement for Practice
20 Restriction, effective July 27, 2021 ("Interim Practice Restriction").

21 5. Respondent subsequently completed partial inpatient treatment at a Board-
22 approved facility ("Facility") and was discharged with staff approval to an Intensive
23 Outpatient Treatment Program ("IOP").

24 6. Respondent subsequently underwent an Assessment with a Board-approved
25 PHP Assessor. Based on Respondent's treatment and prognosis, the Assessor opined

1 that Respondent was safe to practice, provided he enter into a monitoring agreement with
2 the Board, and comply with recommendations for aftercare.

3 7. On October 14, 2021, Respondent entered into an Interim Consent
4 Agreement to Participate in the Physician Health Program that vacated the Interim
5 Practice Restriction. Respondent is in compliance with the terms of his PHP monitoring.

6 8. During the course of the Board's investigation, Board staff determined that
7 prior to his self-report, Respondent diverted controlled substances from the Hospital Pyxis
8 for personal use. Respondent additionally admitted to obtaining controlled substances
9 intended for patients, and documenting that the diverted amounts of the medications were
10 administered to the patients.

11 **CONCLUSIONS OF LAW**

12 a. The Board possesses jurisdiction over the subject matter hereof and over
13 Respondent.

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

17 c. The conduct and circumstances described above constitute unprofessional
18 conduct pursuant to A.R.S. § 32-1401(27)(f) ("Exhibiting a pattern of using or being under
19 the influence of alcohol or drugs or a similar substance while practicing medicine or to the
20 extent that judgment may be impaired and the practice of medicine detrimentally
21 affected.").

22 d. The conduct and circumstances described above constitute unprofessional
23 conduct pursuant to A.R.S. § 32-1401(27)(g) ("Using controlled substances except if
24 prescribed by another physician for use during a prescribed course of treatment.").

1 e. The conduct and circumstances described above constitute unprofessional
2 conduct pursuant to A.R.S. § 32-1401(27)(j) ("Prescribing, dispensing or administering any
3 controlled substance or prescription-only drug for other than accepted therapeutic
4 purposes.").

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

8 g. The conduct and circumstances described above constitute unprofessional
9 conduct pursuant to A.R.S. § 32-1401(27)(u) ("Knowingly making any false or fraudulent
10 statement, written or oral, in connection with the practice of medicine or if applying for
11 privileges or renewing an application for privileges at a health care institution.").

12 **ORDER**

13 IT IS HEREBY ORDERED THAT:

14 1. Respondent is issued a Letter of Reprimand.

15 2. Respondent is placed on Probation for a period of four years¹ with the
16 following terms and conditions:

17 3. Respondent shall not consume alcohol or any food or other substance
18 containing poppy seeds or alcohol.

19 4. Respondent shall not take any illegal drugs or mood altering medications
20 unless prescribed for a legitimate therapeutic purpose.

21 5. Respondent shall attend the PHP's relapse prevention group therapy
22 sessions one time per week for the duration of this Interim Consent Agreement, unless
23 excused by the relapse prevention group facilitator for good cause. Individual relapse
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¹ Respondent's probation shall be retroactive to October 14, 2021.

1 therapy may be substituted for one or more of the group therapy sessions, if PHP pre-
2 approves substitution. The relapse prevention group facilitators or individual relapse
3 prevention therapist shall submit monthly reports to the PHP regarding attendance and
4 progress.

5 6. Respondent shall continue to participate in any personalized aftercare
6 programs or activities as recommended by the Assessor in her October 1, 2021 Report.
7 Respondent shall report on those activities as requested by the PHP, including executing
8 any releases necessary to allow the PHP to monitor his participation and communicate
9 directly with and obtain records from the treating providers for those aftercare activities.
10 Respondent shall be responsible for all costs of aftercare, including costs associated with
11 compliance of this Board Order.

12 7. Respondent shall promptly obtain a Primary Care Physician ("PCP") and
13 shall submit the name of the physician to the PHP Contractor in writing for approval.
14 Except in an Emergency, Respondent shall obtain medical care and treatment only from
15 the PCP and from health care providers to whom the PCP refers Respondent. Respondent
16 shall promptly provide a copy of this Order to the PCP. Respondent shall also inform all
17 other health care providers who provide medical care or treatment that Respondent is
18 participating in the PHP. "Emergency" means a serious accident or sudden illness that, if
19 not treated immediately, may result in a long-term medical problem or loss of life.

20 8. All prescriptions for controlled substances shall be approved by the PHP
21 Contractor prior to being filled except in an Emergency. Controlled substances prescribed
22 and filled in an emergency shall be reported to the PHP within 48 hours. Respondent shall
23 take no Medication unless the PCP or other health care provider to whom the PCP refers
24 Respondent prescribes and the PHP Contractor approves the Medication. Respondent
25 shall not self-prescribe any Medication. "Medication" means a prescription-only drug,

1 controlled substance, and over-the counter preparation, other than plain aspirin, plain
2 ibuprofen, and plain acetaminophen.

3 9. If requested by the PHP and not already completed, Respondent shall attend
4 ninety 12-step meetings or other self-help group meetings appropriate for substance
5 abuse and approved by the PHP, for a period of ninety days. Upon completion of the
6 ninety meetings in ninety days, Respondent shall participate in a 12-step recovery
7 program or other self-help program appropriate for substance abuse as recommended by
8 the PHP. Respondent shall attend a minimum of three 12-step or other self-help program
9 meetings per week. Two meetings per month must be Caduceus meetings. Respondent
10 must maintain a log of all self-help meetings.

11 10. Respondent shall submit to random biological fluid, hair and/or nail testing for
12 the remainder of this Order (as specifically directed below) to ensure compliance with the
13 PHP.

14 11. Respondent shall provide the PHP Contractor in writing with one telephone
15 number that shall be used to contact Respondent on a 24 hour per day/seven day per
16 week basis to submit to biological fluid, hair, and/or nail testing to ensure compliance with
17 the PHP. For the purposes of this section, telephonic notice shall be deemed given at the
18 time a message to appear is left at the contact telephone number provided by
19 Respondent. Respondent authorizes any person or organization conducting tests on the
20 collected samples to provide testing results to the PHP Contractor. Respondent shall
21 comply with all requirements for biological fluid, hair, and/or nail collection. Respondent
22 shall pay for all costs for the testing.

23 12. Respondent shall provide the PHP Contractor with written notice of any plans
24 to travel out of state.

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1 13. Respondent shall successfully complete a PHP approved 36 hour
2 alcohol/drug awareness education class.

3 14. Respondent shall immediately notify the Board and the PHP Contractor in
4 writing of any change in office or home addresses and telephone numbers.

5 15. Respondent provides full consent for the PHP Contractor to discuss the
6 Respondent's case with the Respondent's PCP or any other health care providers to
7 ensure compliance with the PHP.

8 16. The relationship between the Respondent and the PHP Contractor is a direct
9 relationship. Respondent shall not use an attorney or other intermediary to communicate
10 with the PHP Contractor on participation and compliance issues. All inquiries must be
11 directed to Board staff.

12 17. Respondent shall be responsible for all costs, including costs associated with
13 participating in the PHP, at the time service is rendered or within 30 days of each invoice
14 sent to the Respondent. An initial deposit of two (2) months PHP fees is due upon
15 entering the program. Failure to pay either the initial PHP deposit or monthly fees 60 days
16 after invoicing will be reported to the Board by the PHP Contractor and may result in
17 disciplinary action.

18 18. Respondent shall appear in person before with the PHP Contractor for
19 interviews upon request, upon reasonable notice.

20 19. Respondent shall immediately provide a copy of this Order to all employers,
21 hospitals and free standing surgery centers where Respondent currently has or in the
22 future gains or applies for employment or privileges. Within 30 days of the date of this
23 Order, Respondent shall provide the PHP with a signed statement of compliance with this
24 notification requirement. Respondent is further required to notify, in writing, all employers,
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1 hospitals and free standing surgery centers where Respondent currently has or in the
2 future gains or applies for employment or privileges of a violation of this Order.

3 20. In the event Respondent resides or practices as a physician in a state other
4 than Arizona, Respondent shall participate in the rehabilitation program sponsored by that
5 state's medical licensing authority or medical society. Respondent shall cause the
6 monitoring state's program to provide written quarterly reports to the PHP Contractor
7 regarding Respondent's attendance, participation, and monitoring. The monitoring state's
8 program and Respondent shall immediately notify the PHP Contractor if Respondent is
9 non-compliant with any aspect of the monitoring requirements or is required to undergo
10 any additional treatment.

11 21. The PHP Contractor shall immediately notify the Board if Respondent is non-
12 compliant with any aspect of this Order or is required to undergo any additional treatment.

13 22. In the event of a chemical dependency relapse by Respondent or
14 Respondent's use of controlled substances or alcohol in violation of this Order,
15 Respondent shall promptly enter into an Interim Consent Agreement for Practice
16 Restriction that requires, among other things, that Respondent not practice medicine until
17 such time as Respondent successfully completes long-term inpatient treatment designated
18 by the PHP Contractor and obtains affirmative approval from the Executive Director, in
19 consultation with the Lead Board Member and Chief Medical Consultant, to return to the
20 practice of medicine. Prior to approving Respondent's request to return to the practice of
21 medicine, Respondent may be required to undergo any combination of physical
22 examinations, psychiatric or psychological evaluations. In no respect shall the terms of this
23 paragraph restrict the Board's authority to initiate and taken disciplinary action for any
24 violation of this Order.

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

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

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

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

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

24 7. Upon signing this agreement, and returning this document (or a copy thereof)
25 to the Board's Executive Director, Respondent may not revoke the consent to the entry of

1 the Order. Respondent may not make any modifications to the document. Any
2 modifications to this original document are ineffective and void unless mutually approved
3 by the parties.

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

7 9. If any part of the Order is later declared void or otherwise unenforceable, the
8 remainder of the Order in its entirety shall remain in force and effect.

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

12 11. Any violation of this Order constitutes unprofessional conduct and may result
13 in disciplinary action. A.R.S. § § 32-1401(27)(s) ("[v]iolating a formal order, probation,
14 consent agreement or stipulation issued or entered into by the board or its executive
15 director under this chapter.") and 32-1451.

16 12. ***Respondent has read and understands the conditions of Probation.***

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JEREMY M. ALVORD, M.D.

DATED: 3-1-2022

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EXECUTED COPY of the foregoing mailed
this 8th day of April, 2022 to:

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Jeremy M. Alvord, M.D.
Address of Record

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Robert J. Milligan, Esq.
Milligan Lawless, PC
5050 North 40th Street, Suite 200
Phoenix, Arizona 85018
Attorney for Respondent

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Physician Health Program
Address on File

ORIGINAL of the foregoing filed
this 8th day of April, 2022 with:

Arizona Medical Board
1740 West Adams, Suite 4000
Phoenix, Arizona 85007

Michelle Prodes
Board staff