

1 **BEFORE THE ARIZONA REGULATORY BOARD**
2 **OF PHYSICIAN ASSISTANTS**

3 In the Matter of

4 **SALLY VAN SNEPSON-BARNETT, P.A.**

5 Holder of License No. 5181
6 For the Performance of Healthcare Tasks
In the State of Arizona.

Case No. PA-21-0072A

**ORDER FOR LICENSE
REACTIVATION, LETTER OF
REPRIMAND AND PROBATION, AND
CONSENT TO THE SAME**

7 Sally Van Snepson-Barnett, P.A. ("Respondent"), elects to permanently waive any
8 right to a hearing and appeal with respect to this Order for License Reactivation, Letter of
9 Reprimand and Probation; admits the jurisdiction of the Arizona Regulatory Board of
10 Physician Assistants ("Board"); and 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 performance of healthcare tasks in the State of Arizona.

14 2. Respondent is the holder of license number 5181 for the performance of
15 healthcare tasks in the State of Arizona.

16 3. The Board initiated case number PA-21-0072A after receiving Respondent's
17 request for license reactivation.

18 4. Respondent participated in the Board's Physician Health Program ("PHP")
19 from May 24, 2013 through May 23, 2015 pursuant to a Stipulated Rehabilitation
20 Agreement ("SRA"). Respondent successfully completed the terms and conditions of the
21 SRA and the SRA was terminated.

22 5. The Board initiated case PA-15-0108A upon receipt of a report by the PHP
23 Contractor that Respondent experienced a relapse of alcohol use and was unable to
24 safely perform healthcare tasks.
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1 6. Effective September 22, 2015, Respondent entered into a Request for
2 License Inactivation with Cause and Order Inactivating License with Cause.

3 7. On June 24, 2018, Respondent was arrested and charged with
4 misdemeanor shoplifting. The charge was subsequently dismissed as part of a deferred
5 prosecution agreement in a separate case arising out of commission of a non-reportable
6 misdemeanor. Respondent subsequently completed the terms of the plea agreement and
7 charges were dismissed on September 26, 2019. Respondent failed to timely report the
8 shoplifting charge to the Board.

9 8. The Board initiated case PA-19-0010A upon receipt of Respondent's request
10 for licensure reactivation. Respondent reported completion of inpatient treatment from
11 January 1, 2018 through January 30, 2018. On May 21, 2020, Respondent reported a
12 relapse on alcohol use including an alcohol related accident that occurred on May 15,
13 2020. On July 31, 2020 case PA-19-0010A was closed based on Respondent's
14 withdrawal of her request for reactivation.

15 9. Respondent entered into an intensive, outpatient treatment program on June
16 8, 2020 and was discharged with staff approval on September 23, 2020.

17 10. On July 6, 2020, Respondent enrolled in private monitoring with the Board's
18 PHP Contractor. Respondent is in compliance with the terms and conditions of her private
19 monitoring agreement.

20 11. On February 17, 2022, Respondent underwent an Assessment with the
21 Board's PHP Assessor. The Assessor noted that Respondent's insight was improved and
22 that she was working a solid recovery program. Based on the Assessment findings, the
23 Assessor opined that Respondent is safe to return to the performance of healthcare tasks
24 subject to Respondent's participation in PHP for a minimum period of **five** years. The
25

1 Assessor opined that this period may need to be extended based on Respondent's
2 diagnoses and complex presentation.

3 12. On November 30 to December 1, 2022, Respondent underwent a re-entry to
4 clinical practice evaluation with a Board approved evaluation facility ("Evaluator").
5 Respondent provided the Evaluator with documentation for completion of 86.25 continuing
6 medical education ("CME") hours within the previous 36 months. The Evaluator noted that
7 the CME was relevant to Respondent's chosen area of practice as well as general
8 medicine. Based on the evaluation results and findings, the Evaluator opined that
9 Respondent's clinical judgment and reasoning were satisfactory, and that Respondent
10 should address educational needs through structured education that incorporates external
11 support, gradually decreasing levels of oversight, and a mechanism for accountability.

12 13. **Board staff stated that according to the Board's three-strike policy, this**
13 **is Respondent's "second strike."**

14 CONCLUSIONS OF LAW

15 1. The Arizona Regulatory Board of Physician Assistants possesses jurisdiction
16 over the subject matter hereof and over Respondent.

17 2. The Board has received substantial evidence supporting the Findings of Fact
18 described above and said findings require the Board to either refer the matter for formal
19 hearing to revoke Respondent's license or reactivate Respondent's license and place
20 Respondent on probation for five years with restrictions necessary to assure public safety.
21 A.R.S. § 32-1452(F).

22 3. The conduct and circumstances described above constitute unprofessional
23 conduct pursuant to A.R.S. § 32-2701(18)(a) ("Violating any federal or state law or rule
24 that applies to the performance of health care tasks as a physician assistant. Conviction in
25 any court of competent jurisdiction is conclusive evidence of a violation."). Specifically,

1 Respondent's conduct violated A.R.S. § 32-3208(A) ("A health professional who has been
2 charged with a misdemeanor involving conduct that may affect patient safety or a felony
3 after receiving or renewing a license or certificate must notify the health professional's
4 regulatory board in writing within ten working days after the charge is filed.").

5 4. The conduct and circumstances described above constitute unprofessional
6 conduct pursuant to A.R.S. § 32-2701(18)(d) ("Exhibiting a pattern of using or being under
7 the influence of alcohol or drugs or a similar substance while performing health care tasks
8 or to the extent that judgment may be impaired and the ability to perform health care tasks
9 detrimentally affected.").

10 5. The conduct and circumstances described above constitute unprofessional
11 conduct pursuant to A.R.S. § 32-2701(18)(j) ("Committing any conduct or practice that is
12 or might be harmful or dangerous to the health of a patient or the public.").

13 **ORDER**

14 IT IS HEREBY ORDERED that:

15 Respondent's license is reactivated upon payment of the renewal fee. Respondent is
16 placed on Probation with the following terms and conditions:

- 17 1. Respondent's license is issued a Letter of Reprimand.
- 18 2. Respondent shall return to the performance of healthcare tasks under on-site
19 and direct supervision of a Board staff pre-approved Supervising Physician. Respondent
20 shall submit the name of her Supervising Physician to Board staff for approval. The
21 Supervising Physician shall provide Board staff with a Delegation Agreement and a signed
22 statement that the Supervising Physician has reviewed the Evaluator's Report and agrees
23 to provide direct and on-site supervision of Respondent's practice including concurrent
24 review of patient care rendered by Respondent, to evaluate Respondent's medical
25 decision-making and assist in ensuring that Respondent completes CME as

1 recommended by the Evaluator. The Supervising Physician shall provide Board staff with
2 monthly reports regarding Respondent's ongoing education and practice, and notify the
3 Board at any time that the Supervising Physician has concerns regarding Respondent's
4 safety to perform healthcare tasks. After one year, Respondent may request modification
5 or termination of this requirement. Any request for modification or termination must be
6 accompanied by a statement by the Supervising Physician in support of Respondent's
7 request. The Executive Director has the sole discretion to determine whether it is
8 appropriate to modify or terminate this requirement.

9 3. Respondent shall enroll and participate in the Board's PHP for a minimum
10 period of five (5) years.

11 4. Respondent shall not consume alcohol or any food or other substance
12 containing poppy seeds or alcohol.

13 5. Respondent shall not take any illegal drugs or mood altering medications
14 unless prescribed for a legitimate therapeutic purpose.

15 6. Respondent shall continue to participate in any personalized aftercare
16 programs or activities. Respondent shall report on those activities as requested by the
17 PHP, including executing any releases necessary to allow the PHP to monitor her
18 participation and communicate directly with and obtain records from the treating providers
19 for those aftercare activities. Respondent shall be responsible for all costs of aftercare,
20 including costs associated with compliance of this Board Order.

21 7. Respondent shall promptly obtain a Primary Care Physician ("PCP") and
22 shall submit the name of the physician to the PHP Contractor in writing for approval.
23 Except in an Emergency, Respondent shall obtain medical care and treatment only from
24 the PCP and from health care providers to whom the PCP refers Respondent. Respondent
25 shall promptly provide a copy of this Order to the PCP. Respondent shall also inform all

1 other health care providers who provide medical care or treatment that Respondent is
2 participating in the PHP. "Emergency" means a serious accident or sudden illness that, if
3 not treated immediately, may result in a long-term medical problem or loss of life.

4 8. All prescriptions for controlled substances shall be approved by the PHP
5 Contractor prior to being filled except in an Emergency. Controlled substances prescribed
6 and filled in an emergency shall be reported to the PHP within 48 hours. Respondent shall
7 take no Medication unless the PCP or other health care provider to whom the PCP refers
8 Respondent prescribes and the PHP Contractor approves the Medication. Respondent
9 shall not self-prescribe any Medication. "Medication" means a prescription-only drug,
10 controlled substance, and over-the counter preparation, other than plain aspirin, plain
11 ibuprofen, and plain acetaminophen.

12 9. If recommended by the PHP Contractor, Respondent shall attend a relapse
13 prevention outpatient program for a duration and frequency recommended by the PHP
14 Contractor, unless Respondent is excused by the relapse program facilitator for good
15 cause. The relapse prevention group facilitators shall submit monthly reports to the PHP
16 regarding Respondent's attendance and progress.

17 10. If requested by the PHP and not already completed, Respondent shall attend
18 ninety 12-step meetings or other self-help group meetings appropriate for substance
19 abuse and approved by the PHP, for a period of ninety days. Upon completion of the
20 ninety meetings in ninety days, Respondent shall participate in a 12-step recovery
21 program or other self-help program appropriate for substance abuse as recommended by
22 the PHP. Respondent shall attend a minimum of three 12-step or other self-help program
23 meetings per week. Two meetings per month must be Caduceus meetings. Respondent
24 must maintain a log of all self-help meetings.

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1 11. Respondent shall submit to random biological fluid, hair and/or nail testing
2 for the remainder of this Order (as specifically directed below) to ensure compliance with
3 the PHP.

4 12. Respondent shall provide the PHP Contractor in writing with one telephone
5 number that shall be used to contact Respondent on a 24 hour per day/seven day per
6 week basis to submit to biological fluid, hair, and/or nail testing to ensure compliance with
7 the PHP. For the purposes of this section, telephonic notice shall be deemed given at the
8 time a message to appear is left at the contact telephone number provided by
9 Respondent. Respondent authorizes any person or organization conducting tests on the
10 collected samples to provide testing results to the PHP Contractor. Respondent shall
11 comply with all requirements for biological fluid, hair, and/or nail collection. Respondent
12 shall pay for all costs for the testing.

13 13. Respondent shall provide the PHP Contractor with written notice of any
14 plans to travel out of state.

15 14. Respondent shall successfully complete a PHP approved 36 hour
16 alcohol/drug awareness education class.

17 15. Respondent shall immediately notify the Board and the PHP Contractor in
18 writing of any change in office or home addresses and telephone numbers.

19 16. Respondent provides full consent for the PHP Contractor to discuss the
20 Respondent's case with the Respondent's PCP or any other health care providers to
21 ensure compliance with the PHP.

22 17. The relationship between the Respondent and the PHP Contractor is a direct
23 relationship. Respondent shall not use an attorney or other intermediary to communicate
24 with the PHP Contractor on participation and compliance issues. All inquiries must be
25 directed to Board staff.

1 18. Respondent shall be responsible for all costs, including costs associated with
2 participating in the PHP, at the time service is rendered or within 30 days of each invoice
3 sent to the Respondent. An initial deposit of two (2) months PHP fees is due upon
4 entering the program. Failure to pay either the initial PHP deposit or monthly fees 60 days
5 after invoicing will be reported to the Board by the PHP Contractor and may result in
6 disciplinary action.

7 19. Respondent shall appear in person before with the PHP Contractor for
8 interviews upon request, upon reasonable notice.

9 20. Respondent shall immediately provide a copy of this Order to all employers,
10 hospitals and free standing surgery centers where Respondent currently has or in the
11 future gains or applies for employment or privileges. Within 30 days of the date of this
12 Order, Respondent shall provide the PHP with a signed statement of compliance with this
13 notification requirement. Respondent is further required to notify, in writing, all employers,
14 hospitals and free standing surgery centers where Respondent currently has or in the
15 future gains or applies for employment or privileges of a violation of this Order.

16 21. In the event Respondent resides or practices as a physician assistant in a
17 state other than Arizona, Respondent shall participate in the rehabilitation program
18 sponsored by that state's applicable licensing authority or medical society. Respondent
19 shall cause the monitoring state's program to provide written quarterly reports to the PHP
20 Contractor regarding Respondent's attendance, participation, and monitoring. The
21 monitoring state's program and Respondent shall immediately notify the PHP Contractor if
22 Respondent is non-compliant with any aspect of the monitoring requirements or is required
23 to undergo any additional treatment.

24 22. The PHP Contractor shall immediately notify the Board if Respondent is non-
25 compliant with any aspect of this Order or is required to undergo any additional treatment.

1 23. In the event of a violation of A.R.S. § 32-2501(18)(d) by Respondent or
2 Respondent's use of drugs or alcohol in violation of the Order, Respondent's license shall
3 be **summarily suspended pending a hearing for revocation**. In the alternative,
4 Respondent may **SURRENDER THE LICENSE** if Respondent agrees in writing to being
5 impaired by alcohol or drug abuse. A.R.S. § 32-1452(G).

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

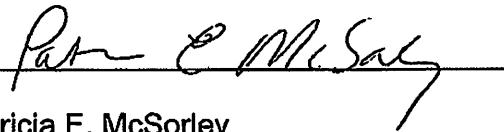
9 25. Respondent may not request early termination of this Probation. The
10 Probation shall not terminate except upon affirmative request of Respondent and approval
11 by the Board. Prior to the termination of Probation, Respondent must submit a written
12 request to the Board for release from the terms of this Order. Respondent's request for
13 release will be placed on the next pending Board agenda, provided a complete submission
14 is received by Board staff no less than 30 days prior to the Board meeting. Respondent's
15 request for release must provide the Board with evidence establishing that she has
16 successfully satisfied all of the terms and conditions of this Order. The Board may require
17 any combination of examinations and/or evaluations in order to determine whether or not
18 Respondent is safe to prescribe controlled substances and the Board may continue the
19 Practice Restriction or take any other action consistent with its authority.

20 26. This Order supersedes any and all Consent Agreements previously entered
21 into by Respondent and the Board regarding this matter.

22 27. The Board retains jurisdiction and may initiate new action against
23 Respondent based upon any violation of this Order. A.R.S. § 32-2501(18)(ee).

24 DATED AND EFFECTIVE this 17th day of June, 2023.

25 ARIZONA MEDICAL BOARD

1
2 By 

3 Patricia E. McSorley
4 Executive Director

5 **CONSENT TO ENTRY OF ORDER**

6 1. Respondent has read and understands this Consent Agreement and the
7 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent
8 acknowledges she has the right to consult with legal counsel regarding this matter.

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

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

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

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

23 6. Notwithstanding any language in this Order, this Order does not preclude in
24 any way any other State agency or officer or political subdivision of this state from
25 instituting proceedings, investigating claims, or taking legal action as may be appropriate

1 now or in the future relating to this matter or other matters concerning Respondent,
2 including but not limited to, violations of Arizona's Consumer Fraud Act. Respondent
3 acknowledges that, other than with respect to the Board, this Order makes no
4 representations, implied or otherwise, about the views or intended actions of any other
5 state agency or officer or political subdivisions of the State relating to this matter or other
6 matters concerning Respondent.

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

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

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

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

20 11. Any violation of this Order constitutes unprofessional conduct and may result
21 in disciplinary action. A.R.S. § § 32-2501(18)(ee) ("Violating a formal order, probation,
22 consent agreement or stipulation issued or entered into by the board or its executive
23 director under this chapter") and 32-1451.

24 **11. Respondent has read and understands the conditions of probation.**



DATED: April 21, 2023

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SALLY VAN SNEPSON-BARNETT, PA-C

EXECUTED COPY of the foregoing mailed
this 1st day of June, 2023 to:

SALLY VAN SNEPSON-BARNETT, PA-C
Address of Record

PHP Contractor
Address of Record

ORIGINAL of the foregoing filed
this 7th day of June, 2023 with:

Arizona Regulatory Board of
Physician Assistants
1740 West Adams, Suite 4000
Phoenix, Arizona 85007



Board staff