

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **JOEL J. PAULINO, M.D.**

4 Holder of License No. 28843
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Case No. MD-22-0494A

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

7 Joel J. Paulino, 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 and Civil Penalty;
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 28843 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-22-0494A after receiving a complaint
17 alleging that Respondent failed to provide medical records requested by his patients.

18 4. On February 28, 2022, the Board received a complaint from BA and his wife
19 YA reporting that Respondent failed to furnish them with their medical records. The
20 complainant noted that he had been treated by Respondent since 2006 and his wife from
21 2012.

22 5. Board staff sent Respondent correspondence requesting that he provide the
23 records requested by his patients with information regarding his statutory obligations to
24 provide records.
25

1 i. A.R.S. § 32-1435(A) ("Each active licensee shall promptly and in writing
2 inform the board of the licensee's current residence address, office address and
3 telephone number and of each change in residence address, office address or
4 telephone number that may later occur.").

5 ii. A.R.S. § 12-2293(A) ("Except as provided in subsections B and C of this
6 section, on the written request of a patient or the patient's health care decision
7 maker for access to or copies of the patient's medical records and payment
8 records, the health care provider in possession of the record shall provide access
9 to or copies of the records to the patient or the patient's health care decision
10 maker.").

11 iii. A.R.S. § 12-2297(A)(1) ("Unless otherwise required by statute or by federal
12 law, a health care provider shall retain the original or copies of a patient's medical
13 records as follows: 1. If the patient is an adult, for at least six years after the last
14 date the adult patient received medical or health care services from that
15 provider.").

16 iv. A.R.S. § 12-2297(B) ("When a health care provider retires or sells the
17 provider's practice the provider shall take reasonable measures to ensure that
18 the provider's records are retained pursuant to this section.").

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

22 **ORDER**

23 IT IS HEREBY ORDERED THAT:

24 1. Respondent is issued a Letter of Reprimand.
25

1 litigation involving the Board and Respondent. Therefore, said admissions by Respondent
2 are not intended or made for any other use, such as in the context of another state or
3 federal government regulatory agency proceeding, civil or criminal court proceeding, in the
4 State of Arizona or any other state or federal court.

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

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

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

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

25

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

J Paulino

DATED: 05 January 2023

JOEL J. PAULINO, M.D.

EXECUTED COPY of the foregoing mailed
this 2nd day of February, 2023 to:

Joel J. Paulino, M.D.
Address of Record

Text

ORIGINAL of the foregoing filed
this 2nd day of February, 2023 with:

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

Michelle Probes
Board staff