

**BEFORE THE ARIZONA STATE BOARD OF
HOMEOPATHIC MEDICAL EXAMINERS**

In the Matter of:)	Complaint No. 06-16
)	
Jeff A. Baird, D.O., MD(H))	CONSENT AGREEMENT FOR FINDINGS
License Number 097)	OF FACT, CONCLUSIONS OF LAW and
<hr/>		ORDER FOR DECREE OF CENSURE

In the interest of a prompt and judicious settlement of the above captioned matter before the Arizona State Board of Homeopathic Medical Examiners ("Board"), and consistent with the public interest, statutory requirements and responsibilities of the Board and pursuant to A.R.S. §32-2901 et. seq. and A.R.S. §41-1092.07(F)(5), Jeff Baird, (hereafter "Respondent") and the Board enter into this Consent Agreement, Findings of Fact, Conclusions of Law and Order for Decree of Censure ("Consent Agreement") in the State of Arizona as a final disposition of this matter.

This matter was considered by the Board at its public meeting on November 13, 2007 at which time the Board conducted a review pursuant to A.R.S. §32-2934(G). Respondent was present at the meeting voluntarily and responded to questions from the Board. After consideration of the facts, circumstances and law in this matter, the Board and Respondent agreed to enter the following Findings of Fact and Conclusions of Law, and Order of Censure.

AGREEMENT

By mutual agreement and understanding, the Board and Respondent, the parties hereto agree to the following disposition of this matter:

1. Any record prepared in this matter, all investigative materials prepared or received by the Board concerning the allegations, and all related materials and exhibits may be retained in the Board's file pertaining to this matter.

2. Respondent acknowledges that he has read this Consent Agreement and is aware of and understands the contents of this document.

3. Respondent understands that this Consent Agreement will not become effective unless signed by the Board's Executive Director.

4. Respondent understands that by entering into this Consent Agreement, he voluntarily relinquishes any rights to a hearing on the matters alleged as grounds for Board action or to seek judicial review of the consent order in a state or federal court.

5. Respondent has the right to consult with an attorney prior to entering into this Consent Agreement.

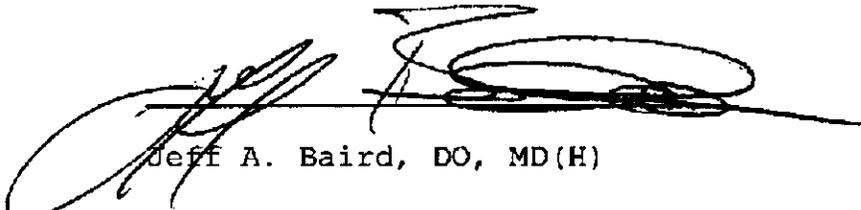
6. Respondent further understands that this Consent Agreement, once signed shall constitute a public record which will be disseminated as a formal action of the Board.

7. Respondent admits to the statement of facts and conclusions of law contained in the Consent Agreement, acknowledges and accepts the imposition of them.

8. Respondent acknowledges and agrees that this Consent Agreement is an adverse action that will be reported to the appropriate and mandated entities.

9. Respondent acknowledges and agrees that upon signing and returning this document (or a copy thereof) to the Board's executive director, he may not later revoke or amend this Consent Agreement without first obtaining Board approval.

REVIEWED AND ACCEPTED this 11th day of ~~February~~, 2008.
March



Jeff A. Baird, DO, MD(H)

JURISDICTIONAL STATEMENTS

1. The Board is empowered, pursuant to A.R.S. 32-2901 et seq., to regulate the practice of homeopathic medicine in the State of Arizona, and the conduct of the persons licensed, registered, or permitted to practice homeopathic medicine in the State of Arizona.

2. Respondent is the holder of License No. 97 issued by the Board for the practice of homeopathic medicine in the State of Arizona.

FINDINGS OF FACT

1. On or around March 1, 2006 the Board received information that the Respondent had purchased a quantity of *Botulinum Neurotoxin Type A* ("BNTA"), which is manufactured by Toxin Research International ("TRI"), as an alternative to *Botox*, which is produced by Allergan Inc., and the only FDA-approved and licensed Botulinum Toxin Type A medical product in the United States.

2. The record and the Respondent's correspondence indicate the following:

- a) In July 2003, the Respondent attended a training course in the administration of Botox and dermal fillers.
- b) The Respondent confirmed that he had purchased a total of 4 vials of Botulinum Toxin Type A from TRI in July, 2003 and December 2003.
- c) The Respondent admits that he injected himself and his wife with the Botulinum Toxin Type A purchased from TRI. He could not confirm that any of his other patients were injected with unapproved Botulinum Toxin Type A, but if he did inject anyone else, it would have been several of his wife's friends.

- d) The Respondent did not make or keep appropriate medical records for those patients injected with the unapproved Botulinium Type A toxin.
- e) The Respondent admits that he was aware of the difference between a legal product and the unapproved Botulinium Type A toxin product he purchased from TRI.

3. The Arizona Board of Homeopathic Medical Examiners reviewed documentation received from Respondent and the Arizona Board of Osteopathic Examiners in Medicine and Surgery ("Osteopathic Board") and at a July 11, 2006 Regular Meeting voted, pursuant to A.R.S. §32-2907(F), to table the matter and cede primary jurisdiction to the Osteopathic Board.

4. On May 21, 2007, the Osteopathic Board entered into a consent agreement for findings of fact, conclusions of law and order for decree of censure with Respondent.

5. On November 13, 2007, the Board reviewed the investigative record from the Osteopathic Board and the disciplinary action taken against the Respondent and voted pursuant to A.R.S. §32-2934(G)(3) to issue a consent agreement for findings of fact, conclusions of law and order for decree of censure to Respondent.

CONCLUSIONS OF LAW

1. The conduct and circumstances described above constitute grounds for disciplinary action of the license to

practice medicine as a homeopathic physician pursuant to A.R.S. §32-2934(G) (3).

2. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. §32-2933(5) "violating federal, state, county or municipal laws or regulations applicable to the practice of medicine or relating to public health."

3. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. §32-2933(19) "any conduct or practice contrary to recognized standards of ethics of the homeopathic medical profession, any conduct or practice which does or might constitute a danger to the health, welfare or safety of the patient or the public, or any conduct, practice or condition which does or might impair the ability to practice homeopathic medicine safely and skillfully."

4. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. §32-2933(20), "failing or refusing to maintain adequate records on a patient or to make patient records promptly available to another physician on request and receipt of proper authorization."

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the parties stipulate to the following discipline:

IT IS HEREBY ORDERED that Jeff A. Baird, D.O., MD(H) holder of Homeopathic Medical license number 097, is issued a DECREE OF

CENSURE

DATED this 11th day of March, 2008.

FOR THE
ARIZONA STATE BOARD OF HOMEOPATHIC
MEDICAL EXAMINERS

Christine Springer
Christine Springer, Executive Director

ORIGINAL of the foregoing filed
This 11th day of March 2008, with:

Arizona State Board of Homeopathic Medical Examiners
1400 West Washington, Suite 230
Phoenix, Arizona 85007

COPY of the foregoing mailed this 12th day
of March, 2008, to:

Jeff A. Baird, MD(H)

Michelle Wood
Assistant Attorney General
1275 West Washington CIV/LES
Phoenix, Arizona 85007
