

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of:

**JEAN H. VINCENT, M.D.**

Holder of License No. 66713  
For the Practice of Allopathic Medicine  
In the State of Arizona

Board Case No. MD-23-0845A  
OAH Case No. 24A-66713-MDX

**ORDER DENYING REQUEST FOR  
REHEARING OR REVIEW**

At its public meeting on June 5, 2024 the Arizona Medical Board ("Board") considered JEAN H. VINCENT, M.D.'s ("Respondent") Request for Rehearing or Review of the Board's Order dated April 5, 2024 in the above referenced matter. Respondent was present and participated without being represented by counsel. The State was represented by Assistant Attorney General Elizabeth Campbell. The Board had available Assistant Attorney General Ben Norris for independent legal advice. After considering all of the evidence, the Board voted to deny Respondent's Request for Rehearing or Review for the reason that he failed to demonstrate that he was entitled to a rehearing for any of the reasons set forth in A.A.C. R4-16-103(D).

**ORDER**

IT IS HEREBY ORDERED that:

Respondent's Request for Rehearing or Review is denied. The Board's April 5, 2024 Findings of Fact, Conclusions of Law and Order for Revocation in Board Case No. MD-23-0845A/OAH Case No. 24A-66713-MDX is effective and constitutes the Board's final administrative order.

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**RIGHT TO APPEAL TO SUPERIOR COURT**

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

DATED AND EFFECTIVE this 19th day of June, 2024.

ARIZONA MEDICAL BOARD

By Patricia E. McSorley  
Patricia E. McSorley  
Executive Director

EXECUTED COPY of the foregoing mailed  
this 19th day of June, 2024 to:

JEAN H. VINCENT, M.D.  
Address of Record  
  
Arizona Medical Board  
1740 West Adams, Suite 4000  
Phoenix, Arizona 85007

Michelle Roberts  
Board Staff

12101522.2

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

Case No. 24A-66713-MDX

3 **JEAN H. VINCENT, M.D.,**

4 Holder of License No. 66713  
5 For the Practice of Allopathic Medicine  
6 In the State of Arizona.

**FINDINGS OF FACT,  
CONCLUSIONS OF LAW AND ORDER  
(License Revocation)**

7 On March 4, 2024, this matter came before the Arizona Medical Board ("Board")  
8 for consideration of Administrative Law Judge ("ALJ") Kay A. Abramsohn's proposed  
9 Findings of Fact, Conclusions of Law and Recommended Order regarding Jean H.  
10 Vincent, M.D., ("Respondent"). Assistant Attorney General Elizabeth A. Campbell  
11 represented the State. Assistant Attorney General Diane DeDea was available to provide  
12 independent legal advice to the Board.

13 The Board, having considered the ALJ's Decision and the entire record in this  
14 matter, hereby issues the following Findings of Fact, Conclusions of Law and Order.

15 **FINDINGS OF FACT**

16 1. The Arizona Medical Board ("Board") is the duly constituted authority for the  
17 regulation and control of the practice of allopathic medicine in the State of Arizona.

18 2. Respondent is the holder of license number 66713 for the practice of  
19 allopathic medicine in the State of Arizona.

20 3. The Board initiated case number MD-23-0845A after notification on August  
21 28, 2023, from the hospital where Respondent held privileges that he had been placed on  
22 administrative leave during an investigation regarding his inter-professional conduct that  
23 raised concern regarding his mental health and safety to practice.<sup>1</sup>

24 \_\_\_\_\_  
25 <sup>1</sup> See A.R.S. § 32-1451(B).

1           4. Pursuant to an Interim Order issued by the Board's Executive Director,  
2 Respondent presented for an Initial Assessment with a Physician Health Program ("PHP")  
3 Assessor on October 4, 2023. The Interim Order required Respondent to timely present  
4 for the Assessment and to comply with all recommendations from the Assessor. After  
5 completion of that Initial Assessment, the Assessor recommended that Respondent  
6 undergo a comprehensive psychiatric evaluation with a Board-approved facility in order to  
7 determine Respondent's safety to practice.

8           5. Respondent failed to complete the comprehensive psychiatric evaluation as  
9 recommended by the Assessor and required by the Interim Order.

10          6. During the Board's investigation, Respondent sent Board staff emails of a  
11 nature that raised ongoing concerns about Respondent's mental health status. In  
12 addition, Respondent refused to provide additional licensing information requested by  
13 Board staff during the course of the investigation.

14          7. On or about October 30, 2023, Board staff requested that Respondent  
15 provide Federation of State Medical Boards ("FSMB") Federation Credential Verification  
16 Service ("FCVS") information, but Respondent refused to provide the credential  
17 information requested by Board staff during the course of the investigation.

18          8. During the Board's consideration of this case, Board staff presented the  
19 foregoing information and requested that the Board consider summary suspension based  
20 on the Board's inability to determine, without additional information, whether Respondent  
21 was safe to practice medicine. Based on the evidence presented on November 1, 2023,  
22 the Board voted unanimously to summarily suspend Respondent's license pursuant to  
23 A.R.S. § 32-1451(D).

24          9. On November 2, 2023, the Board summarily suspended Respondent's  
25 License No. 66713 to practice allopathic medicine in the State of Arizona.

1           10. The Board referred this matter to the Office of Administrative Hearings  
2 ("OAH"), an independent state agency, for an evidentiary hearing on the allegations and  
3 charged acts of unprofessional conduct as defined by A.R.S. § 32-1401(27)(s) and (ee)  
4 as set forth in the Board's November 27, 2023 Complaint and Notice of Hearing.

5           11. The Complaint and Notice of Hearing set a hearing before OAH at 9:00 a.m.  
6 on January 5, 2024. The Board mailed the Complaint and Notice of Hearing to  
7 Respondent via certified mail, regular mail, and email to his address of record.

8           12. On or about December 10, 2024, the Board received by Priority Mail from  
9 Respondent a ten (10) page letter regarding the matter.<sup>2</sup>

10           13. On January 4, 2024, the Board requested that its representatives be  
11 permitted to appear remotely due to a COVID diagnosis.

12           14. On January 4, 2024, the OAH issued an ORDER setting forth a GOOGLE  
13 link for the administrative hearing.

14           15. The OAH emailed this ORDER to Respondent at the email address which  
15 had been used by the Board in its communications to Respondent.

16           16. Respondent had not communicated to the OAH that he intended to appear  
17 in person at the administrative hearing nor had he specifically requested to appear  
18 telephonically or virtually.

19           17. The duly noticed hearing did not convene until 9:15 a.m. and did not  
20 conclude until 9:55 a.m., Respondent did not appear, personally or through an attorney,  
21 and did not contact OAH. Consequently, Respondent did not present any evidence to  
22 defend his license to practice allopathic medicine in Arizona.

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<sup>2</sup> See Exhibit 14.

18. At the hearing, the Board submitted 14 exhibits and presented the testimony of Erinn Downey, Physician Health Program Manager with the Board, who investigated the complaint received against Respondent.

## CONCLUSIONS OF LAW

1. The Arizona legislature created the Board to protect the public.<sup>3</sup> The Board possesses jurisdiction over the subject matter hereof and over Respondent. Pursuant to A.R.S. § 42-1451(A), the board on its own motion may investigate any evidence that appears to show that a doctor of medicine is or may be medically incompetent, is or may be guilty of unprofessional conduct or is or may be mentally or physically unable safely to engage in the practice of medicine.

2. Pursuant to A.R.S. § 41-1092.07(G)(2) and A.A.C. R2-19-119(B), the Board has the burden of proof in this matter. The standard of proof is by clear and convincing evidence. A.R.S. § 32-1451.04.

3. The evidence established that Respondent failed to complete the comprehensive psychiatric evaluation as recommended by the Assessor. Additionally, the evidence further established that Respondent refused to provide additional licensing which was requested by Board staff during the Board's evaluation. Therefore, the Board established that Respondent committed unprofessional conduct as defined by A.R.S. § 32-1401(27)(s)<sup>4</sup> and (ee).<sup>5</sup>

4. The Complaint and Notice of Hearing that the Board mailed to Respondent at his address of record and email address of record was reasonable, and Respondent is

<sup>3</sup> See Laws 1992, Ch. 316, § 10.

<sup>4</sup> A.R.S. § 32-1401(27)(s) includes in the definition of unprofessional conduct, Violating a formal order, probation, consent agreement or stipulation issued or entered into by the board or its executive director under this chapter.

<sup>5</sup> A.R.S. § 32-1401(27)(ee) includes in the definition of unprofessional conduct, Failing to furnish information in a timely manner to the board or the board's investigators or representatives if legally requested by the board.

deemed to have received notice of the hearing. See A.R.S. § 41-1092.04; A.R.S. § 41-1061(A).

5. Respondent's failure to complete the comprehensive psychiatric evaluation as had been recommended by the Assessor as well as Respondent's refusal to provide the additional licensing information which was requested from him by Board staff during the Board's evaluation process establish that Respondent cannot be regulated at this time. Therefore, the Board should revoke Respondent's license to practice allopathic medicine.

## ORDER

Based on the foregoing, it is ordered that the Board's summary suspension of License No. 66713 for the practice of allopathic medicine in Arizona previously issued to Respondent Jean H. Vincent, M.D. be affirmed and that said license be revoked.

It is further ordered that, pursuant to A.R.S. § 32-1451(M), Jean Vincent, M.D. be charged \$729.60 for the cost of the formal hearing. Dr. Vincent shall pay the Board \$729.60 by certified funds within 90 days of the effective date of this Order.

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1                                    **RIGHT TO PETITION FOR REHEARING OR REVIEW**

2            Respondent is hereby notified that she has the right to petition for a rehearing or  
3 review. The petition for rehearing or review must be filed with the Board's Executive  
4 Director within thirty (30) days after service of this Order. A.R.S. § 41-1092.09(B). The  
5 petition for rehearing or review must set forth legally sufficient reasons for granting a  
6 rehearing or review. A.A.C. R4-16-103. Service of this order is effective five (5) days  
7 after date of mailing. A.R.S. § 41-1092.09(C). If a petition for rehearing or review is not  
8 filed, the Board's Order becomes effective thirty-five (35) days after it is mailed to  
9 Respondent.

10           Respondent is further notified that the filing of a motion for rehearing or review is  
11 required to preserve any rights of appeal to the Superior Court.

12           **DATED** this 5<sup>th</sup> day of April 2024.

13                                    THE ARIZONA MEDICAL BOARD

14                                    By Pat E McSorley  
15                                    Patricia E. McSorley  
16                                    Executive Director



1 ORIGINAL of the foregoing filed this  
2 5<sup>th</sup> day of April 2024 with:

3 Arizona Medical Board  
4 1740 W. Adams, Suite 4000  
Phoenix, Arizona 85007

5 COPY of the foregoing filed  
6 this 5<sup>th</sup> day of April 2024 with:

7 Greg Hanchett, Director  
8 Office of Administrative Hearings  
1740 W. Adams  
Phoenix, AZ 85007

9 Executed copy of the foregoing  
10 mailed by U.S. Mail and emailed  
this 5<sup>th</sup> day of April 2024 to:

11 Jean H. Vincent, M.D.  
12 Address of Record

13 Elizabeth A. Campbell  
14 Assistant Attorney General  
Office of the Attorney General  
SGD/LES  
15 2005 N. Central Avenue  
Phoenix, AZ 85004

16 By: Michelle Proby  
17 Arizona Medical Board

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