

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **ROBERT H. JOCHIM, M.D.**

4 Holder of License No. 7074  
5 For the Practice of Allopathic Medicine  
6 In the State of Arizona.

**Case No. MD-19-1118A**

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

7 Robert H. Jochim, M.D. ("Respondent") elects to permanently waive any right to a  
8 hearing and appeal with respect to this Order for Letter of Reprimand and Probation;  
9 admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of  
10 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 7074 for the practice of  
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-19-1118A after receiving notification of  
17 a malpractice settlement involving Respondent's care and treatment of a 36 year-old  
18 female patient ("AV") alleging failure to monitor a molar pregnancy subsequently resulting  
19 in delay of diagnosis of metastatic choriocarcinoma with permanent neurological and  
20 physical damage.

21 4. On January 9, 2017, AV presented to Respondent's office with the complaint  
22 of abdominal pain. AV's last menstrual period ("LMP") was November 28, 2016. AV's past  
23 medical history included one ectopic pregnancy, one spontaneous abortion, one full term  
24 pregnancy requiring a C-section, and fibroids. An ultrasound was performed in the office  
25 that showed a probable 4-5 week intrauterine pregnancy with a question of twins.

1           5.     On January 16, 2017, AV presented to Respondent's office with spotting  
2 after intercourse. An ultrasound was performed and Respondent prescribed AV  
3 progesterone vaginal suppositories.

4           6.     On February 6, 2017, AV presented to Respondent's office with the  
5 complaint of nausea and vomiting. An ultrasound was performed in the office and a  
6 second ultrasound was subsequently completed at a Medical Center that identified a molar  
7 pregnancy. AV's human chorionic gonadotropin ("HCG) level was noted by the Medical  
8 Center as 677,520.

9           7.     On February 8, 2017, Respondent performed a dilation and curettage  
10 ("D&C"). The pathology showed a complete hydatidiform mole. The Medical Center's post-  
11 operative instructions noted a six week appointment for March 22, 2017.

12          8.     On February 22, 2017, AV was seen at a Community Health Center for  
13 complaints of ongoing "morning sickness". The physician who saw AV was aware of the  
14 molar pregnancy and told her it would be all right to try again for pregnancy after a normal  
15 period. The physician concluded that AV's ongoing nausea was due to continued estrogen  
16 production.

17          9.     On February 28, 2017, AV saw a PA for a yearly family planning  
18 examination, who prescribed an oral contraceptive pill ("OCP").

19          10.    AV subsequently experienced and was treated for a urinary tract infection  
20 ("UTI"), vaginal burning, abdominal pain and colonic fecal stasis. On March 30, 2017 AV  
21 presented to the Community Health Center with allergies and was administered a  
22 methylprednisolone injection.

23          11.    On May 16, 2017, AV presented to the Community Health Center and saw a  
24 PA. AV had discontinued the OCPs due to ongoing bleeding. The PA stated that the  
25

1 bleeding was believed to be due to the steroid injection and the patient was told to restart  
2 the OCPs.

3 12. On June 5, 2017, AV returned to see Respondent with complaints of nonstop  
4 bleeding for three months. Respondent ordered a CBC and an ultrasound that was  
5 performed in the office and identified a thin endometrial stripe.

6 13. On June 19, 2017, AV was seen at the Community Health Center with  
7 complaints of fatigue, nausea and vomiting without pain or fever. Meclizine and blood tests  
8 were reportedly ordered.

9 14. On June 20, 2017, AV's CBC result from June 5<sup>th</sup> was returned showing a  
10 hemoglobin and hematocrit ("H&H") level of 6.2/20.1. AV was referred to the Medical  
11 Center for further evaluation and possible transfusion. At the Medical Center, a large  
12 amount of vaginal blood clots were noted and laboratory studies showed a hemoglobin of  
13 6 and HCG of 937,816. AV received a transfusion of 2 units and an ultrasound that  
14 revealed heterogeneous tissue measuring 41mm. AV was admitted and underwent a D&C  
15 with pathology results noting a choriocarcinoma which was reported to Respondent on  
16 June 23, 2017.

17 15. On June 26, 2017, AV was seen by Respondent who ordered a CT scan of  
18 the pelvis and referred AV to gynecology oncology.

19 16. On July 6, 2017, AV presented to the Medical Center with complaints of  
20 headache, abnormal vision, nausea and vomiting. A CT scan of the head revealed two  
21 intracranial hematomas. AV was flown to a Hospital where she was found to have  
22 pulmonary nodules and a T2 vertebral lesion. AV required a left frontal burr hole  
23 craniotomy for evaluation of a subdural hematoma and intraparenchymal hemorrhage.

24 17. On July 12, 2017, AV underwent surgery after she experienced headaches  
25 and right-sided hemiparesis and was found to have a new left frontoparietal hemorrhage.

1 18. Subsequently, AV underwent chemotherapy and extended hospitalization.  
2 She was discharged home on November 22, 2017 with persistent neurological deficits.

3 19. The standard of care requires a physician to closely monitor a patient  
4 diagnosed with a molar pregnancy. Respondent deviated from this standard of care by  
5 failing to monitor a molar pregnancy resulting in delay of diagnosis of metastatic  
6 choriocarcinoma.

7 20. Actual patient harm was identified in that AV's choriocarcinoma metastasized  
8 to her lungs and brain, resulting in permanent neurological and physical damage.

9 21. There was the potential for patient harm in that AV was at risk of death.

10 **CONCLUSIONS OF LAW**

11 a. The Board possesses jurisdiction over the subject matter hereof and over  
12 Respondent.

13 b. The conduct and circumstances described above constitute unprofessional  
14 conduct pursuant to A.R.S. § 32-1401(27)(e) ("Failing or refusing to maintain adequate  
15 records on a patient.").

16 c. The conduct and circumstances described above constitute unprofessional  
17 conduct pursuant to A.R.S. § 32-1401(27)(r) ("Committing any conduct or practice that is or  
18 might be harmful or dangerous to the health of the patient or the public.").

19 **ORDER**

20 IT IS HEREBY ORDERED THAT:

21 1. Respondent is issued a Letter of Reprimand.  
22 2. Respondent is placed on Probation for a period of six months with the  
23 following terms and conditions:

24 a. **Continuing Medical Education**

1 Respondent shall within 6 months of the effective date of this Order obtain no less  
2 than 5 hours of Board Staff pre-approved Category I Continuing Medical Education  
3 ("CME") in the management of molar pregnancies. Respondent shall within **thirty days** of  
4 the effective date of this Order submit her request for CME to the Board for pre-approval.  
5 Upon completion of the CME, Respondent shall provide Board staff with satisfactory proof  
6 of attendance. The CME hours shall be in addition to the hours required for the biennial  
7 renewal of medical licensure. The Probation shall terminate upon Respondent's proof of  
8 successful completion of the CME

9 **b. Obey All Laws**

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

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

15 DATED AND EFFECTIVE this 16<sup>th</sup> day of February, 2021.

16 ARIZONA MEDICAL BOARD

17  
18 By Patricia E. McSorley  
19 Patricia E. McSorley  
20 Executive Director

21 **CONSENT TO ENTRY OF ORDER**

22 1. Respondent has read and understands this Consent Agreement and the  
23 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent  
24 acknowledges he has the right to consult with legal counsel regarding this matter.  
25

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

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

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

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

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

24          7.     Upon signing this agreement, and returning this document (or a copy thereof)  
25 to the Board's Executive Director, Respondent may not revoke the consent to the entry of

1 the Order. Respondent may not make any modifications to the document. Any  
2 modifications to this original document are ineffective and void unless mutually approved  
3 by the parties.

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

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

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

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

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

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18 Robert H Jochim M.D.  
19 ROBERT H. JOCHIM, M.D.

DATED: 1/20/21

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EXECUTED COPY of the foregoing mailed  
this 16<sup>th</sup> day of February, 2021 to:

Michael F. Tamm, Esq.  
Quintairos, Prieto, Wood & Boyer, P.A.  
2390 East Camelback Road, Suite 440  
Phoenix, Arizona 85016  
Attorney For Respondent

ORIGINAL of the foregoing filed  
this 16<sup>th</sup> day of February, 2021 with:

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

Michelle Rhodes  
Board staff