BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

ROBERT F. GRAVES, M.D.

Case No. MD-15-0145A

Holder of License No. 14303
For the Practice of Allopathic Medicine
In the State of Arizona.

ORDER FOR DEGREE
OF CENSURE AND
CONSENT TO THE SAME

Robert F. Graves, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Order for a Decree of Censure; admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order by the Board.

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 14303 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-15-0145A after receiving Respondent’s biannual license renewal application in which he disclosed that he voluntarily resigned his hospital privileges in lieu of investigation and received disciplinary action by another state medical board.

4. The Nebraska Medical Board ("NMB") initiated an investigation into Respondent’s Nebraska license after Respondent’s privileges at a hospital were revoked following an investigation into complaints that Respondent had engaged in behavior that posed a health and safety risk to his coworkers and patients and disrupted the orderly operation of the hospital. During the course of the investigation, Respondent completed a psychiatric evaluation and test, after which he was diagnosed with Dysthymic Disorder and Impulse Control Disorder, unspecified.
5. On November 20, 2012, Respondent entered into an Agreed Settlement ("NMB Settlement") with the NMB. The NMB Settlement terms required Respondent to pay a $5,000 civil penalty, and enroll in and complete a Disruptive Physician course.

6. Respondent completed the Physician Assessment and Clinical Education course for Anger Management for Healthcare Professionals on April 10-12, 2013. On April 17, 2013, Respondent received verification that he had completed the requirements as ordered of the NMB Settlement.

7. The New York Medical Board ("NYMB") initiated an investigation into Respondent's New York license based on the NMB action. On January 28, 2014, Respondent entered into a Consent Agreement and Order ("NYMB Consent") with the NYMB wherein he agreed not to practice in New York. The NYMB Consent was modified on December 30, 2014 to a Censure and Reprimand, and payment of a $1,000 fine, as well as compliance with the terms and conditions of the NMB Settlement.

CONCLUSIONS OF LAW

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

b. 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 or 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 Decree of Censure.

DATED AND EFFECTIVE this 6th day of August, 2015.

ARIZONA MEDICAL BOARD

By

Patricia E. McSorley
Executive Director

CONSENT TO ENTRY OF ORDER

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

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

4. The Order is not effective until approved by the Board and signed by its Executive Director.
5. 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.

6. Upon signing this agreement, and returning this document (or a copy thereof) to the Board’s Executive Director, Respondent may not revoke the consent to the entry of the Order. 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.

7. This Order is a public record that will be publicly disseminated as a formal disciplinary action of the Board and will be reported to the National Practitioner’s Data Bank and on the Board’s website as a disciplinary action.

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.

9. If the Board does not adopt this Order, Respondent will not assert as a defense that the Board’s consideration of the Order constitutes bias, prejudice, prejudgment or other similar defense.

10. **Respondent has read and understands the terms of this agreement.**

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ROBERT F. GRAVES, M.D.  

DATED: 6-18-15

EXECUTED COPY of the foregoing mailed this 6th day of August, 2015 to:
Robert F. Graves, M.D.
Address of Record

ORIGINAL of the foregoing filed this 10th day of August, 2015 with:

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

[Signature]
Board Staff