

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **EDSEL A. SANDOVAL, M.D.**

4 Holder of License No. 58821
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Case No. MD-24-0006A

**INTERIM CONSENT AGREEMENT
FOR PRACTICE RESTRICTION**

7 **INTERIM CONSENT AGREEMENT**

8 Edsel A. Sandoval, M.D. ("Respondent") elects to permanently waive any right to a
9 hearing and appeal with respect to this Interim Consent Agreement for Practice Restriction
10 and consents to the entry of this Order by the Arizona Medical Board ("Board").

11 **INTERIM 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 No. 58821 for the practice of allopathic
15 medicine in the State of Arizona.

16 3. The Board initiated case number MD-24-0006A after receiving a complaint
17 from SB alleging that Respondent inappropriately touched her during an appointment and
18 made an appointment with her on a day that his clinic was not open.

19 4. During the course of the Board's investigation, Board staff identified two
20 additional patients (DS and ND) who have alleged that Respondent inappropriately
21 touched them during examinations.

22 5. On February 28, 2024, Respondent was arrested and charged with five
23 counts of sexual assault and two counts of attempted sexual assault based on the Yuma
24 Police Department's investigation of the allegations made by patients SB, DS and ND.
25 Respondent has pled not guilty to the charges.

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

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

6 **INTERIM CONCLUSIONS OF LAW**

7 1. The Board possesses jurisdiction over the subject matter hereof and over
8 Respondent.

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

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

17 **INTERIM ORDER**

18 IT IS HEREBY ORDERED THAT:

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

22 2. Respondent may request, in writing, release and/or modification of this
23 Interim Consent Agreement. Respondent's request must be accompanied by information
24 demonstrating that Respondent is safe to practice medicine. The Executive Director, in
25 consultation with and agreement of the lead Board member and the Chief Medical

1 Consultant, has the discretion to determine whether it is appropriate to release
2 Respondent from this Interim Consent Agreement.

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

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

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

12
13 DATED this 18th day of March, 2024.

14 ARIZONA MEDICAL BOARD

15 By Patricia E. McSorley

16 Patricia E. McSorley
17 Executive Director

18 **RECITALS**

19 Respondent understands and agrees that:

20 1. The Board, through its Executive Director, may adopt this Interim Consent
21 Agreement, or any part thereof, pursuant to A.R.S. § 32-1405(C)(25) and A.A.C. R4-16-
22 504.

23 2. Respondent has read and understands this Interim Consent Agreement as
24 set forth herein, and has had the opportunity to discuss this Interim Consent Agreement
25

1 with an attorney or has waived the opportunity to discuss this Interim Consent Agreement
2 with an attorney. Respondent voluntarily enters into this Interim Consent Agreement and
3 by doing so agrees to abide by all of its terms and conditions.

4 3. By entering into this Interim Consent Agreement, Respondent freely and
5 voluntarily relinquishes all rights to an administrative hearing on the matters set forth
6 herein, as well as all rights of rehearing, review, reconsideration, appeal, judicial review or
7 any other administrative and/or judicial action, concerning the matters related to the
8 Interim Consent Agreement.

9 4. Respondent understands that this Interim Consent Agreement does not
10 constitute a dismissal or resolution of this matter or any matters that may be currently
11 pending before the Board and does not constitute any waiver, express or implied, of the
12 Board's statutory authority or jurisdiction regarding this or any other pending or future
13 investigations, actions, or proceedings. Respondent also understands that acceptance of
14 this Interim Consent Agreement does not preclude any other agency, subdivision, or
15 officer of this State from instituting civil or criminal proceedings with respect to the conduct
16 that is the subject of this Interim Consent Agreement. Respondent further does not
17 relinquish Respondent's rights to an administrative hearing, rehearing, review,
18 reconsideration, judicial review or any other administrative and/or judicial action,
19 concerning the matters related to a final disposition of this matter, unless Respondent
20 affirmatively does so as part of the final resolution of this matter.
21

22 5. Respondent acknowledges and agrees that upon signing this Interim
23 Consent Agreement and returning it to the Board's Executive Director, Respondent may
24 not revoke Respondent's acceptance of this Interim Consent Agreement or make any
25

1 modifications to it. Any modification of this original document is ineffective and void unless
2 mutually approved by the parties in writing.

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

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

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

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

22 10. Respondent understands that any violation of this Interim Consent
23 Agreement constitutes unprofessional conduct under A.R.S. § 32-1401(27)(s) ("[v]iolating
24
25

1 a formal order, probation, consent agreement or stipulation issued or entered into by the
2 board or its executive director under this chapter.").

3 Edsel Sandoval

Edsel Sandoval (Mar 18, 2024 11:08 PDT)

DATED: 18/03/2024

4 EDSEL A. SANDOVAL, M.D.

5
6 EXECUTED COPY of the foregoing e-mailed
7 this ~~18~~ day of ~~March~~, 2024 to:

8 Colin Bell, Esq.
9 Stewart Law Group
10 202 East Earll Drive, Suite 160
11 Phoenix, Arizona 85012
12 Attorney for Respondent

13 ORIGINAL of the foregoing filed
14 this ~~18~~ day of ~~March~~, 2024 with:

15 Arizona Medical Board
16 1740 West Adams, Suite 4000
17 Phoenix, Arizona 85007

18
19
20
21
22
23
24
25

Board staff