

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **LAWRENCE W. BENCE, M.D.**

4 Holder of License No. 15956  
5 For the Practice of Allopathic Medicine  
6 In the State of Arizona.

Case No. MD-18-0411A

**ORDER FOR LETTER OF  
REPRIMAND; AND CONSENT TO THE  
SAME**

7 Lawrence W. Bence, M.D. ("Respondent") elects to permanently waive any right to  
8 a hearing and appeal with respect to this Order for a Letter of Reprimand; admits the  
9 jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order  
10 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 15956 for the practice of  
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-18-0411A after receiving notification  
17 from the Health Center where Respondent held privileges regarding Respondent's care  
18 and treatment of patients, alleging inappropriate prescribing of opioids, narcotics, and  
19 benzodiazepines; failure to adequately supervise medical assistants; and failure to  
20 maintain adequate medical records.

21 4. The Health Center reported that based on a chart audit, Respondent shared  
22 his user ID and password with two medical assistants ("MAs") for the purpose of  
23 completing his documentation in the electronic medical record ("EMR"), authorizing  
24 prescription refills and issuing narcotics prescriptions at his request. The Health Center  
25 further reported that Respondent was on a performance improvement plan for failing to  
timely complete and lock charts in the EMR at the time of the audit.



1 c. The conduct and circumstances described above constitute unprofessional  
2 conduct pursuant to A.R.S. § 32-1401(27)(jj) ("Exhibiting a lack of or inappropriate  
3 direction, collaboration or direct supervision of a medical assistant or a licensed, certified  
4 or registered health care provider employed by, supervised by or assigned to the  
5 physician.").

6 **ORDER**

7 IT IS HEREBY ORDERED THAT:

- 8 1. Respondent is issued a Letter of Reprimand.

9  
10 DATED AND EFFECTIVE this 4<sup>th</sup> day of December, 2020.

11 ARIZONA MEDICAL BOARD

12  
13 By Patricia E. McSorley  
14 Patricia E. McSorley  
15 Executive Director

16 **CONSENT TO ENTRY OF ORDER**

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

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

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

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

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


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

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

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

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

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

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6   
7 LAWRENCE W. BENCE, M.D.

DATED: 10/28/2020

10 EXECUTED COPY of the foregoing mailed  
11 this 4<sup>th</sup> day of December, 2020 to:

12 Lawrence W. Bence, M.D.  
13 Address of Record

14 ORIGINAL of the foregoing filed  
15 this 4<sup>th</sup> day of December, 2020 with:

16 Arizona Medical Board  
17 1740 West Adams, Suite 4000  
18 Phoenix, Arizona 85007

19 Michelle Woods  
20 Board staff  
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