

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **MORTON I. HYSON, M.D**

4 Holder of License No. 49700
5 For the Practice of Medicine
6 In the State of Arizona.

Case No. MD-22-0504A, MD-22-0744A

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

7 Morton I. Hyson, 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 49700 for the practice of
15 allopathic medicine in the State of Arizona. Respondent's license is subject to an Order
16 for Letter of Reprimand and Probation; and Consent to the Same issued in MD-20-1072A
17 ("Original Order"). The Original Order arose out of a report of disciplinary action taken by
18 the Nevada State Board of Medical Examiners ("Nevada Board") against Respondent's
19 Nevada medical license based on a finding that he violated a Stipulation and Order
20 requiring a female chaperone for all medical encounters with female patients ("First
21 Nevada Order"). The First Nevada Order imposed a restriction requiring Respondent to
22 utilize a chaperone for all female patient encounters. The Original Order additionally
23 required Respondent to comply with the terms and conditions of a separate Consent Order
24 that Respondent had entered into with the Illinois Department of Financial and
25 Professional Regulation ("Illinois Board Order"). The Illinois Board Order required him to

1 take and pass all five areas of the Ethics and Boundaries Post-Licensure Essay
2 Examination within 12 months.

3 **MD-22-0504A**

4 3. The Board initiated case number MD-22-0504A after receiving notification
5 from the Nevada Board that Respondent's license had been summarily suspended based
6 on a finding that Respondent's acts put the health, safety or welfare of the public at risk of
7 imminent harm.

8 4. Effective May 12, 2022, the Nevada Board issued an Order of Summary
9 Suspension and Notice of Hearing in Case No.: 22-8616-1 ("Second Nevada Order"). The
10 Second Nevada Order stated that on June 4, 2021 Respondent requested termination of
11 the First Nevada Order. The Nevada Board granted the request and articulated an
12 expectation that Respondent would continue to voluntarily utilize a female chaperone. The
13 Second Nevada Order stated that on February 9, 2022 Respondent examined a female
14 patient without a chaperone and engaged in "unlawful and unsolicited sexual touching
15 without Patient A's consent." Based on this finding, the Nevada Board summarily
16 suspended Respondent's Nevada medical license.

17 5. Based on the Second Nevada Order, other Boards took reciprocal action as
18 follows:

- 19 a. On June 9, 2022 Respondent entered into a Consent Agreement with the
20 South Dakota Board of Medical Examiners to surrender his South Dakota
21 medical license.
- 22 b. On June 14, 2022, The Wyoming Board of Medicine summarily suspended
23 Respondent's Wyoming medical license.
- 24 c. On September 21, 2022, The Colorado Medical Board summarily suspended
25 Respondent's Colorado medical license.

1 **MD-22-0744A**

2 6. The Board initiated case number MD-22-0744A after receiving a Disciplinary
3 Action Report stating that Respondent's Illinois medical license had been suspended for a
4 minimum of 12 months as a reciprocal action to the Second Nevada Order, which was
5 deemed to also be a violation of the Illinois Board Order.

6 7. Respondent additionally failed to complete other requirements of the Illinois
7 Board Order, including completion of the Ethics and Boundaries Post-Licensure Essay
8 Examination.

9 8. Respondent's violation of the Illinois Board Order constitutes a violation of
10 this Board's Original Order.

11 9. On September 16, 2022, Respondent entered into a Settlement Agreement
12 with the Nevada Board for the revocation of his Nevada license.

13 10. **ADDITIONAL FINDINGS/RESPONDENT'S REQUEST FOR SURRENDER**

14 **CONCLUSIONS OF LAW**

15 1. The Board possesses jurisdiction over the subject matter hereof and over
16 Respondent.

17 2. The conduct and circumstances described above constitute unprofessional
18 conduct pursuant to A.R.S. § 32-1401(27)(p) ("Having action taken against a doctor of
19 medicine by another licensing or regulatory jurisdiction due to that doctor's mental or
20 physical inability to engage safely in the practice of medicine or the doctor's medical
21 incompetence or for unprofessional conduct as defined by that jurisdiction and that
22 corresponds directly or indirectly to an act of unprofessional conduct prescribed by this
23 paragraph. The action taken may include refusing, denying, revoking or suspending a
24 license by that jurisdiction or a surrendering of a license to that jurisdiction, otherwise
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1 limiting, restricting or monitoring a licensee by that jurisdiction or placing a licensee on
2 probation by that jurisdiction.”).

3 3. The conduct and circumstances described in MD-22-0744a above constitute
4 unprofessional conduct pursuant to A.R.S. § 32-1401(27)(s) (“Violating a formal order,
5 probation, consent agreement or stipulation issued or entered into by the board or its
6 executive director under the provisions of this chapter.”).

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

10 **ORDER**

11 IT IS HEREBY ORDERED THAT Respondent immediately surrender License
12 Number 49700, issued to Morton I. Hyson, M.D., for the practice of allopathic medicine in
13 the State of Arizona, and return her/his certificate of licensure to the Board.

14 DATED and effective this ~~3rd~~ day of August, 2023.

15
16 ARIZONA MEDICAL BOARD

17 By: Pat E McSorley
18 Patricia E. McSorley
19 Executive Director

20 **CONSENT TO ENTRY OF ORDER**

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

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

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

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

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

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

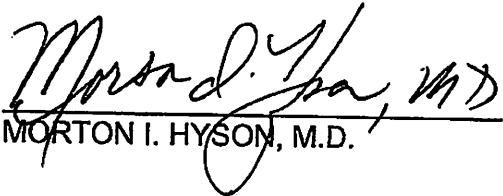
22 7. Upon signing this agreement, and returning this document (or a copy
23 thereof) to the Board's Executive Director, Respondent may not revoke the consent to the
24 entry of the Order. Respondent may not make any modifications to the document. Any
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1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

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

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

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

10
11 
12 MORTON I. HYSON, M.D.

Dated: 7/19/23

14
15 EXECUTED COPY of the foregoing mailed by
16 US Mail this 3rd day of August 2023 to:

17 Morton I. Hyson, M.D.
18 Address of Record

19 ORIGINAL of the foregoing filed this
20 3rd day of August, 2023 with:

21 The Arizona Medical Board
22 1740 West Adams, Suite 4000
23 Phoenix, Arizona 85007

24 
25 Michelle Robles
Board staff