

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **JEFFREY L. SCHWIMMER, M.D.**

4 Holder of License No. 7119  
5 For the Practice of Allopathic Medicine  
6 In the State of Arizona.

**Case No. MD-19-0033A**

**ORDER FOR PRACTICE LIMITATION  
AND CONSENT TO THE SAME**

**(NON-DISCIPLINARY)**

6 **CONSENT AGREEMENT**

7  
8 Jeffrey L. Schwimmer, M.D. ("Physician"), elects to permanently waive any right to a  
9 hearing and appeal with respect to this Order for Practice Limitation; admits the jurisdiction  
10 of the Arizona Medical Board ("Board"); and consents to the entry of this Order by the  
11 Board.

11 **FINDINGS OF FACT**

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

15 2. Physician is the holder of License No. 7119 for the practice of allopathic  
16 medicine in the State of Arizona.

17 3. The Board initiated MD-19-0033A after receiving a self-report from Physician  
18 that he had been arrested for a reportable criminal charge, and that the matter had been  
19 subsequently vacated by a Court.

20 4. Effective August 22, 2019, Physician entered into an Interim Consent  
21 Agreement for Practice Limitation, and remains in compliance with its terms and  
22 conditions.

23 5. Physician has recognized that he has a medical condition that may limit his  
24 ability to safely engage in the practice of medicine.

25 6. There has been no finding of unprofessional conduct against Physician.

1 **CONCLUSIONS OF LAW**

2 1. The Board possesses jurisdiction over the subject matter hereof and over  
3 Physician.

4 **ORDER**

5 IT IS HEREBY ORDERED THAT:

6 1. Physician's practice is limited in that he shall not practice medicine in the  
7 State of Arizona and is prohibited from prescribing any form of treatment including  
8 prescription medications until Physician applies to the Board and receives permission to  
9 do so. The Board may require, at the Physician's expense, any combination of staff  
10 approved assessments, evaluations, treatments, examinations or interviews it finds  
11 necessary to assist in determining whether Physician is able to safely resume such  
12 practice.

13 2. The Board retains jurisdiction and may initiate a separate disciplinary action  
14 based on the facts and circumstances that form the basis for this practice limitation or any  
15 violation of this Consent Agreement.

16 DATED this 24<sup>th</sup> day of August, 2021.

17 ARIZONA MEDICAL BOARD

18  
19 By Patricia E. McSorley  
20 Patricia E. McSorley  
21 Executive Director

22 **CONSENT TO ENTRY OF ORDER**

23 1. Physician has read and understands this Order for Practice Limitation and  
24 Consent to the Same and the stipulated Findings of Fact, Conclusions of Law and Order  
25

1 (“Order”). Physician acknowledges he has the right to consult with legal counsel regarding  
2 this matter.

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

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

9 4. The Order is not effective until approved and signed by the Executive  
10 Director.

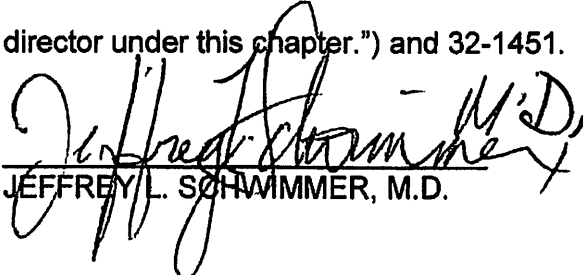
11 5. All admissions made by Physician are solely for final disposition of this  
12 matter and any subsequent related administrative proceedings or civil litigation involving  
13 the Board and Physician. Therefore, said admissions by Physician are not intended or  
14 made for any other use, such as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

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

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

24 8. If any part of the Order is later declared void or otherwise unenforceable, the  
25 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  
2 in disciplinary action. A.R.S. § § 32-1401(27)(s) ("[V]iolating a formal order, probation,  
3 consent agreement or stipulation issued or entered into by the board or its executive  
4 director under this chapter.") and 32-1451.

5   
6 JEFFREY L. SCHWIMMER, M.D.

DATED: 7/18/2021

8 EXECUTED COPY of the foregoing mailed  
9 this 24<sup>th</sup> day of August, 2021 to:

10 Jeffrey L. Schwimmer, M.D.  
11 Address of Record  
12 Paul Giancola, Esq.  
13 Snell & Willmer, LLP  
14 One Arizona Center  
15 400 East Van Buren Street, Suite 1900  
16 Phoenix, Arizona 85004-2202  
17 Attorney for Respondent

18 ORIGINAL of the foregoing filed  
19 this 24<sup>th</sup> day of August, 2021 with:

20 Arizona Medical Board  
21 1740 West Adams, Suite 4000  
22 Phoenix, Arizona 85007

23   
24 Michelle Rhodes  
25 Board staff