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BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of
TERRANCE J. KWIATKOWSKI, M.D.
Holder of License No. 32371
For the Practice of Allopathic Medicine
In the State of Arizona.

Case No. MD-21-0303A
ORDER FOR LETTER OF
REPRIMAND; AND CONSENT TO THE
SAME

Terrance J. Kwiatkowski, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Order for a Letter of Reprimand; admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order by the Board.

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 number 32371 for the practice of allopathic medicine in the State of Arizona.
3. The Board initiated case number MD-21-0303A after receiving a Disciplinary Alert Report (DAR) that the Nevada Board of Medical Examiners ("Nevada Board") issued a reprimand and assessed a fine against Respondent's Nevada medical license.
4. Effective March 5, 2021 The Nevada Board entered into a Settlement Agreement with Respondent in Case No. 19-21834-1 arising out of an investigation into allegations that Respondent failed to provide a consultation and failed to maintain adequate medical records. The Settlement Agreement included a stipulation that Respondent violated the standards of practice established by regulation and failed to maintain complete medical records. Respondent was issued a Letter of Reprimand and required to pay a fine and the costs of investigation.

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CONCLUSIONS OF LAW

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

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

ORDER

IT IS HEREBY ORDERED THAT:

1. Respondent is issued a Letter of Reprimand.

DATED AND EFFECTIVE this 8th day of April, 2022.

ARIZONA MEDICAL BOARD

By Patricia E. McSorley
Patricia E. McSorley
Executive Director

CONSENT TO ENTRY OF ORDER

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

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

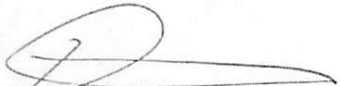
24 7. Upon signing this agreement, and returning this document (or a copy thereof)
25 to the Board's Executive Director, Respondent may not revoke the consent to the entry of

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

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

11
12 
13 _____
TERRANCE J. KWIATKOWSKI, M.D.

DATED: 3/28/2022

14
15 EXECUTED COPY of the foregoing ^{e-}mailed
16 this 28th day of March, 2022 to:
April
17 Terrance J. Kwiatkowski, M.D.
18 Address of Record

19 ORIGINAL of the foregoing filed
20 this 8th day of April, 2022 with:
21 Arizona Medical Board
22 1740 West Adams, Suite 4000
23 Phoenix, Arizona 85007

24 Michelle Byrdes
25 Board staff