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BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

YOGESH PATEL, M.D.

Holder of License No. 59985
For the Practice of Allopathic Medicine
In the State of Arizona.

Case No. MD-24-0498A

**INTERIM CONSENT AGREEMENT
FOR PRACTICE RESTRICTION**

INTERIM CONSENT AGREEMENT

In lieu of summary suspension pursuant to A.R.S. § 32-1451.02(B), Yogesh Patel, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Interim Consent Agreement for Practice Restriction and consents to the entry of this Order by the Arizona Medical Board ("Board").

INTERIM FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.

2. Respondent is the holder of License No. 59985 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-24-0498A after receiving a report that Respondent's medical licenses in other states had been subject to discipline, including emergency or summary action.

4. On or about November 2, 2023, Respondent was charged in the Mesa County, Colorado District Court with 5 felony counts related to allegations of solicitation for child prostitution ("Colorado Indictment").

5. Respondent did not report the Colorado Indictment to the Board as required by statute.

1 6. On January 22, 2024, Respondent entered into a Non-Disciplinary Interim
2 Cessation Practice Agreement with the Colorado Medical Board.

3 7. On April 30, 2024, Respondent entered into a Consent Order with the Illinois
4 Department of Financial and Professional Regulation ("Illinois Board") to permanently
5 surrender his license. The Illinois Consent Order included stipulations that Respondent's
6 Illinois medical license had been temporarily suspended on February 2, 2024 based on the
7 Colorado Indictment.

8 8. On May 16, 2024, the Arkansas State Medical Board ("Arkansas Board")
9 issued an emergency Order of Suspension and Notice of Hearing ("Arkansas Emergency
10 Order"). The Arkansas Emergency Order was based on the Colorado Indictment and
11 Illinois Consent Order and included a finding that the public health, safety and welfare
12 required emergency action.

13 9. The aforementioned information was presented to the investigative staff, the
14 medical consultant and the lead Board member. All reviewed the information and concur
15 that the interim consent agreement to restrict Respondent's practice is appropriate.

16 10. The investigation into this matter is pending and will be forwarded to the
17 Board promptly upon completion for review and action.

18 INTERIM CONCLUSIONS OF LAW

19 1. The Board possesses jurisdiction over the subject matter hereof and over
20 Respondent.

21 2. Pursuant to A.R.S. § 32-1405(C)(25) the Executive Director has authority to
22 enter into a consent agreement when there is evidence of danger to the public health and
23 safety.

24 3. Pursuant to A.A.C. R4-16-504, the Executive Director may enter into an
25 interim consent agreement when there is evidence that a restriction is needed to mitigate

1 imminent danger to the public's health and safety. Investigative staff, the Board's medical
2 consultant and the lead Board member have reviewed the case and concur that an interim
3 consent agreement is appropriate.

4 **INTERIM ORDER**

5 IT IS HEREBY ORDERED THAT:

6 1. Respondent is prohibited from engaging in the practice of medicine in the
7 State of Arizona as set forth in A.R.S. § 32-1401(22) until Respondent applies to the
8 Executive Director and receives permission to do so.

9 2. Respondent may request, in writing, release and/or modification of this
10 Interim Consent Agreement. Respondent's request must be accompanied by information
11 demonstrating that Respondent is safe to practice medicine. The Executive Director, in
12 consultation with and agreement of the lead Board member and the Chief Medical
13 Consultant, has the discretion to determine whether it is appropriate to release
14 Respondent from this Interim Consent Agreement.

15 3. The Board retains jurisdiction and may initiate new action based upon any
16 violation of this Interim Consent Agreement, including, but not limited to, summarily
17 suspending Respondent's license.

18 4. Because this is an Interim Consent Agreement and not a final decision by
19 the Board regarding the pending investigation, it is subject to further consideration by the
20 Board. Once the investigation is complete, it will be promptly provided to the Board for its
21 review and appropriate action.

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1 This Interim Consent Agreement shall be effective on the date signed by the
2 Board's Executive Director.

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4 DATED this 27th day of June, 2024.

5 ARIZONA MEDICAL BOARD

6 By Patricia E. McSorley
7 Patricia E. McSorley
8 Executive Director

9 **RECITALS**

10 Respondent understands and agrees that:

11 1. The Board, through its Executive Director, may adopt this Interim Consent
12 Agreement, or any part thereof, pursuant to A.R.S. § 32-1405(C)(25) and A.A.C. R4-16-
13 504.

14 2. Respondent has read and understands this Interim Consent Agreement as
15 set forth herein, and has had the opportunity to discuss this Interim Consent Agreement
16 with an attorney or has waived the opportunity to discuss this Interim Consent Agreement
17 with an attorney. Respondent voluntarily enters into this Interim Consent Agreement and
18 by doing so agrees to abide by all of its terms and conditions.

19 3. By entering into this Interim Consent Agreement, Respondent freely and
20 voluntarily relinquishes all rights to an administrative hearing on the matters set forth
21 herein, as well as all rights of rehearing, review, reconsideration, appeal, judicial review or
22 any other administrative and/or judicial action, concerning the matters related to the
23 Interim Consent Agreement.
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1 4. Respondent understands that this Interim Consent Agreement does not
2 constitute a dismissal or resolution of this matter or any matters that may be currently
3 pending before the Board and does not constitute any waiver, express or implied, of the
4 Board's statutory authority or jurisdiction regarding this or any other pending or future
5 investigations, actions, or proceedings. Respondent also understands that acceptance of
6 this Interim Consent Agreement does not preclude any other agency, subdivision, or
7 officer of this State from instituting civil or criminal proceedings with respect to the conduct
8 that is the subject of this Interim Consent Agreement. Respondent further does not
9 relinquish Respondent's rights to an administrative hearing, rehearing, review,
10 reconsideration, judicial review or any other administrative and/or judicial action,
11 concerning the matters related to a final disposition of this matter, unless Respondent
12 affirmatively does so as part of the final resolution of this matter.
13

14 5. Respondent acknowledges and agrees that upon signing this Interim
15 Consent Agreement and returning it to the Board's Executive Director, Respondent may
16 not revoke Respondent's acceptance of this Interim Consent Agreement or make any
17 modifications to it. Any modification of this original document is ineffective and void unless
18 mutually approved by the parties in writing.

19 6. Respondent understands that this Interim Consent Agreement shall not
20 become effective unless and until it is signed by the Board's Executive Director.

21 7. Respondent understands and agrees that if the Board's Executive Director
22 does not adopt this Interim Consent Agreement, Respondent will not assert in any future
23 proceedings that the Board's consideration of this Interim Consent Agreement constitutes
24 bias, prejudice, prejudgment, or other similar defense.
25

1 8. Respondent understands that this Interim Consent Agreement is a public
2 record that may be publicly disseminated as a formal action of the Board, and that it shall
3 be reported as required by law to the National Practitioner Data Bank.

4 9. Respondent understands that this Interim Consent Agreement does not
5 alleviate Respondent's responsibility to comply with the applicable license-renewal
6 statutes and rules. If this Interim Consent Agreement remains in effect at the time
7 Respondent's allopathic medical license comes up for renewal, Respondent must renew
8 the license if Respondent wishes to retain the license. If Respondent elects not to renew
9 the license as prescribed by statute and rule, Respondent's license will not expire but
10 rather, by operation of law (A.R.S. § 32-3202), become suspended until the Board takes
11 final action in this matter. Once the Board takes final action, in order for Respondent to be
12 licensed in the future, Respondent must submit a new application for licensure and meet
13 all of the requirements set forth in the statutes and rules at that time.
14

15 10. Respondent understands that any violation of this Interim Consent
16 Agreement constitutes unprofessional conduct under A.R.S. § 32-1401(27)(s) ("[v]iolating
17 a formal order, probation, consent agreement or stipulation issued or entered into by the
18 board or its executive director under this chapter.").

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YOGESH PATEL, M.D.

DATED: 5/27/24

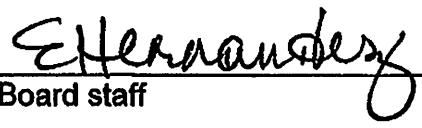
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EXECUTED COPY of the foregoing e-mailed
this ~~26~~^{27th} day of June _____, 2024 to:

Yogesh Patel, M.D.
Address of Record

ORIGINAL of the foregoing filed
this ~~26~~^{27th} day of June _____, 2024 with:

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


Board staff