

1 BEFORE THE ARIZONA MEDICAL BOARD

2 In the Matter of

Case No. MD-23-0084A

3 **PARVEZ M. FATTEH, M.D.**

**ORDER GRANTING PROBATIONARY  
LICENSE, AND CONSENT TO THE  
SAME**

4 Applicant for Licensure # 68224  
5 For the Practice of Allopathic Medicine  
6 In the State of Arizona.

7 Parvez M. Fatteh, M.D. ("Respondent") elects to permanently waive any right to a  
8 hearing and appeal with respect to this Order granting his application for licensure subject  
9 to terms and conditions for probation; admits the jurisdiction of the Arizona Medical Board  
10 ("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 practice of allopathic medicine in the State of Arizona.

14 2. Respondent is an applicant for license #68224 for the practice of allopathic  
15 medicine in the State of Arizona.

16 3. The Board initiated case MD-23-0084A after receiving Respondent's  
17 application for licensure wherein he disclosed a misdemeanor criminal conviction and  
18 subsequent action by the Medical Board of California ("California Board") and Texas  
19 Medical Board ("Texas Board") against his licenses in each state.

20 4. On August 14, 2018, Respondent entered into a Plea Agreement for one  
21 misdemeanor count of Rebates for Patient Referrals. Respondent was sentenced to two  
22 years of informal criminal probation. On September 21, 2020, Respondent completed the  
23 terms of his probation. The guilty plea was set aside, changed to a plea of not guilty and  
24 the case was dismissed.

25 5. On March 29, 2019, the Office of Inspector General ("OIG") issued an order  
excluding Respondent from participating in Medicare, Medicaid, and all Federal healthcare

1 programs for a minimum of three years. Respondent's eligibility was reinstated on May 2,  
2 2022.

3 6. On June 14, 2019, Respondent entered into an Agreed Order with the Texas  
4 Medical Board issuing Respondent a Public Reprimand and prohibiting Respondent from  
5 billing for Workman's Compensation claims pending completion of his probation required  
6 by his Plea Agreement. On August 13, 2020, the Agreed Order was terminated by the  
7 Texas Board.

8 7. On March 26, 2021 Respondent entered into a Stipulated Settlement and  
9 Disciplinary Order with the California Board placing his license on stayed revocation  
10 probation for five years with terms and conditions including completion of continuing  
11 medical education in ethics, monitoring of Respondent's billing practices and a restriction  
12 on submitting worker's compensation claims ("California Board Order").

13 8. On October 14, 2022, Respondent entered into a Waiver Order with the  
14 Texas Board which required Respondent to comply with the terms of the California Board  
15 Order.

16 9. Respondent is in compliance with the terms and conditions of his California  
17 Board Order.

18 **CONCLUSIONS OF LAW**

19 a. The Board possesses jurisdiction over the subject matter hereof and over  
20 Respondent and may issue probationary licenses pursuant to A.R.S. § 32-1427(H).

21 b. Pursuant to A.R.S. § 32-1422(A), "An applicant for a license to practice  
22 medicine in this state pursuant to this article shall meet each of the following basic  
23 requirements . . . 4. Have a professional record that indicates that the applicant has not  
24 committed any act or engaged in any conduct that would constitute grounds for disciplinary  
25 action against a licensee under this chapter. . . 6. Not be currently under investigation,  
suspension or restriction by a medical regulatory board in another jurisdiction in the United

1 States for an act that occurred in that jurisdiction and that constitutes unprofessional  
2 conduct pursuant to this chapter. If the applicant is under investigation by a medical  
3 regulatory board in another jurisdiction, the board shall suspend the application process  
4 and may not issue or deny a license to the applicant until the investigation is resolved.”

5 c. Pursuant to A.R.S. § 32-1422(C), “In determining if the requirements of  
6 subsection A, paragraph 4 of this section have been met, if the board finds that the  
7 applicant committed an act or engaged in conduct that would constitute grounds for  
8 disciplinary action, the board shall determine to its satisfaction that the conduct has been  
9 corrected, monitored and resolved. If the matter has not been resolved, the board shall  
10 determine to its satisfaction that mitigating circumstances exist that prevent its resolution.”

11 d. Pursuant A.R.S. § 32-1422(D), “In determining if the requirements of  
12 subsection A, paragraph 6 of this section have been met, if another jurisdiction has taken  
13 disciplinary action against an applicant, the board shall determine to its satisfaction that  
14 the cause for the action was corrected and the matter resolved. If the matter has not been  
15 resolved by that jurisdiction, the board shall determine to its satisfaction that mitigating  
16 circumstances exist that prevent its resolution.”

17 **ORDER**

18 IT IS HEREBY ORDERED THAT:

19 1. Respondent’s application for licensure is granted and is placed under Probation  
20 with the following terms and conditions:

21 a. **Compliance with California Board Order**

22 Respondent shall comply with the terms and conditions of the California Board  
23 Order. Respondent shall provide a copy of this Order to the California Board and execute  
24 any and all authorizations necessary to allow the California Board to communicate directly  
25 with Board staff regarding Respondent’s compliance with the California Board Order,  
including immediately communicating to the Board any concerns regarding Respondent’s

1 safety to practice medicine. Respondent shall immediately report to the Board any  
2 violation of the California Board Order. Respondent shall cause the California Board to  
3 provide quarterly written reports to the Board regarding Respondent's compliance with the  
4 California Board Order. Respondent shall be responsible for all costs related to the  
5 California Board Order and any costs related to the preparation of the quarterly reports.

6 **b. Probation Termination**

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

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

18 DATED AND EFFECTIVE this 2<sup>nd</sup> day of November, 2023.

19  
20 ARIZONA MEDICAL BOARD

21  
22 By Patricia E. McSorley  
23 Patricia E. McSorley  
24 Executive Director  
25

1 **CONSENT TO ENTRY OF ORDER**

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

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

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

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

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

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

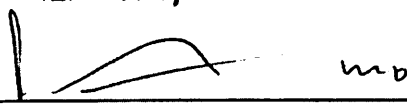
8 8. This Order is a public record that will be publicly disseminated as a formal  
9 disciplinary action of the Board and will be reported to the National Practitioner's Data  
10 Bank and on the Board's web site as a disciplinary action.

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.***

21   
22 \_\_\_\_\_  
23 Parvez M. Fatteh M.D.

DATED: 10 / 7 / 23

1 EXECUTED COPY of the foregoing mailed  
2 this 2<sup>nd</sup> day of November, 2023 to:

3 Parvez M. Fatteh, M.D.  
4 Address of Record

5 ORIGINAL of the foregoing filed  
6 this 2<sup>nd</sup> day of November, 2023 with:

7 Arizona Medical Board  
8 1740 West Adams, Suite 4000  
9 Phoenix, Arizona 85007

10 Michelle Kuskus  
11 Board Staff

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