BEFORE THE STATE OF ARIZONA

ARIZONA BOARD OF HOMEOPATHIC MEDICAL EXAMINERS

In the Matter of: **GARY PAGE** **Holder of License No. 0164** **For the Practice of Homeopathic Medicine** **In the State of Arizona** Respondent.	**CASE NO. 08-01, 08-02, 08-03 and 08-04.** **CONSENT AGREEMENT**

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RECITALS

Gary Page ("Respondent") holds Homeopathic Physicians License No.0164. The Board received complaints alleging that Dr. Page performed cosmetic surgeries, including tumescent liposuction and tumescent breast augmentation which were not specifically within the scope of homeopathic practice and which were allegedly performed without compliance with the applicable standards of homeopathic medical care. In the interest of a prompt and judicious settlement of this case, consistent with the public interest, statutory requirements and responsibilities of the State of Arizona Arizona Board of Homeopathic Medical Examiners ("Board"), and under A.R.S. §32-2901 *et seq.*, Respondent and the Board enter into the following Consent Agreement ("Consent Agreement") as the final disposition of this matter with this disciplinary order for voluntary surrender.

1. Respondent has read and understands this Consent Agreement as set forth herein, and has had the opportunity to discuss this Consent Agreement with an attorney and has done so.

Respondent does not admit, but does not contest that the allegations set forth in the Recitals, if not denied by Dr. Page, would constitute a violation of A.R.S. §32-2933 (1), (19) and (34). Respondent denies the allegations and asserts he complied with the applicable standards of homeopathic care. Respondent voluntarily enters into this Consent Agreement for the purpose of avoiding the expense and uncertainty of an administrative hearing, and solely for purposes of avoiding the expense and uncertainty of a hearing, does not contest the Board's conclusions of these recitals or the Board's Order.

2. Respondent understands that he has a right to a public administrative hearing concerning each allegation set forth in the above-captioned matter, at which administrative hearing he could present evidence and cross-examine witnesses. By entering into this Consent Agreement, Respondent freely and voluntarily relinquishes all rights to such an administrative hearing as well as all rights of rehearing, review, reconsideration, appeal, judicial review or any other administrative and/or judicial action, concerning the matters set forth herein.

3. Respondent understands this Consent Agreement deals with Board Investigations Case Nos. 08-01 through 08-04.

4. Respondent understands that this Consent Agreement does not constitute a dismissal or resolution of other matters currently pending before the Board, if any, except as specified herein, 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 parties agree that the Board retains jurisdiction to consider all such matters upon future application of the Respondent. Respondent also understands that acceptance of this Consent Agreement does not preclude any other agency, subdivision or officer of this state from instituting any other civil or criminal proceedings with respect to the alleged conduct that is the subject of this Consent Agreement.

5. Respondent acknowledges and agrees that, upon signing this Consent Agreement

and returning this document to the Board's Executive Director, Respondent may not revoke his acceptance of the Consent Agreement or make any modifications to the document, regardless of whether the consent Agreement has been issued by the Executive Director. Any modification to this original document is ineffective and void unless mutually approved by all of the parties hereto in writing. Signatures obtained via facsimile or electronically will have the same legal force and effect as original signatures.

6. Respondent understands that this Consent Agreement shall not become effective unless and until adopted by the Board and signed by its Executive Director or designee.

7. Respondent understands and agrees that if the Board does not adopt this Consent Agreement, he will not assert as a defense that the Board's consideration of this Consent Agreement constitutes bias, prejudice, prejudgment and other similar defense.

8. Respondent understands that this Consent Agreement is a public record that may be publicly disseminated as a formal action of the Board.

9. Respondent understands that any violation of this Consent Agreement constitutes unprofessional conduct under A.R.S. § 32-2933(32) ("[v]iolating any formal order, terms of probation, or stipulation issued or entered into by the board or its designee pursuant to [A.R.S. §32-2901 *et seq*].").

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

11. The parties mutually understand and agree that this order constitutes a final, binding decision of this matter under investigation by the Board and referenced above.

12. Respondent agrees that he may reapply for licensure after the time prescribed in the Order below under the following conditions, and Respondent must comply with current law at the time of the application: The application must be in writing and shall contain therein or have attached thereto substantial evidence that the basis for voluntary surrender has been removed and that the granting of a

new license does not constitute a threat to the public's health, safety and welfare. The Board may require such evaluations, reports, education and affidavits regarding the Respondent as it deems reasonably necessary. These conditions shall be met before a new application may be considered.

13. Respondent may not use the terms "M.D.(H)", or "H.MD", or "Homepathic Physician" or use any other similar words, initials, abbreviations, symbols or any combination thereof which would lead the public to believe that Respondent is licensed to practice homeopathic medicine in Arizona.

Signed this 13 date of March, 2008

Gary Page

Reviewed and Approved as to form on March 17, 2008:

By: Robert Milligan, Esq.

ORDER

Based upon the Board's Findings, **IT IS HEREBY ORDERED THAT**:

1. Respondent shall voluntarily surrender his license no. 0164 to practice homeopathic medicine in Arizona.

2. Respondent's voluntary surrender is a disciplinary action reportable to all data basis consistent with state and federal law.

3. Respondent shall not apply to the Board for a license to practice homeopathic medicine in Arizona for at least five (5) years from the effective date of this Consent Agreement.

DATED AND EFFECTIVE this 18th day of March 2008.

STATE OF ARIZONA ARIZONA BOARD OF
HOMEOPATHIC MEDICAL EXAMINERS

By: Christine Springer
Christine Springer
EXECUTIVE DIRECTOR

Executed COPY of the foregoing mailed by
U.S. Certified Mail this 18th day of March, 2008 to:

Gary Page, M.D.(H)
P.O. Box 2197
Gilbert, AZ 85234

Robert Milligan, Esq.
Gallagher & Kennedy PA
2575 E Camelback Rd
Phoenix, AZ 85016-4240

Executed **ORIGINAL** of the foregoing filed this
this 18th day of March, 2008 with:

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