

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

Case No. MD-20-0821A

3 **JENNIFER IACOVELLI, M.D.**

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

4 Holder of License No. 36705
5 For the Practice of Allopathic Medicine
In the State of Arizona.

6 Jennifer Iacovelli, M.D. ("Respondent") elects to permanently waive any right to a
7 hearing and appeal with respect to this Order for Letter of Reprimand and Probation;
8 admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of
9 this Order by the Board.

10 **FINDINGS OF FACT**

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

13 2. Respondent is the holder of license number 36705 for the practice of
14 allopathic medicine in the State of Arizona.

15 3. The Board initiated case number MD-20-0821A after receiving a self-report
16 from Respondent indicating that she had written prescriptions under a nurse practitioner's
17 name and DEA number.

18 4. In her self-report, Respondent stated that she had written an Ambien
19 prescription to her sister and that she had used a Nurse Practitioner's ("NP") DEA
20 registration and signed the NP's name without her knowledge to write prescriptions for
21 controlled substances to herself and family members. Respondent stated that the NP
22 worked with her and would authorize prescriptions for her and that these prescriptions
23 included Ambien, Zoloft, fluconazole and spironolactone. Respondent admitted that she
24 printed out and signed the NP's name to the last two prescriptions for Ambien that she
25 filled for herself on July 31, 2019 and April 14, 2020. Respondent further admitted that she

1 signed the NP's name on a prescription for hormones for an Immediate Family Member¹
2 ("IMF 1") and a prescription for Ambien for another Immediate Family Member ("IMF 2").

3 5. In her written response to the Board, Respondent admitted to taking the
4 medications, but denied abusing them or giving them to others.

5 6. Between August, 2019 and April, 2020 Respondent wrote and filled two
6 prescriptions for Phentermine HCL powder, a prescription for Ambien 10mg and a
7 prescription for Testosterone Cypionate powder in IMF 2's name using the NP's
8 prescribing information.

9 7. Between November, 2019 and August, 2020 Respondent wrote and filled
10 five prescriptions for testosterone powders in IMF 1's name using the NP's prescribing
11 information.

12 8. Respondent did not have authority to utilize the NP's prescribing information
13 for the prescriptions issued for IMF 1 and IMF 2.

14 9. Respondent was indicted on criminal charges arising out of her issuance of
15 prescriptions to IMF 1 and IMF 2 utilizing the NP's information on May 1, 2021.
16 Respondent failed to timely report the charges to the Board. On November 10, 2021,
17 Respondent pled guilty to one count of Criminal Impersonation, a Class 6 Undesignated
18 Felony which was designated as a Class 1 Misdemeanor at the time the Court accepted
19 the plea. Respondent was sentenced to 12 months of probation.

20 10. On January 7, 2022, Board staff issued Respondent an Interim Order for
21 Physician Health Program (PHP) Assessment, which Respondent timely completed.
22 Based on the Assessment findings and results, the Assessor opined that Respondent did
23 not require professional PHP Monitoring.

24
25 ¹ As defined in A.R.S. § 32-1401(13).

1 **CONCLUSIONS OF LAW**

2 a. The Board possesses jurisdiction over the subject matter hereof and over
3 Respondent.

4 b. The conduct and circumstances described above constitute unprofessional
5 conduct pursuant to A.R.S. § 32-1401(27)(a) ("Violating any federal or state laws or rules
6 and regulations applicable to the practice of medicine."). Specifically, Respondent's
7 conduct violated A.R.S. § 32-3208(A) ("A health professional who has been charged with
8 a misdemeanor involving conduct that may affect patient safety or a felony after receiving
9 or renewing a license or certificate must notify the health professional's regulatory board in
10 writing within ten working days after the charge is filed.").

11 c. The conduct and circumstances described above constitute unprofessional
12 conduct pursuant to A.R.S. § 32-1401(27)(d) ("Committing a felony, whether or not
13 involving moral turpitude, or a misdemeanor involving moral turpitude. In either case,
14 conviction by any court of competent jurisdiction or a plea of no contest is conclusive
15 evidence of the commission.").

16 d. The conduct and circumstances described above constitute unprofessional
17 conduct pursuant to A.R.S. § 32-1401(27)(g) ("Using controlled substances except if
18 prescribed by another physician for use during a prescribed course of treatment.").

19 e. The conduct and circumstances described above constitute unprofessional
20 conduct pursuant to A.R.S. § 32-1401(27)(h) ("Prescribing or dispensing controlled
21 substances to members of the physician's immediate family.").

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

g. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(u) ("Knowingly making any false or fraudulent statement, written or oral, in connection with the practice of medicine or if applying for privileges or renewing an application for privileges at a health care institution.").

h. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(kk) ("Knowingly making a false or misleading statement to the board or on a form required by the board or in a written correspondence, including attachments, with the board.").

ORDER

IT IS HEREBY ORDERED THAT:

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

a. ProBE

Within six months of the effective date of this Order, Respondent shall complete the Professional/Problem-Based Ethics ("ProBE") program offered by the Center for Personalized Education for Physicians ("CPEP") for Ethics and Boundaries. The CME hours shall be in addition to the hours required for the renewal of licensure. Respondent shall obtain an unconditional or conditionally passing grade.

In the event that Respondent does not receive an unconditional or conditionally passing grade, Respondent shall follow any and all recommendations made for further education and/or remediation, subject to approval by the Board or its staff.

Respondent shall sign any and all consents or releases necessary to allow CPEP to communicate to the Board directly. Respondent shall not revoke any releases prior to successful completion of ProBE Plus. Respondent shall be responsible for the expenses

1 of participation in ProBE and shall notify Board staff immediately upon scheduling the
2 ProBE course.

3 **b. Obey All Laws**

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

7 **c. Tolling**

8 In the event Respondent should leave Arizona to reside or practice outside the
9 State or for any reason should Respondent stop practicing medicine in Arizona,
10 Respondent shall notify the Executive Director in writing within ten days of departure and
11 return or the dates of non-practice within Arizona. Non-practice is defined as any period of
12 time exceeding thirty days during which Respondent is not engaging in the practice of
13 medicine. Periods of temporary or permanent residence or practice outside Arizona or of
14 non-practice within Arizona, will not apply to the reduction of the probationary period.

15 **d. Probation Termination**

16
17 Prior to the termination of Probation, Respondent must submit a written request to
18 the Board for release from the terms of this Order. Respondent's request for release will
19 be placed on the next pending Board agenda, provided a complete submission is received
20 by Board staff no less than 30 days prior to the Board meeting. Respondent's request for
21 release must provide the Board with evidence establishing that she has successfully
22 satisfied all of the terms and conditions of this Order. The Board has the sole discretion to
23 determine whether all of the terms and conditions of this Order have been met or whether
24 to take any other action that is consistent with its statutory and regulatory authority.
25

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

3 DATED AND EFFECTIVE this 6th day of June, 2024.

4
5 ARIZONA MEDICAL BOARD

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

9 **CONSENT TO ENTRY OF ORDER**

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

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

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

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

21 5. All admissions made by Respondent in this Order are solely for final
22 disposition of this matter and any subsequent related administrative proceedings or civil
23 litigation involving the Board and Respondent. Therefore, said admissions by Respondent
24 are not intended or made for any other use, such as in the context of another state or
25

1 federal government regulatory agency proceeding, civil or criminal court proceeding, in the
2 State of Arizona or any other state or federal court.

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

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

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

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

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

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

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

6 
7
8 JENNIFER IACOVELLI, M.D.


DATED: 05/07/2024

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10
11 EXECUTED COPY of the foregoing mailed
12 this 10th day of June, 2024 to:

13 James Frisbee, Esq.
14 Kent & Wittekind
15 909 East Missouri Avenue
16 Phoenix, Arizona 85014
17 Attorney for Respondent

18 ORIGINAL of the foregoing filed
19 this 10th day of June, 2024 with:

20 Arizona Medical Board
21 1740 West Adams, Suite 4000
22 Phoenix, Arizona 85007

23 
24 Board staff
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