

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **PHILIP L. JOHNSON, M.D.**

4 Holder of License No. 16267  
5 For the Practice of Allopathic Medicine  
6 In the State of Arizona.

**Case No. MD-23-0190A**

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

7 Philip L. Johnson, M.D. ("Respondent") elects to permanently waive any right to a  
8 hearing and appeal with respect to this Order for a Letter of Reprimand; admits the  
9 jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order  
10 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 16267 for the practice of  
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-23-0190A after receiving a complaint  
17 from the Hospital where Respondent held privileges that Respondent failed to report for  
18 work due to alleged impairment.

19 4. On February 9, 2023, Respondent presented to work while under the  
20 influence of a prescribed medication that caused him to be in an impaired condition.  
21 Respondent did not treat any patients.

22 5. Respondent presented for an Assessment with a Physician Health Program  
23 ("PHP") Assessor. During the Assessment, the Assessor noted that Respondent had self-  
24 prescribed a controlled substance sleep aid on four occasions. The Assessor opined that  
25 Respondent did not meet the criteria for a substance use disorder and did not require  
further treatment.

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)(g) ("Using controlled substances except if  
6 prescribed by another physician for use during a prescribed course of treatment.").

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

10 **ORDER**

11 IT IS HEREBY ORDERED THAT:

12 1. Respondent is issued a Letter of Reprimand.

13  
14 DATED AND EFFECTIVE this 5<sup>th</sup> day of April, 2024.

15 ARIZONA MEDICAL BOARD

16  
17 By Pat E McSorley  
18 Patricia E. McSorley  
19 Executive Director

20 **CONSENT TO ENTRY OF ORDER**

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

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

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

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

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

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

22          7.     Upon signing this agreement, and returning this document (or a copy thereof)  
23 to the Board's Executive Director, Respondent may not revoke the consent to the entry of  
24 the Order. Respondent may not make any modifications to the document. Any  
25

1 modifications to this original document are ineffective and void unless mutually approved  
2 by the parties.

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

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

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

10 Philip Johnson, M.D.  
Philip Johnson, M.D. (Mar 27, 2024 14:27 PDT)  
11 PHILIP L. JOHNSON, M.D.

DATED: 27/03/24

12  
13  
14 EXECUTED COPY of the foregoing mailed  
this 5<sup>th</sup> day of April, 2024 to:

15 Philip L. Johnson, M.D.  
16 Address of Record

17 Colin S. Bell, Esq.  
18 Stewart Law Group  
19 202 East Earll Drive, Suite 160  
Phoenix, Arizona 85012

20 ORIGINAL of the foregoing filed  
this 5<sup>th</sup> day of April, 2024 with:

21  
22 Arizona Medical Board  
23 1740 West Adams, Suite 4000  
Phoenix, Arizona 85007

24 Micahelle Prosser  
25 Board staff