

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **MARCO B. SAUCEDO, M.D**

4 Holder of License No. 27068
5 For the Practice of Medicine
6 In the State of Arizona.

Case No. MD-23-0377A

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

7 Marco B. Saucedo, 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 27068 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD- MD-23-0377A after receiving a report
17 from the Clinic where Respondent practices stating that a patient ("Patient 1") had alleged
18 that Respondent conducted an inappropriate examination during a gynecological
19 appointment. The Clinic additionally stated that Patient 1 filed a police report regarding
20 the incident.

21 4. Based on the complaint, Board staff issued a subpoena for police reports
22 regarding Respondent. Board staff identified an additional patient who had reported an
23 inappropriate examination in 2018 ("Patient 2").

24 5. Patient 2 alleged that Respondent conducted an inappropriate examination
25 during a gynecological appointment on April 2, 2018.

1 6. In his written response to the Board, Respondent has denied the allegations
2 of Patients 1 and 2.

3 7. Board staff conducted investigational interviews with Patients 1 and 2, as
4 well as Respondent, and requested Medical Consultant ("MC") review of Respondent's
5 care and treatment of both patients.

6 8. The MC identified deviations from the standard of care for both patients,
7 including carrying out intimate examinations of both patients without a chaperone in the
8 room and inadequate medical records. Actual patient harm was identified by the MC for
9 both patients in that that they experienced psychological stress.

10 9. Based on the allegations, the Executive Director issued an Interim Order for
11 Respondent to complete a psychosexual evaluation at a Board-approved Facility. Based
12 on the evaluation results and findings, the Facility opined that Respondent was safe to
13 practice medicine in compliance with recommendations regarding use of a chaperone,
14 completion of continuing medical education ("CME") in boundaries, use of a practice
15 monitor and psychotherapy.

16 10. On January 31-February 2, 2024, Respondent completed an intensive,
17 virtual CME course in professional boundaries with a Board-approved provider for a total
18 of 39.5 CME hours.

19 11. On February 8, 2024, Respondent was charged with five criminal charges
20 related to his interactions with Patients 1 and 2 in Santa Cruz County case CR-24-048
21 ("Criminal Case")

22 12. Respondent reported engaging a chaperone with an attendance log for use
23 during all patient appointments.

24 13. During the Board's February 20, 2024 Special Meeting, Board staff
25 presented the foregoing. Additionally, Board staff reported that an understanding that the

1 Criminal case would be proceeding to a probable cause hearing. Board staff further noted
2 that with regard to the Board's investigation, the next steps would be to provide
3 Respondent the opportunity for a supplemental response and submission to the Staff
4 Investigation Review Committee for a disciplinary recommendation. Respondent's
5 counsel was present on his behalf and confirmed Respondent's compliance with the
6 investigation process and recommendations from the Facility. Counsel reported that
7 Respondent continued to utilize a chaperone and that he intended on entering a plea of
8 not guilty to the criminal charges. During deliberations on the case, the Board noted the
9 severity of the allegations and discussed the recommendations from the Facility's
10 evaluation. The Board agreed that a practice restriction incorporating the recommendation
11 from the Facility would protect the public pending the conclusion of the Board's
12 investigation would be appropriate.

13 14. Effective February 21, 2024, Respondent entered into an Interim Consent
14 Agreement for Practice Restriction requiring him to obtain a Practice Monitor, utilize a
15 chaperone for treatment of female patients, and to enter into treatment with a
16 psychotherapist.

17 15. The Board subsequently received complaints from four additional patients
18 (Patients 3-6) alleging inappropriate verbal interactions and physical contact during patient
19 examinations. Respondent denied the allegations of each Patient's report.

20 16. On March 26, 2024, an amended complaint was filed in the Criminal Case
21 including charges relating to Patients 3 and 4. On April 29, 2024 a second amended
22 complaint was filed in the Criminal Case including additional charges relating to Patients 5
23 and 6. Respondent has pled not guilty to the charges in the Criminal Case.

24 17. Effective June 4, 2024, Respondent entered into an Interim Consent
25 Agreement prohibiting him from engaging in the practice of medicine pending the outcome

1 of a Formal Interview or Formal Hearing in this matter, and requiring him to continue
2 treatment with a psychotherapist as recommended by the Facility.

3 18. Respondent requests surrender of his license.

4 **CONCLUSIONS OF LAW**

5 1. The Board possesses jurisdiction over the subject matter hereof and over
6 Respondent.

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

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

13 4. The conduct and circumstances described above constitute unprofessional
14 conduct pursuant to A.R.S. § 32-1401(27)(aa) ("Engaging in sexual conduct with a current
15 patient or with a former patient within six months after the last medical consultation unless
16 the patient was the licensee's spouse at the time of the contact or, immediately preceding
17 the physician-patient relationship, was in a dating or engagement relationship with the
18 licensee. For the purposes of this subdivision, "sexual conduct" includes: (i) Engaging in or
19 soliciting sexual relationships, whether consensual or nonconsensual. (ii) Making sexual
20 advances, requesting sexual favors or engaging in any other verbal conduct or physical
21 contact of a sexual nature. (iii) Intentionally viewing a completely or partially disrobed
22 patient in the course of treatment if the viewing is not related to patient diagnosis or
23 treatment under current practice standards.").

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

4 **ORDER**

5 IT IS HEREBY ORDERED THAT Respondent immediately surrender License
6 Number 27068, issued to Marco B. Saucedo, M.D., for the practice of allopathic medicine
7 in the State of Arizona, and return her/his certificate of licensure to the Board.

8 DATED and effective this 8th day of August, 2024.

9
10 ARIZONA MEDICAL BOARD

11 *Patricia McSorley*

12 By: _____

Patricia E. McSorley
Executive Director

13
14 **CONSENT TO ENTRY OF ORDER**

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

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

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

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

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


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

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

21 8. This Order is a public record that will be publicly disseminated as a formal
22 disciplinary action of the Board and will be reported to the National Practitioner's Data
23 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.***

5
6 
7 MARCO B. SAUCEDO, M.D.

Dated: 7/15/24

8
9 EXECUTED COPY of the foregoing e-mailed
this 8th day of August, 2024 to:

10 Michele G. Thompson, Esq.
11 Udall Law Firm, LLP
12 4801 East Broadway Boulevard, Suite 400
13 Tucson, Arizona 85711-3609
14 Attorney for Respondent

15 ORIGINAL of the foregoing filed
16 this 8th day of August, 2024 with:

17 Arizona Medical Board
18 1740 West Adams, Suite 4000
19 Phoenix, Arizona 85007

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23
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25 Board staff