

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **DOUGLAS B. BOBER, M.D**

4 Holder of License No. 53245
5 For the Practice of Medicine
6 In the State of Arizona.

Case No. MD-21-0381A

**ORDER FOR SURRENDER OF
LICENSE AND CONSENT TO THE
SAME**

7 Douglas B. Bober, M.D. ("Respondent"), elects to permanently waive any right to a
8 hearing and appeal with respect to this Order for Surrender of License; admits the
9 jurisdiction of the Arizona Medical Board ("Board") as well as the facts stated herein; and
10 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 the holder of license number 53245 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-21-0381A after receiving a request for
17 license reactivation from Respondent.

18 4. Respondent's license was originally issued on April 6, 2017. Respondent's
19 license was inactivated at the Respondent's request, effective August 17, 2020.

20 5. On April 15, 2021, Respondent requested reactivation of his license. On his
21 license reactivation application, Respondent disclosed that on or about August 29, 2019,
22 he was convicted of Driving Under the Influence ("DUI") in Florida. Respondent was
23 subsequently granted early termination of his probation on March 2, 2020.

24 6. Effective May 6, 2021, Respondent entered into a Consent Order with the
25 New York State Department of Health State Board for Professional Medical Conduct ("NY
Board") agreeing not to practice in the State of New York and to the permanent

1 inactivation of his New York medical license. The NY Board Consent Order was based on
2 the DUI conviction in Florida.

3 7. Effective November 10, 2021, the State Medical Board of Ohio entered an
4 Order accepting the Surrender of Respondent's Ohio medical license. The Ohio action
5 was based solely on the NY Board Consent Order.

6 8. Effective May 19, 2022, the Massachusetts Board of Registration in Medicine
7 entered an Order accepting Respondent's Resignation of his right to renew his medical
8 license. The Massachusetts action was based on the NY Board Consent Order.

9 9. Respondent reported that he was employed with a Medical Imaging practice
10 from November 11, 2019, until March 6, 2020, when he retired from the practice of
11 medicine. Subsequently during the course of the Board's investigation, he reported that
12 he returned to work on July 6, 2021. Respondent asserted that he was fully retired as of
13 March 2020 as a result of the COVID-19 pandemic and was not working at all in June or
14 July 2020.

15 10. On June 17, 2021, the Executive Director issued an Interim Order for
16 Physician Health Program ("PHP") Assessment in connection with the information
17 disclosed on Respondent's license reactivation application.

18 11. On June 22, 2021, Respondent requested to withdraw his application for
19 licensure reactivation. Respondent asserts that he did not believe he was required to
20 complete the assessment in Arizona after Board staff accepted his request to withdraw his
21 license reactivation application. Respondent asserts that he agreed to surrender his
22 licenses in New York, Ohio, and Massachusetts because he does not reside or practice in
23 any of those states.

24 12. Respondent failed to complete the Assessment as ordered by the Board, but
25 Respondent completed a voluntary assessment with an addiction expert in Florida in April

1 2022. The Florida evaluator opined that Respondent was safe to practice and
2 recommended the completion of a 6-hour substance abuse educational course.

3 **CONCLUSIONS OF LAW**

4 1. The Board possesses jurisdiction over the subject matter hereof and over
5 Respondent.

6 2. The conduct and circumstances described above constitute unprofessional
7 conduct pursuant to A.R.S. § 32-1401(27)(a) ("Violating any federal or state laws or rules
8 and regulations applicable to the practice of medicine."). Specifically, Respondent's
9 conduct violated A.R.S. § 32-3208(A) ("A health professional who has been charged with a
10 misdemeanor involving conduct that may affect patient safety or a felony after receiving or
11 renewing a license or certificate must notify the health professional's regulatory board in
12 writing within ten working days after the charge is filed.") and A.R.S. § 32-1431(C) ("During
13 any period in which a medical doctor holds an inactive license, that person shall not
14 engage in the practice of medicine or continue to hold or maintain a drug enforcement
15 administration controlled substances registration certificate, except as permitted by a pro
16 bono registration pursuant to section 32-1428. Any person who engages in the practice of
17 medicine while on inactive license status is considered to be a person who practices
18 medicine without a license or without being exempt from licensure as provided in this
19 chapter.").

20 3. The conduct and circumstances described above constitute unprofessional
21 conduct pursuant to A.R.S. § 32-1401(27)(p) (Action that is taken against a doctor of
22 medicine by another licensing or regulatory jurisdiction due to that doctor's unprofessional
23 conduct as defined by that jurisdiction and that corresponds directly or indirectly to an act
24 of unprofessional conduct prescribed by this paragraph).

25

1 4. The conduct and circumstances described above constitute unprofessional
2 conduct pursuant to A.R.S. § 32-1401(27)(s) ("Violating a formal order, probation, consent
3 agreement or stipulation issued or entered into by the board or its executive director under
4 the provisions of this chapter.").

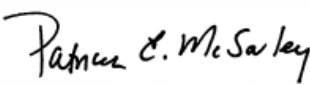
5 5. The Board possesses statutory authority to enter into a consent agreement
6 with a physician and accept the surrender of an active license from a physician who
7 admits to having committed an act of unprofessional conduct. A.R.S. § 32-1451(T)(2).

8 **ORDER**

9 IT IS HEREBY ORDERED THAT Respondent immediately surrender License
10 Number 53245, issued to Douglas B. Bober, M.D., for the practice of allopathic medicine in
11 the State of Arizona, and return his certificate of licensure to the Board.

12 DATED and effective this __12th__ day of June, 2023.

13
14 ARIZONA MEDICAL BOARD

15 By: 
16 Patricia E. McSorley
17 Executive Director

18 **CONSENT TO ENTRY OF ORDER**

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

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

24 3. By consenting to this Order, Respondent voluntarily relinquishes any rights
25 to a hearing or judicial review in state or federal court on the matters alleged, or to

1 challenge this Order in its entirety as issued by the Board, and waives any other cause of
2 action related thereto or arising from said Order.

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

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

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

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

25

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

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

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

8
9 Douglas B. Bober, MD
10 Douglas B. Bober, MD (May 9, 2023 12:20 PM)
11 DOUGLAS B. BOBER, M.D.

Dated: May 9, 2023

12 EXECUTED COPY of the foregoing mailed by
13 US Mail this 12th day of June, 2023 to:

14 Douglas B. Bober, M.D.
15 Address of Record

16 ORIGINAL of the foregoing filed this
17 12th day of June, 2023 with:

18 The Arizona Medical Board
19 1740 West Adams, Suite 4000
20 Phoenix, Arizona 85007

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22 Board staff
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