BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of **JORGE L. ALSINA, M.D.** License No. 36102 For the Practice of Allopathic Medicine In the State of Arizona.	Case No. MD-07-0812A **CONSENT AGREEMENT FOR LETTER OF REPRIMAND AND PROBATION**

CONSENT AGREEMENT

By mutual agreement and understanding, between the Arizona Medical Board ("Board") and Jorge L. Alsina, M.D. ("Respondent"), the parties agreed to the following disposition of this matter.

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

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

3. This Consent Agreement is not effective until approved by the Board and signed by its Executive Director.

4. The Board may adopt this Consent Agreement or any part thereof. This Consent Agreement, or any part thereof, may be considered in any future disciplinary action against Respondent.

5. This Consent Agreement does not constitute a dismissal or resolution of other matters currently pending before the Board, if any, and does not constitute any

waiver, express or implied, of the Board's statutory authority or jurisdiction regarding any other pending or future investigation, action or proceeding. The acceptance of this Consent Agreement does not preclude any other agency, subdivision or officer of this State from instituting other civil or criminal proceedings with respect to the conduct that is the subject of this Consent Agreement.

6. All admissions made by Respondent are solely for final 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.

7. Upon signing this agreement, and returning this document (or a copy thereof) to the Board's Executive Director, Respondent may not revoke the acceptance of the Consent Agreement. Respondent may not make any modifications to the document. Any modifications to this original document are ineffective and void unless mutually approved by the parties.

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

9. This Consent Agreement, once approved and signed, is a public record that will be publicly disseminated as a formal action of the Board and will be reported to the National Practitioner Data Bank and to the Arizona Medical Board's website.

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

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

12. Respondent has read and understands the condition(s) of probation.

JORGE L. ALSINA, M.D.

DATED: 2/19/2008

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 number 36102 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-07-0812A after receiving notification of a disciplinary action taken against Respondent by the Florida Board of Medicine (Florida Board).

4. Respondent was reprimanded and disciplined as a result of a settlement agreement by the Florida Board for failing to maintain adequate medical records to justify care and treatment of patients LC, RC and AH. Specifically, Respondent failed to obtain patient histories, failed to record examinations and test results, failed to maintain records of drugs prescribed or dispensed and failed to keep reports of hospitalizations or consultations on file. Additionally, Respondent prescribed excessive amounts of Oxycontin, Roxicet, Xanax, Zyprexa and Alprazolam without sufficient justification to LC, RC and AH on several occasions.

5. On August 27, 2007, the Florida Board approved a settlement agreement with Respondent for a reprimand and a fine. Respondent was required to attend medical education courses and perform fifty hours of community service. Respondent is currently complying with the order. The Florida order is incorporated by reference.

CONCLUSIONS OF LAW

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

2. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(o) ("[a]ction that is taken against a doctor of

medicine by another licensing or regulatory jurisdiction due to that doctor's mental or physical inability to engage safely in the practice of medicine, the doctor's medical incompetence or for unprofessional conduct as defined by that jurisdiction and that corresponds directly or indirectly to an act of unprofessional conduct prescribed by this paragraph. The action taken may include refusing, denying, revoking or suspending a license by that jurisdiction or a surrendering of a license to that jurisdiction, otherwise limiting, restricting or monitoring a licensee by that jurisdiction or placing a licensee on probation by that jurisdiction.").

ORDER

IT IS HEREBY ORDERED THAT:

1. Respondent is issued a Letter of Reprimand for action taken by another state.

2. Respondent is placed on probation for **one year** with the following terms and conditions:

A. Continuing Medical Education (CME)

Respondent shall within **one year** comply with the terms of the Florida Board Order requiring he attend CME courses. Respondent shall provide Board Staff with satisfactory proof of attendance. The CME hours shall be in addition to the hours required for the biennial renewal of medical license. The probation shall terminate upon successful completion of the CME.

B. Obey All Laws

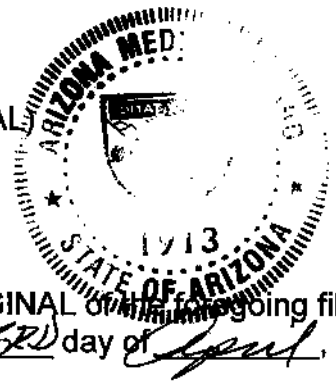
Respondent shall obey all state, federal and local laws, all rules governing the practice of medicine in Arizona, and remain in full compliance with any court ordered criminal probation, payments and other orders.

3. This Order is the final disposition of case number MD-07-0812A.

DATED AND EFFECTIVE this 3rd day of April, 2008.

ARIZONA MEDICAL BOARD

(SEAL)



By _____
Lisa S. Wynn
Executive Director

ORIGINAL of the foregoing filed this 3RD day of April, 2008 with:

Arizona Medical Board
9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258

EXECUTED COPY of the foregoing mailed this 3RD day of April, 2008 to:

Jorge L. Alsina, M.D.
Address of Record

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Investigational Review