

**Arizona Board of Osteopathic Examiners in Medicine and Surgery**  
**Substantive Policy Statement**

Confidential Program for Treatment and Rehabilitation of Impaired Physicians

Delegating to the Executive Director the Authority to Enter into Consent Agreements and Stipulated Agreements pertaining to the Confidential Program for Impaired Physicians

The Arizona Board of Osteopathic Examiners in Medicine and Surgery (Board) is authorized to establish a confidential program for the treatment and rehabilitation of licensees who may be impaired by substance abuse (A.R.S. §32-1861). The Board may delegate the authority to its Executive Director to enter into consent agreements if there is evidence of a danger to the public health and safety. (A.R.S. §32-1804(24)). The Board intends to codify this delegation into administrative rule authorizing the ED to enter an interim consent agreement if there is evidence that a restriction of the licensee's practice is needed to mitigate imminent danger to the public health and safety, and the investigative staff, the medical consultant and a Board member concur after review of the case.

The Board or the Executive Director may order the evaluation of a licensee under investigation. (A.R.S. §32-1984(B)). The Board may delegate to the ED the authority to enter into a stipulated agreement with the physician requiring the physician to complete Board-approved evaluation and treatment for abuse or misuse of chemical substances (A.R.S. §32-1804(16)). The Board intends to codify this delegation into administrative rule authorizing the ED to enter a stipulated agreement if there is evidence that evaluation and treatment would be successful in returning the physician to being able to practice safely.; and if the investigative staff, the medical consultant and a Board member concur after review of the case.

When the treatment is completed, the physician is often determined safe to return to practice provided the physician enters the Board's Monitored Aftercare Program (MAP) for doctors of osteopathic medicine who are impaired by abuse or misuse of chemical substances. Placement in the MAP allows the Board to monitor the physician's recovery and learn of any relapse by the physician. The Board may delegate to the ED the authority to enter into a stipulated agreement for the monitoring of the physician's rehabilitation. (A.R.S. §32-1804(16)). The ED may enter the stipulation if there is evidence of the physician's intent to comply and the investigative staff, the medical consultant, and a Board member concur after review of the case.

Approved by Board at their January 10, 2009 meeting  
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