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BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

TIMOTHY MCDOWELL, M.D.

Holder of License No. 31063
For the Practice of Allopathic Medicine
In the State of Arizona.

Case No. MD-25-0104A

**INTERIM CONSENT AGREEMENT
FOR PRACTICE RESTRICTION**

INTERIM CONSENT AGREEMENT

Timothy McDowell, 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. 31063 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-25-0104A after receiving a self-report from Respondent stating that he had arrived intoxicated for his shift at a Hospital Emergency Department. Respondent stated that he was not allowed to provide patient care.

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

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

1 **INTERIM CONCLUSIONS OF LAW**

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

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

7 3. Pursuant to A.A.C. R4-16-504, the Executive Director may enter into an
8 interim consent agreement when there is evidence that a restriction is needed to mitigate
9 imminent danger to the public's health and safety. Investigative staff, the Board's medical
10 consultant and the lead Board member have reviewed the case and concur that an interim
11 consent agreement is appropriate.

12 **INTERIM ORDER**

13 IT IS HEREBY ORDERED THAT:

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

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

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

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

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

7
8 DATED this 5th day of March, 2025.

9 ARIZONA MEDICAL BOARD

10 By Patricia E. McSorley
11 Patricia E. McSorley
12 Executive Director

13 **RECITALS**

14 Respondent understands and agrees that:

15 1. The Board, through its Executive Director, may adopt this Interim Consent
16 Agreement, or any part thereof, pursuant to A.R.S. § 32-1405(C)(25) and A.A.C. R4-16-
17 504.

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

23
24 3. By entering into this Interim Consent Agreement, Respondent freely and
25 voluntarily relinquishes all rights to an administrative hearing on the matters set forth

1 herein, as well as all rights of rehearing, review, reconsideration, appeal, judicial review or
2 any other administrative and/or judicial action, concerning the matters related to the
3 Interim Consent Agreement.

4 4. Respondent understands that this Interim Consent Agreement does not
5 constitute a dismissal or resolution of this matter or any matters that may be currently
6 pending before the Board and does not constitute any waiver, express or implied, of the
7 Board's statutory authority or jurisdiction regarding this or any other pending or future
8 investigations, actions, or proceedings. Respondent also understands that acceptance of
9 this Interim Consent Agreement does not preclude any other agency, subdivision, or
10 officer of this State from instituting civil or criminal proceedings with respect to the conduct
11 that is the subject of this Interim Consent Agreement. Respondent further does not
12 relinquish Respondent's rights to an administrative hearing, rehearing, review,
13 reconsideration, judicial review or any other administrative and/or judicial action,
14 concerning the matters related to a final disposition of this matter, unless Respondent
15 affirmatively does so as part of the final resolution of this matter.
16

17 5. Respondent acknowledges and agrees that upon signing this Interim
18 Consent Agreement and returning it to the Board's Executive Director, Respondent may
19 not revoke Respondent's acceptance of this Interim Consent Agreement or make any
20 modifications to it. Any modification of this original document is ineffective and void unless
21 mutually approved by the parties in writing.
22

23 6. Respondent understands that this Interim Consent Agreement shall not
24 become effective unless and until it is signed by the Board's Executive Director.
25

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

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

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

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

22
23
24 Timothy McDowell MD
25 TIMOTHY MCDOWELL, M.D.

DATED: 03/03/2025

EXECUTED COPY of the foregoing e-mailed
this ____ day of _____, 2025 to:

Flynn P. Carey, Esq.
Mitchell Stein Carey Chapman, PC
2600 North Central Avenue, Suite 1000
Phoenix, Arizona 85004
Attorney for Respondent

ORIGINAL of the foregoing filed
this ____ day of _____, 2025 with:

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

Heather Foster

Board staff