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BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

KATHERINE GROSS, M.D.

Holder of License No. 58013
For the Practice of Allopathic Medicine
In the State of Arizona.

Case No. MD-22-0193A

**INTERIM CONSENT AGREEMENT
FOR PRACTICE RESTRICTION**

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INTERIM CONSENT AGREEMENT

Katherine Gross, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Interim Consent Agreement for Practice Restriction and consents to the entry of this Order by the Arizona Medical Board ("Board").

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INTERIM 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 No. 58013 for the practice of allopathic medicine in the State of Arizona.
 3. The Board initiated case number MD-22-0193A after receiving a report from the Board's Physician Health Program ("PHP") Monitor that Respondent had tested positive for alcohol in violation of her confidential agreement for monitoring.
 4. Respondent's license is subject to a Stipulated Rehabilitation Agreement ("SRA") entered in MD-20-0283A, effective March 23, 2021. The SRA required Respondent to comply with terms and condition of monitoring including random substance use screening.
 5. On June 9, 2022 the PHP Monitor reported to the Board that Respondent tested positive on a substance use screen and subsequently admitted to consuming alcohol in violation of the SRA.
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2. Respondent may request, in writing, release and/or modification of this Interim Consent Agreement. Respondent's request must be accompanied by information demonstrating that Respondent is safe to practice medicine. The Executive Director, in consultation with and agreement of the lead Board member and the Chief Medical Consultant, has the discretion to determine whether it is appropriate to release Respondent from this Interim Consent Agreement.

3. The Board retains jurisdiction and may initiate new action based upon any violation of this Interim Consent Agreement, including, but not limited to, summarily suspending Respondent's license.

4. Because this is an Interim Consent Agreement and not a final decision by the Board regarding the pending investigation, it is subject to further consideration by the Board. Once the investigation is complete, it will be promptly provided to the Board for its review and appropriate action.

5. This Interim Consent Agreement shall be effective on the date signed by the Board's Executive Director.

DATED this 20th day of June, 2022.

ARIZONA MEDICAL BOARD

Patricia E. McSorley

By _____

Patricia E. McSorley
Executive Director

RECITALS

1 Respondent understands and agrees that:

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3 1. The Board, through its Executive Director, may adopt this Interim Consent
4 Agreement, or any part thereof, pursuant to A.R.S. § 32-1405(C)(25) and A.A.C. R4-16-
5 504.

6 2. Respondent has read and understands this Interim Consent Agreement as
7 set forth herein, and has had the opportunity to discuss this Interim Consent Agreement
8 with an attorney or has waived the opportunity to discuss this Interim Consent Agreement
9 with an attorney. Respondent voluntarily enters into this Interim Consent Agreement and
10 by doing so agrees to abide by all of its terms and conditions.

11 3. By entering into this Interim Consent Agreement, Respondent freely and
12 voluntarily relinquishes all rights to an administrative hearing on the matters set forth
13 herein, as well as all rights of rehearing, review, reconsideration, appeal, judicial review or
14 any other administrative and/or judicial action, concerning the matters related to the
15 Interim Consent Agreement.
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17 4. Respondent understands that this Interim Consent Agreement does not
18 constitute a dismissal or resolution of this matter or any matters that may be currently
19 pending before the Board and does not constitute any waiver, express or implied, of the
20 Board's statutory authority or jurisdiction regarding this or any other pending or future
21 investigations, actions, or proceedings. Respondent also understands that acceptance of
22 this Interim Consent Agreement does not preclude any other agency, subdivision, or
23 officer of this State from instituting civil or criminal proceedings with respect to the conduct
24 that is the subject of this Interim Consent Agreement. Respondent further does not
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1 relinquish Respondent's rights to an administrative hearing, rehearing, review,
2 reconsideration, judicial review or any other administrative and/or judicial action,
3 concerning the matters related to a final disposition of this matter, unless Respondent
4 affirmatively does so as part of the final resolution of this matter.

5 5. Respondent acknowledges and agrees that upon signing this Interim
6 Consent Agreement and returning it to the Board's Executive Director, Respondent may
7 not revoke Respondent's acceptance of this Interim Consent Agreement or make any
8 modifications to it. Any modification of this original document is ineffective and void unless
9 mutually approved by the parties in writing.

10 6. Respondent understands that this Interim Consent Agreement shall not
11 become effective unless and until it is signed by the Board's Executive Director.

12 7. Respondent understands and agrees that if the Board's Executive Director
13 does not adopt this Interim Consent Agreement, Respondent will not assert in any future
14 proceedings that the Board's consideration of this Interim Consent Agreement constitutes
15 bias, prejudice, prejudgment, or other similar defense.

16 8. Respondent understands that this Interim Consent Agreement is a public
17 record that may be publicly disseminated as a formal action of the Board, and that it shall
18 be reported as required by law to the National Practitioner Data Bank.

19 9. Respondent understands that this Interim Consent Agreement does not
20 alleviate Respondent's responsibility to comply with the applicable license-renewal
21 statutes and rules. If this Interim Consent Agreement remains in effect at the time
22 Respondent's allopathic medical license comes up for renewal, Respondent must renew
23 the license if Respondent wishes to retain the license. If Respondent elects not to renew
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1 the license as prescribed by statute and rule, Respondent's license will not expire but
2 rather, by operation of law (A.R.S. § 32-3202), become suspended until the Board takes
3 final action in this matter. Once the Board takes final action, in order for Respondent to be
4 licensed in the future, Respondent must submit a new application for licensure and meet
5 all of the requirements set forth in the statutes and rules at that time.

6 10. Respondent understands that any violation of this Interim Consent
7 Agreement constitutes unprofessional conduct under A.R.S. § 32-1401(27)(s) ("[v]iolating
8 a formal order, probation, consent agreement or stipulation issued or entered into by the
9 board or its executive director under this chapter.").

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13 KATHERINE GROSS, M.D.

DATED: 06/20/2022

14 EXECUTED COPY of the foregoing e-mailed
15 this 21st day of June, 2022 to:

16 Katherine Gross, M.D.
17 Address of Record

18 ORIGINAL of the foregoing filed
19 this 21st day of June, 2022 with:

20 Arizona Medical Board
21 1740 West Adams, Suite 4000
22 Phoenix, Arizona 85007

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24 _____
25 Board staff