

1 BEFORE THE BOARD OF MEDICAL EXAMINERS

2 IN THE STATE OF ARIZONA

3 In the Matter of

4 **PAMELA FRAZIER, M.D.**

5 Holder of License No. 25671
6 For the Practice of Medicine
7 In the State of Arizona.

Board Case No. MD-00-0585

**FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER**

(Letter of Reprimand)

8 On January 15, 2002, Pamela Frazier M.D., ("Respondent") appeared before a
9 Review Committee of the Arizona Board of Medical Examiners ("Board") with legal
10 counsel Stephen Myers, for a formal interview pursuant to the authority vested in the
11 Review Committee by A.R.S. § 32-1451(Q). The matter was referred to the Board for
12 consideration at its public meeting on March 6, 2001. After due consideration of the facts
13 and law applicable to this matter, the Board voted to issue the following findings of fact,
14 conclusions of law and order.
15

16 **FINDINGS OF FACT**

- 17 1. The Board is the duly constituted authority for the regulation and control of
18 the practice of allopathic medicine in the State of Arizona.
- 19 2. Respondent is the holder of License No. 25671 for the practice of medicine
20 in the State of Arizona.
- 21 3. The Board initiated case number MD-00-0585 after Respondent's care and
22 treatment of a 44 year-old male patient ("Patient") came to the Board's attention during
23 an investigation into allegations of substance abuse involving Patient, a physician.
- 24 4. Respondent treated Patient from October 1998 to mid-January 2000 for
25 attention deficit disorder ("ADD") and anxiety disorder with depression.

1 5. Respondent's records were provided to an outside medical consultant for
2 review. The medical consultant concluded that Respondent did not make a careful
3 diagnosis of ADD and simply accepted the word of Patient and his spouse that Patient
4 had ADD; that Respondent had only 9 progress notes for a 16-month period of treatment;
5 and that Respondent did not obtain Patient's treatment records from physicians who had
6 previously treated Patient.

7 6. Respondent testified at the formal interview that she did an extensive initial
8 interview with Patient during which time she ascertained that Patient did have a very
9 classic case of ADD and suffered from depression and anxiety.

10 7. Respondent testified that since the Board investigation was initiated and her
11 records were called into question – specifically that she had only nine notes even though
12 she treated Patient twenty-one times – she has acknowledged that her notes were
13 inadequate and has retained a medical records consultant.

14 8. Respondent admitted that having only nine notes for twenty-one visits does
15 not meet the standard of care.

16 9. Respondent also testified that in cases where she is concerned about
17 protecting a patient from his/her own records that she does not keep notes that may be
18 used to harm the patient.

19 10. Respondent testified that she did not obtain the prior treatment records
20 because Patient was opposed to her doing so. Respondent testified that Patient
21 expressed concern that the prior records would bias her against Patient.

22 **CONCLUSIONS OF LAW**

23 1. The Board of Medical Examiners of the State of Arizona possesses
24 jurisdiction over the subject matter hereof and over Respondent.

25

1 2. The Board has received substantial evidence supporting the Findings of
2 Fact described above and said findings constitute unprofessional conduct or other
3 grounds for the Board to take disciplinary action.

4 3. The conduct and circumstances above in paragraphs 8 and 10 constitute
5 unprofessional conduct pursuant to A.R.S. § § 32-1401 (25)(e) “[f]ailing or refusing to
6 maintain adequate records on a patient;” and 32-1401(25)(q) “[a]ny conduct or practice
7 that is or might be harmful or dangerous to the health of the patient or the public.”

8 **ORDER**

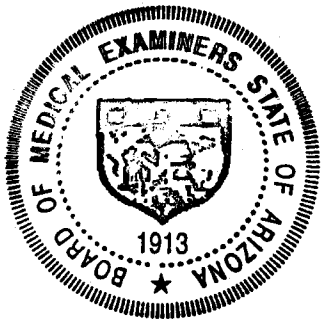
9 Based upon the foregoing Findings of Fact and Conclusions of Law, IT IS
10 HEREBY ORDERED that Respondent is issued a Letter of Reprimand for failure to
11 obtain a patient’s prior treatment records and for failure to keep adequate medical
12 records.

13 **RIGHT TO PETITION FOR REVIEW**

14 Respondent is hereby notified that she has the right to petition for a rehearing.
15 Pursuant to A.R.S. § 41-1092.09, as amended, the petition for rehearing must be filed
16 with the Board’s Executive Director within thirty days after service of this Order and
17 pursuant to A.A.C. R4-16-102, it must set forth legally sufficient reasons for granting a
18 rehearing. Service of this order is effective five days after date of mailing. If a motion for
19 rehearing is not filed, the Board’s Order becomes effective thirty-five days after it is
20 mailed to Respondent.

21 Respondent is further notified that the filing of a motion for rehearing is required to
22 preserve any rights of appeal to the Superior Court.

1 DATED this 6th day of March, 2002.



BOARD OF MEDICAL EXAMINERS
OF THE STATE OF ARIZONA

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By Claudia Foutz
CLAUDIA FOUTZ
Executive Director

ORIGINAL of the foregoing filed this
6th day of MARCH, 2002 with:

The Arizona Board of Medical Examiners
9545 East Doubletree Ranch Road
Scottsdale, Arizona 85258

Executed copy of the foregoing
mailed by U.S. Certified Mail this
6th day of MARCH, 2002, to:

Stephen Myers
Myers & Jenkins, PC
3003 North Central Avenue, Suite 1900
Phoenix, Arizona 85012-2910

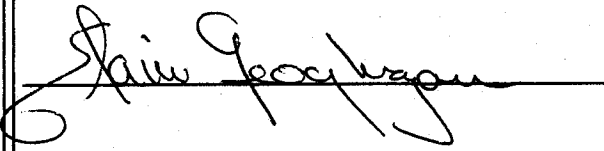
Executed copy of the foregoing
mailed by U.S. Mail this
6th day of MARCH, 2002, to:

Pamela Frazier, M.D.
7510 East First Street
Scottsdale, Arizona 85251-4502

Copy of the foregoing hand-delivered this
6th day of MARCH, 2002, to:

Christine Cassetta
Assistant Attorney General
Sandra Waitt, Management Analyst
Lynda Mottram, Compliance Officer
Lisa Maxie-Mullins, Legal Coordinator (Investigation File)
Arizona Board of Medical Examiners

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