

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **NITA K. BABCOCK, M.D**

4 Holder of License No. 49882  
5 For the Practice of Medicine  
6 In the State of Arizona.

**Case No. MD-20-0338A**

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

7 Nita K. Babcock, 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  
13 the practice of allopathic medicine in the State of Arizona.

14 2. Respondent is the holder of license number 49882 for the practice of  
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-20-0338A after receiving Disciplinary  
17 Action Report ("DAR") stating that Respondent had entered into a Consent Agreement and  
18 Order with the Pennsylvania State Board of Medicine ("Pennsylvania Board") to  
19 permanently voluntarily surrender her Pennsylvania medical license.

20 4. The Board subsequently received a DAR stating that on May 5, 2020, the  
21 Virginia Department of Health Professions issued an Order of Mandatory Suspension of  
22 Respondent's Virginia medical license based on the action of the Pennsylvania Board.

23 5. Respondent reports that she is retired from the practice of medicine and  
24 requests surrender of her Arizona medical license.  
25

1 **CONCLUSIONS OF LAW**

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

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

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

17 **ORDER**

18 IT IS HEREBY ORDERED THAT Respondent immediately surrender License  
19 Number 49882, issued to Nita K. Babcock, M.D., for the practice of allopathic medicine in  
20 the State of Arizona, and return her certificate of licensure to the Board.

21 DATED and effective this 6th day of August, 2020.

22 ARIZONA MEDICAL BOARD

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

1  
2 **CONSENT TO ENTRY OF ORDER**

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

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

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

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

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

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


1 state agency or officer or political subdivisions of the State relating to this matter or other  
2 matters concerning Respondent.

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

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

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

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

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17 \_\_\_\_\_  
NITA K. BABCOCK, M.D.

Dated: June 29, 2020

1 EXECUTED COPY of the foregoing mailed by  
US Mail this 10<sup>th</sup> day of August, 2020 to:

2  
3 Nita K. Babcock, M.D.  
Address of Record

4 ORIGINAL of the foregoing filed this  
5 10<sup>th</sup> day of August, 2020 with:

6 The Arizona Medical Board  
1740 West Adams, Suite 4000  
7 Phoenix, Arizona 85007

8 Michelle Robles  
9 Board staff

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