

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **DAVID A. LAPIDES, M.D**

4 Holder of License No. 62141
5 For the Practice of Medicine
6 In the State of Arizona.

Case No. MD-22-0161A

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

7 David A. Lapides, 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 62141 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-22-0161A on February 17, 2022 after
17 receiving Respondent’s self-report that on January 18, 2022 he had been convicted of a
18 felony related to underage pornography.

19 4. Effective February 23, 2022, Respondent entered into an Interim Consent
20 Agreement for Practice Restriction that prohibited him from practicing medicine in Arizona.

21 5. On January 18, 2022, Respondent entered into a plea agreement to one
22 felony count of distribution of child pornography in case CR21000187-02 in the
23 Charlottesville Circuit Court for the Commonwealth of Virginia. Respondent failed to timely
24 report the original criminal charges to the Board.

25 6. Respondent is licensed to practice allopathic medicine in multiple states, and
as a result of his conviction, multiple licenses have been suspended, restricted,

1 surrendered or revoked by the respective states' licensing boards. Specifically,
2 Respondent has had adverse action taken by the medical or licensing boards of Virginia,
3 Tennessee, New Hampshire, New York, Alabama, California, Florida, Kentucky, South
4 Carolina, Idaho, Utah, Oregon, Mississippi, North Carolina, South Dakota, Minnesota and
5 Nebraska.

6 7. Respondent has requested surrender of his license.

7 **CONCLUSIONS OF LAW**

8 1. The Board possesses jurisdiction over the subject matter hereof and over
9 Respondent.

10 2. The conduct and circumstances described above constitute unprofessional
11 conduct pursuant to A.R.S. § 32-1401(27)(a) ("Violating any federal or state laws, rules or
12 regulations applicable to the practice of medicine."). Specifically, Respondent's conduct
13 violated A.R.S. § 32-3208(A) ("A health professional who has been charged with a
14 misdemeanor involving conduct that may affect patient safety or a felony after receiving or
15 renewing a license or certificate must notify the health professional's regulatory board in
16 writing within ten working days after the charge is filed.").

17 3. The conduct and circumstances described above constitute unprofessional
18 conduct pursuant to A.R.S. § 32-1401(27)(d) ("Committing a felony, whether or not
19 involving moral turpitude, or a misdemeanor involving moral turpitude. In either case,
20 conviction by any court of competent jurisdiction or a plea of no contest is conclusive
21 evidence of the commission.").

22 4. The conduct and circumstances described above constitute unprofessional
23 conduct pursuant to A.R.S. § 32-1401(27)(p) ("Having action taken against a doctor of
24 medicine by another licensing or regulatory jurisdiction due to that doctor's mental or
25 physical inability to engage safely in the practice of medicine or the doctor's medical

1 incompetence or for unprofessional conduct as defined by that jurisdiction and that
2 corresponds directly or indirectly to an act of unprofessional conduct prescribed by this
3 paragraph. The action taken may include refusing, denying, revoking or suspending a
4 license by that jurisdiction or a surrendering of a license to that jurisdiction, otherwise
5 limiting, restricting or monitoring a licensee by that jurisdiction or placing a licensee on
6 probation by that jurisdiction.”).

7 5. 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 62141, issued to David A. Lapidés, M.D., for the practice of allopathic medicine in
13 the State of Arizona, and return his certificate of licensure to the Board.

14 DATED and effective this 4th day of November, 2022.

15
16 ARIZONA MEDICAL BOARD

17 By: 
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
25

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.***

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11 

Dated: 10/24/2022

12 _____
DAVID A. LAPIDES, M.D.

13
14 EXECUTED COPY of the foregoing mailed by
US Mail this 4th day of November, 2022 to:

15 David A. Lapides, M.D.
16 Address of Record

17 ORIGINAL of the foregoing filed
18 this 4th day of November, 2022
19 with:

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

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23 Board staff