

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

Case No. MD-20-0434A

3 **SAMEH M. M. SAID, M.D.**

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

4 Holder of License No. 52079
5 For the Practice of Allopathic Medicine
In the State of Arizona.

6 Sameh M. M. Said, M.D. ("Respondent") elects to permanently waive any right to a
7 hearing and appeal with respect to this Order for Letter of Reprimand and Probation;
8 admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of
9 this Order by the Board.

10 **FINDINGS OF FACT**

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

13 2. Respondent is the holder of license number 52079 for the practice of
14 allopathic medicine in the State of Arizona.

15 3. The Board initiated case number MD-20-0434A after receiving a disciplinary
16 alert report ("DAR") that the Minnesota Board of Medical Practice ("Minnesota Board") had
17 reprimanded Respondent and assessed a Civil Penalty.

18 4. On May 9, 2020, the Minnesota Board issued a Stipulation and Order
19 requiring that Respondent be reprimanded, placed on Two Year Probation, and assessed
20 a Civil Penalty in the amount of \$7590 for unethical conduct arising out of allegations that
21 he sexually harassed female staff and portrayed unprofessional and disrespectful
22 behaviors. The Minnesota Board further ordered that Respondent complete a CME course
23 in ethics and boundaries. The Minnesota Board order also required that Respondent meet
24 monthly with a supervising physician to discuss his practice and provide quarterly reports
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1 regarding overall work performance including interpersonal communication with co-
2 workers.

3 **CONCLUSIONS OF LAW**

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

6 b. The conduct and circumstances described above constitute unprofessional
7 conduct pursuant to A.R.S. § 32-1401(27)(p) ("Action that is taken against a doctor of
8 medicine by another licensing or regulatory jurisdiction due to that doctor's mental or
9 physical inability to engage safely in the practice of medicine, the doctor's medical
10 incompetence or for unprofessional conduct as defined by that jurisdiction and that
11 corresponds directly or indirectly to an act of unprofessional conduct prescribed by this
12 paragraph. The action taken may include refusing, denying, revoking or suspending a
13 license by that jurisdiction or a surrendering of a license to that jurisdiction, otherwise
14 limiting, restricting or monitoring a licensee by that jurisdiction or placing a licensee on
15 probation by that jurisdiction.").

16 **ORDER**

17 IT IS HEREBY ORDERED THAT:

- 18 1. Respondent is issued a Letter of Reprimand.
19 2. Respondent is placed on Probation with the following terms and conditions:

20 a. **Compliance with Minnesota Board Order**

21 Respondent shall remain in compliance with the terms and conditions of the
22 Minnesota Board Order entered on May 9, 2020. Respondent shall immediately provide
23 the Minnesota Board with a copy of this Order and cause the Minnesota Board or its
24 designee to provide written quarterly reports to Board staff regarding Respondent's
25 compliance with the Minnesota Board Order. Respondent shall immediately notify Board

1 staff if Respondent is non-compliant with any aspect of monitoring requirements of the
2 Minnesota Board Order. Any violation of the Minnesota Board Order will be deemed non-
3 compliance with this Order.

4 **b. Obey All Laws**

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

8 **c. Probation Termination**

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

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

20 DATED AND EFFECTIVE this 16th day of February, 2021.

22 ARIZONA MEDICAL BOARD

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

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2 **CONSENT TO ENTRY OF ORDER**

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

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

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

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

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

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

1 state agency or officer or political subdivisions of the State relating to this matter or other
2 matters concerning Respondent.

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

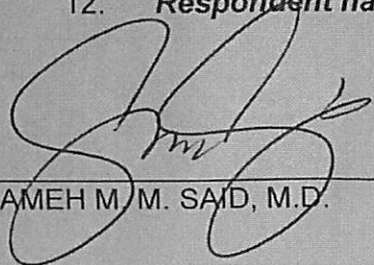
8 8. This Order is a public record that will be publicly disseminated as a formal
9 disciplinary action of the Board and will be reported to the National Practitioner's Data
10 Bank and on the Board's web site as a disciplinary action.

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

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

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

20 12. ***Respondent has read and understands the conditions of probation.***

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23 SAMEH M. M. SAID, M.D.

24 DATED: 01/14/2021

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EXECUTED COPY of the foregoing mailed
this 10th day of February, 2021 to:

Sameh M. M. Said, M.D.
Address of Record

ORIGINAL of the foregoing filed
this 10th day of February, 2021 with:

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

Michelle Puzos

Board staff