

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

**PATRICK L. BOSARGE, M.D.**

Holder of License No. 58004  
For the Practice of Allopathic Medicine  
In the State of Arizona

Case No. MD-22-0911A

**ORDER ON PETITION FOR  
REHEARING OR REVIEW**

At its public meeting on February 6, 2024, the Arizona Medical Board ("Board") considered Patrick L. Bosarge, M.D.'s ("Respondent") Petition for Rehearing or Review of the Board's Order dated December 11, 2023 in the above referenced matter. Respondent was represented by counsel, Lisa Bivens, Esq.

During discussion, Board members commented that the underlying facts of the case were largely established by Respondent's own statements and testimony. Board members agreed that the evidence was sufficient to sustain violations of A.R.S. §§ 32-1401(27)(r) and (jj), noting the unique and ongoing relationship between attending and resident physicians in a medical education program. Board members commented that Respondent acknowledged initially making a false statement during the underlying human resources investigation, but found it mitigating that Respondent was subsequently forthright including throughout the Board's investigation. After considering all of the evidence and arguments of counsel, the Board voted to grant review pursuant to A.A.C. R4-16-103(D)(8) and to strike Conclusion of Law ¶3 and the finding that Respondent's conduct violated A.R.S. § 32-1401(27)(u).

**ORDER**

IT IS HEREBY ORDERED that:

Respondent's Petition for Rehearing or Review is granted in part. The Board's December 11, 2023 Findings of Fact, Conclusions of Law and Order for Letter of

1 Reprimand in Case MD-22-0911A is vacated, and the Board adopts the attached Findings  
2 of Fact, Conclusion of Law and Order for Letter of Reprimand as its final order in this case.

3  
4 DATED AND EFFECTIVE this 13th day of February, 2024.

5 ARIZONA MEDICAL BOARD

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

10 EXECUTED COPY of the foregoing mailed  
11 this 13th day of February, 2024 to:

12 Patrick L. Bosarge, M.D.  
13 Address of Record

14 Lisa Bivens, Esq.  
15 Mitchell Stein Carey Chapman, PC  
16 2600 North Central Avenue, Suite 1000  
Phoenix, Arizona 85004  
Attorney for Respondent

17 ORIGINAL of the foregoing filed  
18 this 13th day of February, 2024 with:

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

20  
21 Michelle Robles  
22 Board staff



1 the Mentor for the second year resident class which included Residents A and B described  
2 herein.

3 5. In June 2021 after a resident graduation dinner hosted by the University  
4 Hospital's Department of Surgery, Respondent went to a bar with several residents and  
5 faculty. Respondent was seen kissing one of the residents ("Resident A"), who was in her  
6 second year of residency at the Medical School. Respondent reported to the Board that  
7 he had a prior professional relationship with the resident and that the interaction was  
8 consensual. During the Human Resources investigation of the matter, Resident A  
9 reported that she did not recall the incident well, and that she was uncomfortable working  
10 with Respondent afterwards.

11 6. In June of 2022, Respondent again went out to a bar with residents and  
12 faculty following that year's Department of Surgery resident graduation dinner.  
13 Respondent was seen kissing another resident ("Resident B"), who was also in the same  
14 resident class as Resident A. Respondent reported to the Board that he had a prior  
15 professional relationship with Resident B, and that the interaction was consensual. During  
16 the Human Resources investigation of the matter, Resident B reported that she did not  
17 recall the incident well, and that she was embarrassed afterwards.

18 7. During the Human Resources investigation that occurred after the 2022  
19 incident, Respondent participated in an interview regarding his conduct. Respondent  
20 initially denied any incidents with residents occurred prior to 2022, but subsequently  
21 disclosed the 2021 incident with Resident A when specifically asked about it. The Human  
22 Resources investigators determined that Respondent was not forthright when responding  
23 to questions regarding the two incidents. After the Human Resources review was  
24 completed, Respondent was placed on administrative leave without pay and subsequently  
25 resigned his faculty appointment prior to completion of the investigation.

1           8.     On November 18-20, 2022, Respondent completed an intensive, in-person  
2 continuing medical education (“CME”) course in professional boundaries and ethics with a  
3 Board approved provider and received 24 CME credit hours.

4           9.     During a Formal Interview on this matter, Respondent testified that he began  
5 his faculty appointment at the Medical School in 2019, and that his clinical practice at the  
6 University Hospital through the Hospital’s Medical Group at the same time. Respondent  
7 testified that he taught medical students, residents and fellows, and between 2021 and  
8 2022, he taught approximately 80 residents. Respondent agreed that Resident A was  
9 negatively impacted by the interaction, but stated that he did not recognize any difference  
10 in her performance after it had occurred. Respondent also agreed that Resident B was  
11 negatively impacted by the interaction.

12          10.    Respondent testified that he chose to resign his faculty appointment after the  
13 investigation based on conversations with his University Hospital direct supervisor and the  
14 Dean of the Medical School where it became clear to Respondent that he would no longer  
15 be allowed to supervise residents. Respondent stated that he was unaware that this  
16 resignation would also trigger a relinquishment of his privileges at the University Hospital.

17          11.    Respondent testified regarding the lessons learned while completing CME  
18 after the incident, including that strong professional boundaries prevent conflicts of  
19 interest, and power differential problems. Respondent stated that boundary violations with  
20 subordinates can affect morale and well-being, which can then affect performance.  
21 Respondent stated that he no longer consumes alcohol during after-hours work functions  
22 and no longer practices in academic medicine.

23          12.    Respondent testified that he did supervise Resident A in the University  
24 Hospital’s ICU after their interaction at the party. Respondent stated that he did not  
25 supervise Resident B after the second incident, because he went on vacation afterwards,

1 and upon his return he was placed on paid administrative leave. Respondent agreed that  
2 if he had not been placed on administrative leave, he would have continued to supervise  
3 Resident B at the University Hospital.

4 13. Respondent testified that he served as the chief of the trauma service, the  
5 emergency general surgery service and the surgical critical care service. Respondent  
6 stated that he was not aware of any formal mechanism available to residents who may feel  
7 uncomfortable working for a supervising physician. Respondent testified that Resident A  
8 was in her second year of a five year residency program at the Medical School.  
9 Respondent described the supervisory relationship between himself as an attending  
10 physician and the residents in the program as process of graduated autonomy regarding  
11 medical decision making and patient care. Respondent clarified that there was no  
12 University Hospital peer review conducted of the incidents with Residents A and B.

13 14. Board staff noted that peer review was considered, but determined to be  
14 unnecessary due to the determination that Respondent's faculty resignation triggered a  
15 relinquishment of his privileges.

16 15. During that same Formal Interview, Review Committee members  
17 commented that the relationship between a resident and attending physician is  
18 complicated and requires trust, and that Respondent's conduct compromised that  
19 relationship. While there was no evidence of actual patient harm, Committee members  
20 agreed that there was the potential for patient harm. Committee members commented  
21 that Respondent appeared to have been evasive during the Human Resources  
22 investigation, and the resulting recommendations by the University Hospital Department of  
23 Surgery included that Respondent be removed from any role resulting in interactions with  
24 residents.

25



1 ORDER

2 IT IS HEREBY ORDERED THAT:

- 3 1. Respondent is issued a Letter of Reprimand.

4 RIGHT TO APPEAL TO SUPERIOR COURT

5 Respondent is hereby notified that he has exhausted his administrative remedies.  
6 Respondent is advised that an appeal to Superior Court in Maricopa County may be taken  
7 from this decision pursuant to title 12, chapter 7, and article 6 of the Arizona Revised  
8 Statutes.

9 DATED AND EFFECTIVE this 13th day of February, 2024.

10 ARIZONA MEDICAL BOARD

11  
12 By   
13 Patricia E. McSorley  
14 Executive Director

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22 Phoenix, Arizona 85004  
23 Attorney for Respondent

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1740 West Adams, Suite 4000  
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Board staff