

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **JOEL A. HAYDEN, M.D**

4 Holder of License No. 23390
5 For the Practice of Medicine
6 In the State of Arizona.

Case No. MD-22-0514A

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

7 Joel A. Hayden, 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 23390 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-22-0514A after receiving Respondent's
17 request for license reactivation.

18 4. Respondent participated in the Board's Physician Health Program ("PHP")
19 from September 18, 2009 through January 26, 2015 pursuant to a Stipulated
20 Rehabilitation Agreement ("SRA"). Respondent successfully completed the terms and
21 conditions of the SRA and the SRA was terminated.

22 5. Case MD-22-0255A was initiated on March 14, 2022 when the Board
23 received a complaint from the Hospital where Respondent held privileges stating that
24 Respondent had presented to work impaired on March 8, 2022.

25 6. Board staff requested Medical Consultant ("MC") review of Respondent's
care and treatment of a pediatric patient who presented to the Hospital's Pediatric Clinic

1 with cough and congestion and was treated by Respondent on March 8, 2022. The MC
2 noted that Respondent did not properly diagnose or rule out an ear infection.

3 7. The standard of care prohibits a physician from presenting to work while
4 under the influence of alcohol. Respondent deviated from the standard of care by
5 presenting to work while under the influence of alcohol.

6 8. There was potential for patient harm in that the patient was at risk of
7 improper or inadequate treatment of her medical condition.

8 9. On March 16, 2022 Respondent requested that his license be placed on
9 "Inactive with Cause" status, which the Board's Executive Director approved.

10 10. Respondent completed residential treatment at a substance abuse treatment
11 facility on April 25, 2022.

12 11. Respondent has requested surrender of licensure.

13 **CONCLUSIONS OF LAW**

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

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

19 3. The conduct and circumstances described above constitute unprofessional
20 conduct pursuant to A.R.S. § 32-1401(27)(f) ("Exhibiting a pattern of using or being under
21 the influence of alcohol or drugs or a similar substance while practicing medicine or to the
22 extent that judgment may be impaired and the practice of medicine detrimentally
23 affected.").

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

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

ORDER

IT IS HEREBY ORDERED THAT Respondent immediately surrender License Number 23390, issued to Joel A. Hayden, M.D., for the practice of allopathic medicine in the State of Arizona, and return his certificate of licensure to the Board.

DATED and effective this 5th day of September, 2024.

ARIZONA MEDICAL BOARD

By: Patricia E. McSorley
Patricia E. McSorley
Executive Director

CONSENT TO ENTRY OF ORDER

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

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

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

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

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

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

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

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

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

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

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6 
7 JOEL A. HAYDEN, M.D.

Dated: 8/27/24

8
9 EXECUTED COPY of the foregoing mailed by
10 US Mail this 27 day of Aug, 2024 to:
11 5th September

12 Joel A. Hayden, M.D.
Address of Record

13 ORIGINAL of the foregoing filed this
14 5th day of September, 2024 with:

15 The Arizona Medical Board
16 1740 West Adams, Suite 4000
Phoenix, Arizona 85007

17 EXECUTED COPY of the foregoing e-mailed
18 this 5th day of September, 2024 to:

19 Seth T. Hargraves
20 Assistant Attorney General
21 Licensing and Enforcement Section
22 2005 N. Central Avenue
Phoenix, Arizona 85004
23 Seth.Hargraves@azag.gov
24 LicensingEnforcement@azag.gov

25 

Board staff