

1 reconsideration, appeal, judicial review or any other administrative and/or judicial action,
2 concerning the matters contained within. Respondent affirmatively agrees that this
3 Consent Agreement shall be irrevocable.

4 3. Respondent agrees that the Board may adopt this Consent Agreement or
5 any part of this agreement, under A.R.S. § 32-2934(F). Respondent understands that the
6 Board may consider this Consent Agreement or any part of it in any future disciplinary
7 action against him.

8 4. Respondent understands that this Consent Agreement does not constitute a
9 dismissal or resolution of other matters currently pending before the Board, *if any*, and
10 does not constitute any waiver, expressed or implied, of the Board's statutory authority or
11 jurisdiction regarding any other pending or future investigation, action, or proceeding.

12 5. Respondent acknowledges and agrees that, upon signing this Consent
13 Agreement and returning this document to the Board's Executive Director, Respondent
14 may not revoke his acceptance of the Consent Agreement or make any modifications to
15 the document, regardless of whether the Executive Director issued the Consent
16 Agreement. Any modification to this original document is ineffective and void unless
17 mutually approved by the parties in writing.

18 6. Respondent understands that this Consent Agreement shall not become
19 effective unless and until the Board adopts it and the Board President signs it.

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

23 8. Respondent understands that this Consent Agreement is a public record that
24 may be publicly disseminated as a formal action of the Board, and shall be reported as
25 required by law to the National Practitioner Data Bank and the Healthcare Integrity and
26 Protection Data Bank.

1 violating or attempting to violate, directly or indirectly, or assisting in or abetting the
2 violation of or conspiring to violate this chapter or any board rule, specifically violating
3 A.A.C. R4-38-312, and A.R.S. § 32-2933(A)(34), failing to appropriately direct,
4 collaborate with or supervise a licensed, certified or registered health care provider, a
5 homeopathic medical assistant or office personnel employed or assigned to the licensee to
6 assist in the medical care of patients.

7 3. The conduct and circumstances described in the above Finding of Fact
8 number 3 constitutes unprofessional conduct under A.R.S. § 32-2933(A)(41), by failing
9 to obtain from a patient before an examination or treatment a signed informed consent
10 that includes language that makes it clear that the licensee is providing homeopathic
11 medical treatment instead of or in addition to standard conventional allopathic or
12 osteopathic treatment.

13 4. The conduct and circumstances described in the above Finding of Fact
14 number 4 constitutes unprofessional conduct under A.R.S. § 32-2933(A)(19), and is
15 contrary to recognized standards of ethics of the homeopathic medical profession, any
16 conduct or practice that does or might constitute a danger to the health, welfare or safety
17 of the patient or the public or any conduct, practice or condition that does or might impair
18 the ability to practice homeopathic medicine safely and skillfully.

19 5. The conduct and circumstances described in the above Finding of Fact
20 number 5 constitutes unprofessional conduct under A.R.S. § 32-29-2933(A)(20), by
21 failing or refusing to maintain adequate records on a patient or to make patient records
22 promptly available to another licensee on request and receipt of proper authorization.

23 ORDER

24 Based upon the above Findings of Fact and Conclusions of Law, **IT IS HEREBY**
25 **ORDERED:** Homeopathic License No. 004 issued to Respondent to practice
26 homeopathic medicine in the State of Arizona shall be placed on **PROBATION** for **one**
year for the unprofessional conduct described above.

1 The terms and conditions of Probation are as follows:

2 1. Respondent's Homeopathic License No. 004 to practice homeopathic
3 medicine in the State of Arizona shall be placed on probation for one year. Respondent
4 shall be affirmatively responsible for petitioning the Board to terminate his probation.
5 Respondent may apply for early termination of his probation no earlier than 6 months
6 after the effective date of the Order and upon a showing that he has successfully
7 complied with the terms and conditions of the Order. Upon petitioning the Board, the
8 Board shall have complete discretion to determine whether Respondent has complied
9 with the required terms and conditions of the Order to grant termination of probation.
10 Respondent's failure to petition the Board to terminate his probation shall cause his
11 probation to continue beyond the one year period until he petitions for termination.

12 2. Within thirty (30) days of the effective date of this Order, Respondent shall
13 submit a written homeopathic informed consent to the Board for approval. If the
14 homeopathic informed consent is not accepted by the Board, Respondent shall have 15
15 calendar days to submit a revised informed consent to the Board for approval. If the
16 revised informed consent agreement is not approved by the Board or if Respondent fails
17 to submit a revised informed consent within 15 calendar days the Board may consider
18 Respondent in violation of the Order and may impose additional disciplinary sanctions.

19 3. The Nondisciplinary Order for Practice Limitation and Voluntary Consent
20 in Case Nos. 11-04, 11-07, & 11-08, dated September 13, 2011, that provided that
21 Respondent's practice is limited in that he shall not provide IV Colchicine therapy in the
22 State of Arizona, shall remain in effect indefinitely.

23 4. Within ninety (90) days from the effective date of this Order, Respondent
24 shall take 12 hours of continuing education in patient record keeping and management.
25 The continuing education coursework must be preapproved by Board staff and shall be in
26 addition to the continuing education hours required for Respondent's homeopathic

1 license renewal. Board staff may approve credit for coursework that has already been
2 completed if it meets the terms and conditions of this paragraph.

3 5. Following successful completion of the continuing education requirements
4 of this Order, Respondent shall submit to a random audit of his medical records by the
5 Board or its Board appointed designee. The record audits shall be of a minimum of five
6 medical records created after the effective date of this Order. Respondent shall fully and
7 promptly cooperate with Board staff or its Board appointed designee during these audits
8 and provide whatever assistance or resources they require. If Respondent's medical
9 records are determined to be insufficient, incomplete, or otherwise not in compliance
10 with minimum standards relating to medical records that would include information to
11 identify the patient, support the diagnosis, justify the treatment, document the results,
12 indicate advice and cautionary warnings provided to the patient, document vital signs,
13 and provide information for another practitioner to assume continuity of the patient's
14 care, the Board may consider Respondent in violation of the Order and may impose
15 additional disciplinary sanctions.

16 6. Upon the effective date of this Order, Respondent immediately shall cease
17 and desist from employing nonregistered homeopathic medical assistants. Within thirty
18 (30) calendar days from the effective date of this Order, Respondent shall provide the
19 Board with a written list of his employees, the employees' title, and job description.
20 Upon any changes in personnel within Respondent's office during the period of
21 probation, Respondent shall provide the Board with written notice of the change in
22 personnel within 10 calendar days of said change.

23 7. Respondent shall meet all requirements to renew his license for each year
24 that he remains on probation and shall keep his license current by submitting a complete
25 license renewal application to the Board prior to the date for renewal for each year that he
26 remains on probation.

8. Respondent shall bear all direct and indirect costs of complying with this

1 Consent Agreement.

2 9. Respondent shall appear in person before the Board to respond to questions
3 or concerns regarding his compliance with this Order when requested in writing by the
4 Board or the Board's designee.

5 10. In the event Respondent moves out-of-state or ceases to practice
6 homeopathic medicine in Arizona, he shall notify the Board of these events in writing
7 within twenty (20) days of these events; and the terms and conditions of this Order may
8 be stayed by the Board until Respondent returns to the practice of homeopathic medicine
9 in Arizona.

10 11. Respondent shall immediately notify the Board, in writing, of any change
11 in office or home addresses and telephone numbers.

12 12. Respondent shall obey all federal, state and local laws, rules, and
13 regulations including those governing the practice of homeopathic medicine in this State.
14 Respondent shall fully comply with the terms and conditions of this Order. Violation of
15 this paragraph, in addition to being considered noncompliant with this Order, shall also
16 be a separate violation of the laws, rules, and regulations governing the practice of
17 homeopathic medicine in this State.

18 13. Respondent's failure to comply with any term or condition of this Order
19 may constitute a violation of the Consent Agreement and the Board may impose
20 additional disciplinary sanctions.

21 14. This Order shall become effective as of the date stated below.

22 DATED this 3rd day of April, 2012.

23 ARIZONA STATE BOARD OF
24 HOMEOPATHIC AND INTEGRATED
25 MEDICINE EXAMINERS

26 By: 

Todd Rowe, MD, MD(H)
President

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COPY of the foregoing mailed by
certified mail this 5th day of April 2012,
Certificate No. _____, to:

Dr. Stanley Olsztyn, MD(H)
Healing America LLC
8580 East Shea Blvd., Ste 110
Scottsdale, AZ 85260
Respondent

COPY of the foregoing mailed interagency
this 5th day of April, 2012 to:

Mona Baskin
Assistant Attorney General
1275 W. Washington, CIV/LES
Phoenix, Arizona 85007
Attorney for the State

Christine Springer
Board Operations

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ORDER

IT IS HEREBY ORDERED THAT:

1. Dr. Olsztyn's practice is limited in that he shall not provide IV Colchicine therapy in the State of Arizona and is prohibited from providing the therapy until the Board completes its investigation.

2. The Homeopathic and Integrated Medicine Board retains jurisdiction on Dr. Olsztyn's practice of homeopathic medicine and may initiate a separate disciplinary action based on the facts and circumstances that form the basis for this practice limitation or any violation of this Order.

DATED this 13th day of September 2011.

ARIZONA BOARD OF HOMEOPATHIC AND INTEGRATED MEDICINE

By Christine Sprenger
Christine L. Springer, Executive Director

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CONSENT TO ENTRY OF ORDER

1. Dr. Olsztyn has read and understands this Order for Practice Limitation and Voluntary Consent to the Same and the stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Dr. Olsztyn acknowledges he has the right to consult with legal counsel regarding this matter.

2. Dr. Olsztyn acknowledges and agrees that this Order is entered into freely and voluntarily and that no promise was made or coercion used to induce such entry.

3. By consenting to this Order, Dr. Olsztyn voluntarily relinquishes any rights to a hearing or judicial review in state or federal court to challenge this Order in its entirety as issued, and waives any other cause of action related thereto or arising from said Order.

4. The Order is not effective until approved and signed by the Executive Director on behalf of the Board.

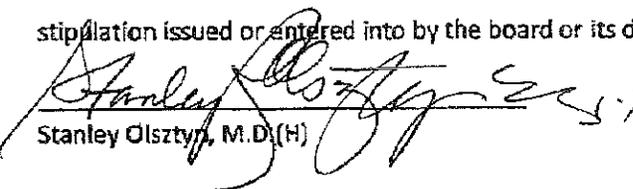
5. Signing of the Practice Limitation and Voluntary Consent to Same by Dr. Olsztyn is not intended or made for any other use, such as in the context of another state or federal government regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or any other state or federal court.

6. Upon signing this agreement, and returning this document (or a copy thereof) to the Board's Executive Director, Dr. Olsztyn may not revoke the consent to the entry of the Order. Dr. Olsztyn may not make any modifications to the Document. Any modifications to this original document are ineffective and void unless mutually approved by the parties.

7. This Order is a public record that will be publicly disseminated as a formal *non-disciplinary* action of the Board.

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

1 9. Any violation of this Order constitutes unprofessional conduct and may result in
2 disciplinary action. A.R.S. §32-2933(32) ("violating a formal board order, terms of probation or a
3 stipulation issued or entered into by the board or its designee under this chapter") and A.R.S. § 32-2934.

4 
5 Stanley Olsztyn, M.D.(H)
6

DATED: 9/12/11

7 EXECUTED COPY of the foregoing emailed this 14th
8 Day of September, 2011 to:
9 Stanley Olsztyn, M.D.(H)

10
11

12 ORIGINAL of the foregoing filed
13 This 14th day of September, 2011 with:
14
15 Board of Homeopathic and Integrated Medicine Examiners
16 1400 West Washington, Ste 230
17 Phoenix, AZ 85007
18 
19 Board of Homeopathic and Integrated Medicine Staff