

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **MARK R. GLASBERG, M.D.**

4 Holder of License No. 13763  
5 For the Practice of Allopathic Medicine  
6 In the State of Arizona.

Case No. MD-20-0720A, MD-21-0111A

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

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

13 **FINDINGS OF FACT**

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

16 2. Respondent is the holder of license number 13763 for the practice of  
17 allopathic medicine in the State of Arizona.

18 **MD-20-0720A**

19 3. The Board initiated case number MD-20-0720A on August 20, 2021 after  
20 receiving a report from the Arizona Department of Health Services ("DHS") indicating that  
21 Respondent did not perform any Controlled Substances Prescription Monitoring Program  
22 ("CSPMP") queries to issue Medical Marijuana Certification ("MMC") forms when qualifying  
23 patients for the medical marijuana program from January 1, 2020 to May 31, 2020.

24 4. On September 11, 2020 in his initial written response to the Board,  
25 Respondent reported that he began working for a Medical Marijuana Clinic in March of

1 2020. Respondent further reported that he always reviewed a CSPMP report that had  
2 been obtained by Clinic staff for each patient when issuing MMCs.

3 5. Based on review of data from the CSPMP and the Arizona State Board of  
4 Pharmacy ("Pharmacy Board"), Board staff determined that Respondent failed to query the  
5 CSPMP for seven patients for whom MMCs were signed by Respondent during the  
6 relevant date range. Additionally, Board staff determined that for other patients, Clinic staff  
7 attributed CSPMP queries to other practitioners in the Clinic.

8 **MD-21-0111A**

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19 Pharmacy ("Pharmacy Board"), Board staff determined that Respondent failed to query the  
20 CSPMP for seven patients for whom MMCs were signed by Respondent during the  
21 relevant date range. Additionally, Board staff determined that for other patients, Clinic staff  
22 attributed CSPMP queries to other practitioners in the Clinic.

23 9. During a Formal Interview on these matters, Respondent testified that he  
24 plans on retiring by the end of the year, and noted that he did not have any prior Board  
25 discipline on his license. Respondent testified regarding the process used by Respondent

1 for certifying medical marijuana patients. Respondent testified that he reviewed the  
2 CSPMP reports for the patients, and that he could not explain why the records did not  
3 reflect his review. Respondent noted that he did not own the practice or control the  
4 recordkeeping for the practice. Respondent confirmed that he did not have the ability to  
5 confirm his review of the CSPMP in the patient records. Board staff confirmed the process  
6 for review of the records, and confirmed that from a list of 1220 patients provided by the  
7 practice, 845 lacked evidence of a CSPMP query. Board staff confirmed that during the  
8 investigation, Respondent was instructed on how to link his delegates in the CSPMP  
9 system in order to ensure that queries were appropriately attributed to him, and  
10 Respondent reported practice changes. Board staff stated that after the reported practice  
11 changes, Board staff identified 10 patients whose CSPMP had not been checked.  
12 Respondent confirmed that he no longer works with the practice at issue in the matters  
13 reviewed.

14 10. During that same Formal Interview, Board members discussed whether the  
15 case rose to the level of discipline. Board members expressed concern regarding the  
16 pattern of violations at issue in the cases. Board members ultimately concluded that the  
17 case rose to the level of discipline and voted to issue Respondent a Letter of Reprimand.

#### 18 **CONCLUSIONS OF LAW**

19 1. The Board possesses jurisdiction over the subject matter hereof and over  
20 Respondent.

21 2. The conduct and circumstances described above constitute unprofessional  
22 conduct pursuant to A.R.S. § 32-1401(27)(u) ("Knowingly making any false or fraudulent  
23 statement, written or oral, in connection with the practice of medicine or if applying for  
24 privileges or renewing an application for privileges at a health care institution.").



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

2  
3 Mark R. Glasberg, M.D.  
Address of Record

4 Michael K. Goldberg, Esq.  
5 Goldberg Law Group, LLC  
16427 North Scottsdale Road, Suite 200  
6 Scottsdale, Arizona 85254  
Attorney for Respondent

7  
8 ORIGINAL of the foregoing filed  
9 this 5<sup>th</sup> day of August, 2022 with:

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

12 Michelle Pussies  
13 Board staff

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