

1 BEFORE THE ARIZONA MEDICAL BOARD

2 In the Matter of

3 **JAMES E. HUNT, M.D.**

4 Applicant for Licensure # 65463  
5 For the Practice of Allopathic Medicine  
6 In the State of Arizona.

Case No. MD-22-0232A

**ORDER GRANTING PROBATIONARY  
LICENSE, AND CONSENT TO THE  
SAME**

7 James E. Hunt, M.D. ("Respondent") elects to permanently waive any right to a  
8 hearing and appeal with respect to this Order granting his application for licensure subject  
9 to terms and conditions for probation; admits the jurisdiction of the Arizona Medical Board  
10 ("Board"); and 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 an applicant for license #65463 for the practice of allopathic  
15 medicine in the State of Arizona.

16 3. Effective May 10, 2019 The Medical Board of California ("California Board")  
17 accepted a Stipulated Settlement and Disciplinary Order in case no. 800-2015-019429  
18 placing Respondent's California medical license on stayed revocation probation for five  
19 years, with terms and conditions of substance use monitoring and treatment ("California  
20 Consent Order").

21 4. Respondent is in compliance with the terms and conditions of the California  
22 Consent Order, including completion of an intensive, in-person continuing medical  
23 education ("CME") course in ethics, aftercare and abstinence from alcohol and non-  
24 prescribed controlled substances.

25 **CONCLUSIONS OF LAW**

a. The Board possesses jurisdiction over the subject matter hereof and over  
Respondent and may issue probationary licenses pursuant to A.R.S. § 32-1427(H).

1 b. Pursuant to A.R.S. § 32-1422(A), "An applicant for a license to practice  
2 medicine in this state pursuant to this article shall meet each of the following basic  
3 requirements . . . 3. Have the physical and mental capability to safely engage in the  
4 practice of medicine."

5 c. Pursuant to A.R.S. § 32-1427(H), "If an applicant does not meet the  
6 requirements of section 32-1422, subsection A, paragraph 3 the board may issue a license  
7 subject to" probationary conditions.

8 **ORDER**

9 IT IS HEREBY ORDERED THAT:

10 1. Respondent's application for licensure is granted and is placed under Probation for  
11 4 years with the following terms and conditions:

12 **2. Practice Restriction**

13 Respondent's practice is restricted in that he shall not engage in the solo practice of  
14 medicine and shall practice in a group setting for the duration of this Consent Agreement.  
15 Respondent shall promptly notify Board staff upon obtaining employment in the State of  
16 Arizona, and at any time of a change in Respondent's practice setting.

17 3. Respondent shall promptly enroll in the Board's Physician Health Program ("PHP")  
18 and comply with the following terms and conditions of monitoring:

19 a. Respondent shall not consume alcohol or any food or other substance  
20 containing poppy seeds or alcohol.

21 b. Respondent shall not take any illegal drugs or mood altering medications  
22 unless prescribed for a legitimate therapeutic purpose.

23 c. Prior to engaging in the practice of medicine in Arizona, Respondent shall  
24 obtain a PHP Contractor approved worksite monitor who shall meet with  
25 Respondent as requested by the PHP Contractor and report as requested by

1 the PHP Contractor on Respondent's safety to practice and any indicators of  
2 substance use by Respondent. Respondent shall report on those activities  
3 as requested by the PHP, including executing any releases necessary to  
4 allow the PHP to monitor his compliance with this requirement and  
5 communicate directly with and obtain records from his employer(s) and  
6 worksite monitor. Respondent shall be responsible for all costs of  
7 compliance with this term, including the cost of complying with the reporting  
8 requirements.

9  
10 d. If recommended by the PHP, Respondent shall attend the PHP's  
11 Contractor's relapse prevention group therapy sessions one time per week  
12 for the duration of this Order, unless excused by the relapse prevention  
13 group facilitator for good cause. Individual relapse therapy may be  
14 substituted for one or more of the group therapy sessions, if the PHP  
15 Contractor pre-approves substitution. The relapse prevention group  
16 facilitators or individual relapse prevention therapist shall submit monthly  
17 reports to the PHP Contractor regarding attendance and progress.

18 e. Respondent shall participate in a 12-step recovery program or other self-help  
19 program appropriate for substance abuse as recommended by the PHP  
20 Contractor. Respondent shall attend a minimum of three 12-step or other  
21 self-help program meetings per week. Two meetings per month must be  
22 Caduceus meetings. Respondent must maintain a log of all self-help  
23 meetings.

24  
25 f. Respondent shall promptly obtain a Primary Care Physician ("PCP") and  
shall submit the name of the physician to the PHP Contractor in writing for

1 approval. Except in an Emergency, Respondent shall obtain medical care  
2 and treatment only from the PCP and from health care providers to whom the  
3 PCP refers Respondent. Respondent shall promptly provide a copy of this  
4 Order to the PCP. Respondent shall also inform all other health care  
5 providers who provide medical care or treatment that Respondent is  
6 participating in the PHP. "Emergency" means a serious accident or sudden  
7 illness that, if not treated immediately, may result in a long-term medical  
8 problem or loss of life.

9  
10 g. All prescriptions for controlled substances shall be approved by the PHP  
11 Contractor prior to being filled except in an Emergency. Controlled  
12 substances prescribed and filled in an emergency shall be reported to the  
13 PHP within 48 hours. Respondent shall take no Medication unless the PCP  
14 or other health care provider to whom the PCP refers Respondent prescribes  
15 and the PHP Contractor approves the Medication. Respondent shall not self-  
16 prescribe any Medication. "Medication" means a prescription-only drug,  
17 controlled substance, and over-the counter preparation, other than plain  
18 aspirin, plain ibuprofen, and plain acetaminophen.

19  
20 h. Respondent shall enter treatment with a PHP Contractor approved  
21 psychotherapist and shall comply with any and all treatment  
22 recommendations, including taking any and all prescribed medications.  
23 Respondent shall instruct the treating psychotherapist to submit quarterly  
24 written reports to the PHP regarding diagnosis, prognosis, current  
25 medications, recommendation for continuing care and treatment, and ability  
to safely practice medicine. The reports shall be submitted quarterly to the

1 PHP, the commencement of which to be determined by the PHP Contractor.  
2 Respondent shall provide the psychotherapist with a copy of this Consent  
3 Agreement. Respondent shall pay the expenses for treatment and be  
4 responsible for paying for the preparation of the quarterly reports.

5 i. Respondent shall submit to random biological fluid, hair and/or nail testing for  
6 the remainder of this Order (as specifically directed below) to ensure  
7 compliance with the PHP.

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

18 k. Respondent shall provide the PHP Contractor with written notice of any plans  
19 to travel out of state.

20 l. Respondent shall immediately notify the Board and the PHP Contractor in  
21 writing of any change in office or home addresses and telephone numbers.

22 m. Respondent provides full consent for the PHP Contractor to discuss the  
23 Respondent's case with the Respondent's PCP or any other health care  
24 providers to ensure compliance with the PHP.  
25

- 1 n. The relationship between the Respondent and the PHP Contractor is a direct  
2 relationship. Respondent shall not use an attorney or other intermediary to  
3 communicate with the PHP Contractor on participation and compliance  
4 issues.
- 5 o. Respondent shall be responsible for all costs, including costs associated with  
6 participating in the PHP, at the time service is rendered or within 30 days of  
7 each invoice sent to the Respondent. An initial deposit of two (2) months  
8 PHP fees is due upon entering the program. Failure to pay either the initial  
9 PHP deposit or monthly fees 60 days after invoicing will be reported to the  
10 Board by the PHP Contractor and may result in disciplinary action.
- 11 p. Respondent shall appear in person before with the PHP Contractor for  
12 interviews upon request, upon reasonable notice.
- 13 q. Respondent shall immediately provide a copy of this Order to all employers,  
14 hospitals and free standing surgery centers where Respondent currently has  
15 or in the future gains or applies for employment or privileges. Within 30 days  
16 of the date of this Order, Respondent shall provide the PHP with a signed  
17 statement of compliance with this notification requirement. Respondent is  
18 further required to notify, in writing, all employers, hospitals and free standing  
19 surgery centers where Respondent currently has or in the future gains or  
20 applies for employment or privileges of a violation of this Order.
- 21  
22  
23 r. In the event Respondent resides or practices as a physician in a state other  
24 than Arizona, Respondent shall participate in the rehabilitation program  
25 sponsored by that state's medical licensing authority or medical society.  
Respondent shall cause the monitoring state's program to provide written

1 quarterly reports to the PHP Contractor regarding Respondent's attendance,  
2 participation, and monitoring. The monitoring state's program and  
3 Respondent shall immediately notify the PHP Contractor if Respondent is  
4 non-compliant with any aspect of the monitoring requirements or is required  
5 to undergo any additional treatment.

6 s. The PHP Contractor shall immediately notify the Board if Respondent is non-  
7 compliant with any aspect of this Order or is required to undergo any  
8 additional treatment.

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

22 u. Respondent shall obey all state, federal and local laws, all rules governing  
23 the practice of medicine in Arizona, and remain in full compliance with any  
24 court ordered criminal probation, payments and other orders.  
25

1 v. In the event Respondent should leave Arizona to reside or practice outside  
2 the State or for any reason should Respondent stop practicing medicine in  
3 Arizona, Respondent shall notify the Executive Director in writing within ten  
4 days of departure and return or the dates of non-practice within Arizona.  
5 Non-practice is defined as any period of time exceeding thirty days during  
6 which Respondent is not engaging in the practice of medicine. Periods of  
7 temporary or permanent residence or practice outside Arizona or of non-  
8 practice within Arizona, will not apply to the reduction of the probationary  
9 period.  
10

11 w. Prior to the termination of Probation, Respondent must submit a written  
12 request to the Board for release from the terms of this Order. Respondent's  
13 request for release will be placed on the next pending Board agenda,  
14 provided a complete submission is received by Board staff no less than 30  
15 days prior to the Board meeting. Respondent's request for release must  
16 provide the Board with evidence establishing that he has successfully  
17 satisfied all of the terms and conditions of this Order, and that the California  
18 Consent Order has been successfully terminated. The Board has the sole  
19 discretion to determine whether all of the terms and conditions of this Order  
20 have been met or whether to take any other action that is consistent with its  
21 statutory and regulatory authority.  
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1 4. The Board retains jurisdiction and may initiate new action against Respondent  
2 based upon any violation of this Order. A.R.S. § 32-1401(27)(s).

3 DATED AND EFFECTIVE this 12<sup>MR</sup> day of ~~July~~<sup>MR</sup>, 2022.  
4 5th August

5 ARIZONA MEDICAL BOARD

6 By Patricia E. McSorley  
7 Patricia E. McSorley  
8 Executive Director

9 **CONSENT TO ENTRY OF ORDER**

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

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

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

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

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

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

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

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

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

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

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

1 12. Respondent has read and understands the conditions of probation.

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3   
JAMES E. HUNT, M.D.

DATED: 7/12/22

4  
5 EXECUTED COPY of the foregoing mailed  
6 this ~~10th~~ day of ~~July~~, 2022 to:

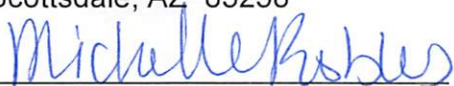
5th August

7 James E. Hunt, M.D.  
8 Address of Record

9 Physician Health Program  
10 Address on File

11 ORIGINAL of the foregoing filed  
12 this 5th day of August, 2022 with:

13 Arizona Medical Board  
14 9545 E. Doubletree Ranch Road  
15 Scottsdale, AZ 85258

  
16 Board Staff  
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