BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of **MARTIN A. MEYERS, M.D.** Holder of License No. **27917** For the Practice of Medicine In the State of Arizona.	Case No. MD-03-0826 **INTERIM CONSENT AGREEMENT FOR PRACTICE RESTRICTION AND INPATIENT OR RESIDENTIAL EVALUATION/TREATMENT**

INTERIM CONSENT AGREEMENT

By mutual agreement and understanding, between the Arizona Medical Board ("Board") and Martin A. Meyers, M.D. ("Respondent") the parties agree to the following disposition of this matter.

1. Respondent acknowledges that he has read and understands this Interim Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order. Respondent acknowledges that he understands he has the right to consult with legal counsel regarding this matter and has done so or chooses not to do so.

2. Respondent understands that by entering into this Interim Consent Agreement for the issuance of the foregoing Order, he voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged, or to challenge this Interim Consent Agreement and the Order in its entirety as issued by the Board, and waives any other cause of action related thereto or arising from said Order.

3. Respondent acknowledges and understands that this Interim Consent Agreement and the Order will not become effective until signed by the Executive Director.

4. All admissions made by Respondent are solely for interim disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Respondent. Therefore, said admissions by Respondent are not intended or made for any other use, such as in the context of another state or federal government

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

5. Respondent acknowledges and agrees that, although said Interim Consent Agreement and Order has not yet been issued by the Executive Director, Respondent may not make any modifications to the document. Upon signing this agreement, and returning this document (or a copy thereof) to the Board's Executive Director, Respondent may not revoke acceptance of the Interim Consent Agreement and Order. Any modifications to this Interim Consent Agreement and Order are ineffective and void unless mutually approved by the parties.

6. Respondent further understands that this Interim Consent Agreement and Order, once approved and signed, shall constitute a public record document that may be publicly disseminated as a formal action of the Board.

7. If any part of the Interim Consent Agreement and Order is later declared void or otherwise unenforceable, the remainder of the Order in its entirety shall remain in force and effect.

Martin Meyers Dated: 8-28-03

Martin A. Meyers, M.D.

FINDINGS OF FACT

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

2. Respondent is the holder of License No. 27917 for the practice of allopathic medicine in the State of Arizona.

3. On August 21, 2003, Respondent voluntarily submitted himself to an evaluation by the Board's contracted addiction medicine specialist ("Specialist") after testing positive for Nubain in a urinalysis performed by a Hospital where Respondent has privileges.

4. Based on his evaluation of Respondent and Respondent's comments the Specialist recommends that Respondent not practice medicine and undergo an inpatient evaluation within 14 days. Respondent has accepted this recommendation.

5. If Respondent were to practice medicine prior to the completion of an inpatient or residential evaluation/treatment program, he would represent a danger to the public health and safety.

6. Respondent has agreed to stop practicing medicine and complete an inpatient or residential evaluation/treatment program.

CONCLUSIONS OF LAW

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

2. The Executive Director may enter into a consent agreement with a physician if there is evidence of danger to the public health and safety. A.R.S. § 32-1405(C)(25); A.A.C. R4-16-404.

ORDER

IT IS HEREBY ORDERED THAT:

1. Respondent shall not practice clinical medicine or any medicine involving direct patient care, and is prohibited from prescribing any form of treatment including prescription medications, until Respondent applies to the Board receives permission to do so.

2. Within 14 days of the date of this Consent Agreement, Respondent shall undergo an inpatient evaluation at Banner Behavioral Health Villa Program. Respondent is responsible for all expenses relating to the evaluation and/or treatment. Respondent shall sign a consent form to release all confidential evaluation and/or treatment records to the Board. Respondent shall comply with any recommendations made by the evaluation/treatment program, including any recommendation that he remain for further treatment.

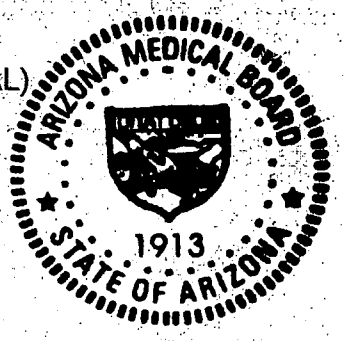
3. Respondent shall provide a copy of this Order to the treatment program.

4. This is an interim order and not a final decision by the Board regarding the pending investigative file and as such is subject to modification and further consideration by the Board.

DATED AND EFFECTIVE this 29th day of August, 2003.

ARIZONA MEDICAL BOARD

(SEAL)



By Barry A. Cassidy
BARRY A. CASSIDY, Ph.D., PA-C
Executive Director

ORIGINAL of the foregoing filed this 2nd day of September, 2003 with:

The Arizona Medical Board
9545 East Doubletree Ranch Road
Scottsdale, AZ 85258

EXECUTED COPY of the foregoing mailed by Certified Mail this 2nd day of September, 2003 to:

Martin A. Meyers, M.D.
PO Box 4334
Page, Arizona 86040-4334

Robert Milligan
Gallagher & Kennedy, PA
2575 E. Camelback Rd.
Phoenix, AZ 85016-9225

EXECUTED COPY of the foregoing hand-delivered to each of the following this 2nd day of September, 2003, to:

Christine Cassetta, Assistant Attorney General
Sandra Waitt, Management Analyst
Compliance
Don Keenom - Investigations
Arizona Medical Board
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