

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **JOSE H. ALVAREZ, M.D.**

4 Holder of License No. 21702  
5 For the Practice of Allopathic Medicine  
6 In the State of Arizona.

**Case No. MD-21-0877A**

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

7 Jose H. Alvarez, M.D. ("Respondent") elects to permanently waive any right to a  
8 hearing and appeal with respect to this Order for Letter of Reprimand and Probation with  
9 Practice Restriction; admits the jurisdiction of the Arizona Medical Board ("Board"); 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 21702 for the practice of  
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-21-0877A after receiving a self-report  
17 from Respondent disclosing that he had entered into a settlement with the Nevada State  
18 Board of Medical Examiners ("Nevada Board").

19 4. On September 20, 2021, Respondent entered into a Settlement Agreement  
20 with the Nevada Board regarding Complaint 21-28177-1 ("First Settlement"). The case  
21 arose out of allegations that a patient received full thickness burns and tissue necrosis  
22 following post-surgical laser treatments. Pursuant to the First Settlement, the Nevada  
23 Board issued Respondent a Letter of Reprimand, and required Respondent to complete 5  
24 hours of Continuing Medical Education ("CME") related to best practices in laser burn  
25 treatments, as well as pay a fine and costs of investigation.



1 **ORDER**

2 IT IS HEREBY ORDERED THAT:

- 3 1. Respondent is issued a Letter of Reprimand.  
4 2. Respondent is placed on Probation with the following terms and conditions:

5 **a. Practice Restriction**

6 Respondent shall be prohibited from performing cosmetic surgical procedures in the  
7 State of Arizona until he has successfully completed the Certified General Cosmetic  
8 Surgery Fellowship offered by the American Academy of Cosmetic Surgery.

9 **b. Continuing Medical Education**

10 Respondent shall within 6 months of the effective date of this Order obtain no less  
11 than 10 hours of Board Staff pre-approved Category I Continuing Medical Education  
12 ("CME") in an intensive, in-person course regarding medical recordkeeping. Respondent  
13 shall within **thirty days** of the effective date of this Order submit his request for CME to the  
14 Board for pre-approval. Upon completion of the CME, Respondent shall provide Board  
15 staff with satisfactory proof of attendance. The CME hours shall be in addition to the hours  
16 required for the biennial renewal of medical licensure.

17 **c. Obey All Laws**

18 Respondent shall obey all state, federal and local laws, all rules governing the  
19 practice of medicine in Arizona, and remain in full compliance with any court ordered  
20 criminal probation, payments and other orders.

21 **d. Tolling**

22 In the event Respondent should leave Arizona to reside or practice outside the  
23 State or for any reason should Respondent stop practicing medicine in Arizona,  
24 Respondent shall notify the Executive Director in writing within ten days of departure and  
25 return or the dates of non-practice within Arizona. Non-practice is defined as any period of

1 time exceeding thirty days during which Respondent is not engaging in the practice of  
2 medicine. Periods of temporary or permanent residence or practice outside Arizona or of  
3 non-practice within Arizona, will not apply to the reduction of the probationary period.

4 **e. Probation Termination**

5 Prior to any Board consideration for termination of Probation, Respondent must  
6 submit a written request to the Board for release from the terms of this Order.  
7 Respondent's request for release will be placed on the next pending Board agenda,  
8 provided a complete submission is received by Board staff no less than 30 days prior to  
9 the Board meeting. Respondent's request for release must provide the Board with  
10 evidence establishing that he has successfully satisfied all of the terms and conditions of  
11 this Order.

12  
13 The Probation shall not terminate except upon affirmative request of Respondent  
14 and approval by the Board. In the event that Respondent requests Probation termination  
15 and the Practice Restriction is in effect at the time of the request, the Board may require  
16 any combination of examinations and/or evaluations in order to determine whether or not  
17 Respondent is safe to prescribe controlled substances and the Board may continue the  
18 Practice Restriction or take any other action consistent with its authority.



1 federal government regulatory agency proceeding, civil or criminal court proceeding, in the  
2 State of Arizona or any other state or federal court.

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

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

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

20 9. If any part of the Order is later declared void or otherwise unenforceable, the  
21 remainder of the Order in its entirety shall remain in force and effect.

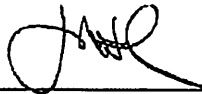
22 10. If the Board does not adopt this Order, Respondent will not assert as a  
23 defense that the Board's consideration of the Order constitutes bias, prejudice,  
24 prejudgment or other similar defense.

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1 11. Any violation of this Order constitutes unprofessional conduct and may result  
2 in disciplinary action. A.R.S. § § 32-1401(27)(s) (“[v]iolating a formal order, probation,  
3 consent agreement or stipulation issued or entered into by the board or its executive  
4 director under this chapter.”) and 32-1451.

5 12. Respondent acknowledges that, pursuant to A.R.S. § 32-2501(16), he  
6 cannot act as a supervising physician for a physician assistant while his license is on  
7 probation.

8 13. ***Respondent has read and understands the conditions of probation.***

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10 

11 \_\_\_\_\_  
JOSE H. ALVAREZ, M.D.

DATED: 8/29/2023

12  
13 EXECUTED COPY of the foregoing mailed  
14 this 7<sup>th</sup> day of September, 2023 to:

15 Jose H. Alvarez, M.D.  
16 Address of Record

17  
18 ORIGINAL of the foregoing filed  
19 this 7<sup>th</sup> day of September, 2023 with:

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

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23 \_\_\_\_\_  
Board staff