

1 **BEFORE THE ARIZONA MEDICAL BOARD**

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3 In the Matter of

4 **JOSE ANTONIO SOSA-ROCHE, M.D.**

5 Holder of License No. 18643
6 For the Practice of Medicine
In the State of Arizona.

Case No. MD-16-0570A

**ORDER FOR SURRENDER
OF LICENSE AND CONSENT
TO THE SAME**

7 Jose Antonio Sosa-Roche, M.D. ("Respondent"), elects to permanently waive any
8 right to a hearing and appeal with respect to this Order for Surrender of License; admits
9 the jurisdiction of the Arizona Medical Board ("Board") and the facts stated herein; and
10 consents to the entry of this Order by the Board.

11 **FINDINGS OF FACT**

12 1. The Board is the duly constituted authority for the regulation and control of
13 the practice of allopathic medicine in the State of Arizona.

14 2. Respondent is the holder of license number 18643 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. On or about May 12, 2016, the Board received a complaint from the Phoenix
17 Police Department regarding Respondent alleging that he suggested a patient try 3,4-
18 methylenedioxy-methamphetamine (ecstasy) to treat post-traumatic stress disorder and
19 other concerns.

20 4. Also on May 12, 2016, Board staff conducted a site inspection at
21 Respondent's home which is also his medical practice location. During the inspection,
22 Respondent's behavior and the conditions of the premises led Board staff to have
23 concerns regarding possible substance abuse.
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1 3. The conduct and circumstances described above constitute unprofessional
2 conduct pursuant to A.R.S. § 32-1401(27)(f) (“[h]abitual intemperance in the use of alcohol
3 or habitual substance abuse.”) and A.R.S. § 32-1401(27)(q) (“[a]ny conduct or practice that
4 is or might be harmful or dangerous to the health of the patient or the public.”).

5 4. The Board possesses statutory authority to accept a surrender of a licensee
6 admits in writing to being impaired by drug or alcohol abuse. A.R.S. § 32-1452(G).

7 **ORDER**

8 IT IS HEREBY ORDERED THAT:

9 1. Respondent immediately surrender License Number 18643, issued to Jose
10 Antonio Sosa-Roche, M.D., for the practice of allopathic medicine in the State of Arizona,
11 and return his certificate of licensure to the Board.

12 2. This Order supersedes all previous consent agreements and stipulations
13 between the Board and/or the Executive Director and Respondent, and is the final
14 resolution of this matter.

15 DATED and effective this 5th day of August, 2016.

16 ARIZONA MEDICAL BOARD

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18 By: Patricia E. McSorley
19 Patricia E. McSorley
20 Executive Director
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CONSENT TO ENTRY OF ORDER

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

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

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

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

13 5. All admissions made by Respondent are solely for final disposition of this
14 matter and any subsequent related administrative proceedings or civil litigation involving
15 the Board and Respondent. Therefore, said admissions by Respondent are not intended
16 or made for any other use, such as in the context of another state or federal government
17 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
18 any other state or federal court.

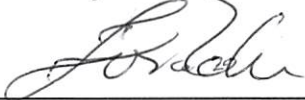
19 6. Upon signing this agreement, and returning this document (or a copy
20 thereof) to the Board’s Executive Director, Respondent may not revoke the consent to the
21 entry of the Order. Respondent may not make any modifications to the document. Any
22 modifications to this original document are ineffective and void unless mutually approved
23 by the parties.

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1 7. This Order is a public record that will be publicly disseminated as a formal
2 disciplinary action of the Board and will be reported to the National Practitioner's Data
3 Bank and on the Board's web site as a disciplinary action.

4 8. If the Board does not adopt this Order, Respondent will not assert as a
5 defense that the Board's consideration of the Order constitutes bias, prejudice,
6 prejudgment or other similar defense.

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

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Dated: 6/7/16


9 JOSE ANTONIO SOSA-ROCHE, M.D.

10
11 EXECUTED COPY of the foregoing mailed by
12 US Mail this 5th day of August, 2016 to:

13 Jose Antonio Sosa-Roche, M.D.
14 Address of Record

15 ORIGINAL of the foregoing filed this
5th day of August, 2016 with:

16 The Arizona Medical Board
17 9545 East Doubletree Ranch Road
18 Scottsdale, AZ 85258

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20 Board Staff