

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

Case No. MD-21-0823A

3 **CONRAD D. BALLECER, M.D.**

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND ORDER FOR LETTER  
OF REPRIMAND AND PROBATION**

4 Holder of License No. 37738  
5 For the Practice of Allopathic Medicine  
6 In the State of Arizona.

7 The Arizona Medical Board ("Board") considered this matter at its public meeting on  
8 June 9, 2022. Conrad Ballecer, M.D. ("Respondent"), appeared before the Board for a  
9 Formal Interview pursuant to the authority vested in the Board by A.R.S. § 32-1451(H).  
10 The Board voted to issue Findings of Fact, Conclusions of Law and Order for a Letter for  
11 Reprimand and Probation after due consideration of the facts and law applicable to this  
12 matter.

12 **FINDINGS OF FACT**

13 1. The Board is the duly constituted authority for the regulation and control of  
14 the practice of allopathic medicine in the State of Arizona.

15 2. Respondent is the holder of license number 37738 for the practice of  
16 allopathic medicine in the State of Arizona.

17 3. The Board initiated case number MD-21-0823A after receiving notification  
18 that Respondent failed to timely and successfully complete Board ordered CME.

19 4. On September 4, 2020, in MD-19-0864A, the Board issued Respondent a  
20 non-disciplinary Order for Continuing Medical Education requiring Respondent to timely  
21 complete the Professional/Problem-Based Ethics ("ProBE") program offered by the Center  
22 for Personalized Education for Physicians ("CPEP") for Ethics and Boundaries ("the  
23 Order"). The Order required Respondent to complete the ProBE course by March 4, 2021.  
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1           5.     On May 18, 2021 Board staff notified Respondent regarding his failure to  
2 timely complete the course. Respondent informed Board staff that there was an oversight  
3 and enrolled in the ProBE course scheduled virtually for July 29-31, 2021.

4           6.     On August 27, 2021 Board staff received CPEP's report that Respondent did  
5 not receive a passing grade on the ProBE course. CPEP reported that Respondent was  
6 late to two days of the course, and appeared to be engaged in work related activities  
7 during sessions. Further, CPEP reported that Respondent's final essay did not meet the  
8 requirements for passage.

9           7.     In a subsequent discussion with Board staff, CPEP opined that Respondent  
10 may be able to successfully complete the course with satisfactory engagement, completion  
11 of assignments, and appropriate behavior during the course.

12          8.     During a Formal Interview on this matter, Respondent testified regarding his  
13 experience taking the ProBE course. Respondent testified that at the beginning he was an  
14 unwilling participant, and that during the morning portion of the course, a resident came  
15 into his office to discuss a patient who was experiencing a complication. Respondent  
16 stated that he completed the course from home. Respondent disputed the report from  
17 CPEP that he was late, and testified that he believed his essay met course requirements.

18          9.     In response to Board members' questions, Respondent clarified that  
19 participants were asked to log in 20 minutes before the start of the course, and he logged  
20 in approximately five minutes before the course started. Respondent noted that he  
21 apologized to the course for the interruption caused by his conversation with the resident.  
22 Respondent stated that if ordered by the Board, he would take the course again, but noted  
23 that he did not think that the decision of CPEP regarding his performance was a fair result.  
24 Respondent discussed the lessons he had learned from the course, and how he has  
25 applied it to his practice.



1                   **a. Continuing Medical Education**

2                   Respondent shall within 3 months of the effective date of this Order, complete the  
3 Medical Ethics and Professionalism Course, Extended Edition (PB-24EX) course offered  
4 by PBI. Respondent shall within **thirty days** of the effective date of this Order submit  
5 satisfactory proof of enrollment with Board staff. Upon completion of the CME, Respondent  
6 shall provide Board staff with satisfactory proof of attendance. The CME hours shall be in  
7 addition to the hours required for the biennial renewal of medical licensure.

8                   Within 30 days of successful completion of the PBI CME, Respondent shall enroll in  
9 the post-CME maintenance and accountability seminars and successfully complete them.  
10 Respondent shall comply with any and all requirements and practice recommendations  
11 made by his PBI faculty as well as follow any and all recommendations made for further  
12 education and/or remediation by PBI, subject to the approval of the Board or its staff.  
13 Respondent shall provide Board staff with proof that she successfully completed all  
14 seminars. Respondent shall sign any and all consents or releases necessary to allow for  
15 PBI to communicate to the Board directly and furnish PBI's "AIR" Letter after completion of  
16 the required CME. Respondent shall be responsible for the expenses of participation in the  
17 maintenance and accountability seminars, and shall notify the Board staff of enrollment in  
18 them. Respondent shall not revoke any release prior to successful completion of the CME  
19 and maintenance and accountability seminars.

20                   **b. Obey All Laws**

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

1                   c. Probation Termination

2                   Prior to the termination of Probation, Respondent must submit a written request to  
3 the Board for release from the terms of this Order. Respondent's request for release will  
4 be placed on the next pending Board agenda, provided a complete submission is received  
5 by Board staff no less than 30 days prior to the Board meeting. Respondent's request for  
6 release must provide the Board with evidence establishing that he has successfully  
7 satisfied all of the terms and conditions of this Order. The Board has the sole discretion to  
8 determine whether all of the terms and conditions of this Order have been met or whether  
9 to take any other action that is consistent with its statutory and regulatory authority.

10                  3. The Board retains jurisdiction and may initiate new action against Respondent  
11 based upon any violation of this Order. A.R.S. § 32-1401(27)(s)

12   RIGHT TO PETITION FOR REHEARING OR REVIEW

13                  Respondent is hereby notified that he has the right to petition for a rehearing or  
14 review. The petition for rehearing or review must be filed with the Board's Executive  
15 Director within thirty (30) days after service of this Order. A.R.S. § 41-1092.09(B). The  
16 petition for rehearing or review must set forth legally sufficient reasons for granting a  
17 rehearing or review. A.A.C. R4-16-103. Service of this order is effective five (5) days after  
18 date of mailing. A.R.S. § 41-1092.09(C). If a petition for rehearing or review is not filed,  
19 the Board's Order becomes effective thirty-five (35) days after it is mailed to Respondent.

20                  Respondent is further notified that the filing of a motion for rehearing or review is  
21 required to preserve any rights of appeal to the Superior Court.

22                  DATED AND EFFECTIVE this 5<sup>th</sup> day of August, 2022.

23   ARIZONA MEDICAL BOARD

24   By Pat E. McSorley  
25   Patricia E. McSorley  
  Executive Director

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EXECUTED COPY of the foregoing mailed  
this 5<sup>th</sup> day of August, 2022 to:

Conrad Ballecer, M.D.  
Address of Record

ORIGINAL of the foregoing filed  
this 5<sup>th</sup> day of August, 2022 with:

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

Michelle Kubes  
Board staff