

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **DAVID M. MEDINA, M.D.**

4 Holder of License No. 21441  
5 For the Practice of Allopathic Medicine  
In the State of Arizona.

**Case No. MD-21-0867A**

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

6 David M. Medina, M.D. ("Respondent") elects to permanently waive any right to a  
7 hearing and appeal with respect to this Order for Letter of Reprimand and Probation;  
8 admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of  
9 this Order by the Board.

10 **FINDINGS OF FACT**

11 1. The Board is the duly constituted authority for the regulation and control of  
12 the practice of allopathic medicine in the State of Arizona.

13 2. Respondent is the holder of license number 21441 for the practice of  
14 allopathic medicine in the State of Arizona.

15 3. The Board initiated case number MD-21-0867A after receiving a complaint  
16 regarding Respondent's care and treatment of a 50 year-old female patient ("TC") alleging  
17 embolization of the incorrect artery cutting off the blood supply to the spinal cord causing  
18 paralysis.

19 4. On September 7, 2021, TC was referred to Respondent for pre-op a  
20 discussion of bronchial artery embolization with chemotherapy ("CIP") and particles  
21 ("TACE"). TC had a medical history of stage IV uterine leiomyosarcoma with bilateral lower  
22 lobe pulmonary nodules. Additionally, in 2020, TC underwent two rounds of chemotherapy  
23 (gemcitabine/docetaxel) and subsequent catheter directed chemotherapy using a  
24 pulmonary artery approach in July 2021.

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1           5.     Paralysis is a known and established potential risk of "TACE" procedures,  
2 and the patient signed a consent acknowledging such.

3           6.     On September 15, 2021, TC underwent bronchial artery embolization  
4 performed by Respondent at a Clinic. The procedure consisted of a supine aortic  
5 angiogram via the right femoral artery. Selective catheter access of the two left and two  
6 right bronchial arteries was recorded in the report, but without specific vessel location.  
7 Both two right and two left bronchial arteries were sequentially embolized with drug eluting  
8 beads and infused with liquid chemotherapy. Post-operatively, TC complained of  
9 numbness below her breasts and bilateral leg weakness. TC was transferred to a Hospital.

10          7.     On September 16, 2021, a non-contrast MRI was performed that showed  
11 questionable linear cord signal abnormality in the upper thoracic cord extending from T3-  
12 T6. The MRI findings correlated with the clinical picture of spinal artery syndrome. TC was  
13 discharged to a rehabilitation facility on September 20, 2021.

14          8.     The standard of care requires a physician to abort or reschedule a procedure  
15 when the proper instruments are not available. Respondent deviated from this standard of  
16 care by failing to abort or reschedule the procedure when the proper instruments were not  
17 available.

18          9.     The standard of care requires a physician to utilize a micro catheter to  
19 protect against embolization of a spinal artery branch. Respondent deviated from the  
20 standard of care by failing to utilize a 2F micro catheter to protect against embolization of a  
21 spinal artery branch.

22          10.    Respondent states that he believes the instruments used were appropriate,  
23 but agrees that he was unable to access the appropriate spaces due to difficulty with the  
24 angle of approach.



1                   **b. Obey All Laws**

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

5                   3.     The Board retains jurisdiction and may initiate new action against  
6 Respondent based upon any violation of this Order. A.R.S. § 32-1401(27)(s)

7                   DATED AND EFFECTIVE this 2nd day of April, 2025.

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9                   ARIZONA MEDICAL BOARD

10                   By Patricia E. McSorley  
11 Patricia E. McSorley  
12 Executive Director

13                   **CONSENT TO ENTRY OF ORDER**

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

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

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

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

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

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

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

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

24           9. Respondent's signing of the Consent Agreement and Order does not  
25 constitute an admission that any of these allegations are true, nor does it constitute

1 agreement with the Board's findings. Respondent voluntarily enters into this Consent  
2 Agreement for the purpose of avoiding the expense and uncertainty of an administrative  
3 hearing.

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

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

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

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

15  
16 David M. Medina M.D.  
17 DAVID M. MEDINA, M.D.

DATED: 3/24/25

1 EXECUTED COPY of the foregoing mailed  
2 this 2nd day of April, 2025 to:

3 David M. Medina, M.D.  
4 Address of Record

5 David Williams, Esq.  
6 Davis Miles PLLC  
7 999 Playa Del Norte Drive, Suite 510  
8 Tempe, Arizona 85288

9 ORIGINAL of the foregoing filed  
10 this 2nd day of April, 2025 with:

11 Arizona Medical Board  
12 1740 West Adams, Suite 4000  
13 Phoenix, Arizona 85007

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16 Board staff  
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