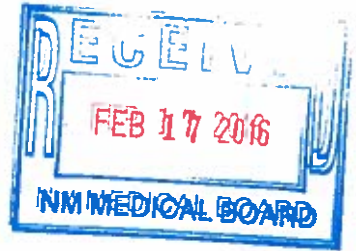


BEFORE THE NEW MEXICO MEDICAL BOARD

**IN THE MATTER OF ARIADNA)
SADZIENE-BESSINGER, M.D.)
License No. 2002-0205)
Respondent)**

Case No. 2016-026



STIPULATION OF LICENSURE

This matter initially came before the New Mexico Medical Board (“Board”) at its November 2014 meeting, and was considered by the Board again at its February 2016 meeting. Based on information obtained through an investigation conducted by the Board’s Staff, the Board resolved that Respondent should be offered an opportunity to accept a stipulated license in lieu of issuing a Notice of Contemplated.

The New Mexico Medical Board (“Board”) now considers the joint motion of the Board’s Administrative Prosecutor and the respondent Ariadna Sadziene-Bessinger, M.D. (“Respondent”) represented by Robert J. Curtis, Esq., regarding this Stipulation of Licensure (“Stipulation”) and the Board being fully advised, hereby finds and orders as follows:

STIPULATED FINDINGS AND CONCLUSIONS

1. Respondent is subject to the jurisdiction of the Board pursuant to the Medical Practice Act (“MPA”), Chapter 61, Article 6, NMSA 1978, and Board rules and regulations, Title 16, Chapter 10, NMAC.
2. The Board has authority to enter into this Stipulation of Licensure (“Stipulation”) pursuant to NMSA 1978, Section 61-6-15 and Board Rule 16.10.5.15 NMAC.
3. On or about February 21, 2014, the Board received information from the public which

prompted an investigation into Respondent's practice of medicine. The Board's investigation found that Respondent failed to maintain accurate medical records, and had failed to follow Board rules related to prescribing controlled substances for the treatment of chronic pain.

4. Without admitting any wrongdoing, Respondent hereby acknowledges that the Board could find that a preponderance of the evidence gathered during the Board's investigation might prove that Respondent violated provisions of the MPA and related regulations. In lieu of contesting the Board's investigatory findings, Respondent agrees to take the following actions to resolve this matter:

A. Successfully complete a 1-day course offered by offered by The Center for Professional Education for Physicians ("CPEP") in Denver, Colorado called "Medical Record Keeping Seminar"¹ and

B. Take and pass a jurisprudence exam on New Mexico pain management regulations.

5. Respondent knows and understands the applicable statutory and regulatory provisions setting forth the authority and power of the Board.

6. Respondent further understands that this Stipulation is subject to the approval of the Board. If accepted by the Board, this Stipulation results in a waiver of his rights under the Uniform Licensing Act ("ULA"), the MPA, and/or the Impaired Health Care Provider Act, including the right to a hearing and to appeal. If this Stipulation is rejected by the Board, the matter will be heard at a later date by the Board, and any statements made in support of this

¹ See <http://www.cpepdoc.org/programs-courses/medical-record-keeping-seminar>. Respondent may be required to submit patient charts to CPEP prior to the course so that CPEP can evaluate Respondent's recordkeeping.

proposed settlement may not be used at a hearing.

7. In order for the Board to have adequate time to consider this proposed settlement, Respondent waives the right to have this matter heard and decided within the time frames set by the ULA, and also waives the time limitations for the Board to bring an action against Respondent as set forth in the ULA at Section 6-1-3.1, NMSA 1978 and/or in the MPA at Section 6-6-24, NMSA 1978.

8. By signing this Stipulation, Respondent authorizes CPEP to release to the New Mexico Medical Board any and all records created or held by CPEP, including but not limited to assessments, reports, plans, evaluations, notes, and correspondence, including those related to CPEP educational and monitoring programs. Such information shall only be made available to the Board or its agents and shall not be released to any other person(s) or entity(ies) except as specifically authorized by Respondent in writing or as required by law. This authorization shall continue in full force and effect during all times that Respondent may be licensed to practice medicine in the State of New Mexico and Respondent shall not revoke such authorization; any failure by Respondent to execute documents required by CPEP to effect the release of information to the Board shall constitute a violation of this Order.

9. Respondent knows and understands the right to consult with an attorney and Respondent's signature below signifies that Respondent has either consulted with an attorney or that Respondent knowingly and voluntarily waives his right to counsel.

10. By signing this Stipulation, Respondent confirms that she understands that this matter will be reported to the National Practitioner Data Bank.

11. The terms set forth in this Stipulation are in the best interest of the public.
12. The terms set forth in this Stipulation are unique to the evidence in this matter, and shall have no precedential or binding effect on other Board proceedings.
13. This Stipulation reflects a negotiated settlement, and in the event that the Board or its Hearing Officer do not approve the Stipulation in its entirety and without modification, this Stipulation shall be deemed withdrawn as of the date of any order rejecting the document as proposed.

ORDER

Respondent's license to practice medicine is hereby limited and made subject to the following conditions:

- A. Respondent shall pass a jurisprudence exam on New Mexico pain management regulations;
- B. Respondent shall timely commence and successfully complete a 1-day course offered by offered by The Center for Professional Education for Physicians ("CPEP") in Denver, Colorado called "Medical Record Keeping Seminar" within one (1) year from the date this Order is approved by the Board unless the Board determines, in its discretion, that more time should be granted to Respondent.
- C. Respondent shall provide, or cause CPEP to provide, a copy of all CPEP reports, assessments and recommendations concerning the Respondent's participation with CPEP activities to the Board.
- D. All CPEP recommendations, determinations and instructions consistent with this Order

shall constitute terms of this Order and any failure by Respondent to comply with such CPEP recommendations, determinations and instructions shall constitute a violation of this Order.

E. Respondent shall ensure that the New Mexico Medical Board is supplied with any and all documents that the Board, in its sole discretion, deems satisfactory evidence of the Respondent's compliance with this Order, including but not limited to the CPEP monitoring and educational requirements described herein.

F. Respondent shall apprise the Board of any and all actions taken by any health care entity, another licensing jurisdiction, peer review body, professional or medical society or association, governmental agency, law enforcement agency and any acts of conduct delineated under the Medical Practice Act in a timely manner as required by law.

G. Respondent shall appear before the Board at the Board's request.

H. Respondent shall comply with all laws.

I. In the event that the Board has reasonable cause to believe that this Stipulation has been violated, the Board may immediately and summarily suspend his license to practice as a physician in New Mexico without Respondent being given an opportunity to request a Hearing pursuant to NMAC 16.10.5.15. Furthermore, each breach of any term of this Stipulation shall constitute unprofessional or dishonorable conduct as defined in NMAC 16.10.8.8 (K). The Board shall within ten (10) days of an immediate suspension issue a Notice of Contemplated Action, and Respondent will be entitled to a formal hearing in accordance with the Uniform Licensing Act, Section 61-1-1 through 61-1-33 NMSA 1978. The Board may issue a NCA upon a breach of any term without issuing an immediate suspension, and may further reassert any claims against

Respondent as set forth in the original NCA as part of such subsequent NCA.

J. This Stipulation, and any subsequent Board order enforcing this Stipulation, will be reported to the National Practitioners Data Bank and is a public document open to public inspection.

K. The conditions and terms set forth in this Stipulation, if approved by the Board, remain in full force and effect unless and until removed or amended in writing by the Board. Upon completion of the requirements set forth in this Stipulation, Respondent may move the Board to enter an order releasing Respondent from this Stipulation.

L. This document incorporates any and all agreements, covenants and understandings between the Board, its agents and employees and Respondent. No prior agreement or understanding, verbal or otherwise, of the parties or their agents or assignees shall be valid or enforceable unless embodied in this Stipulation.

RESPONDENT:


Ariadna Sadziene-Bessinger, M.D.

The foregoing was acknowledged before me this 16th day of February 2016 by Ariadna Sadziene-Bessinger, M.D. in the County of Sa Juan, New Mexico.


NOTARY PUBLIC

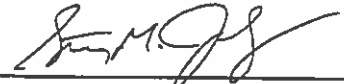
Commission expires: 12/27/17



[Board signature page follows.]

The foregoing Stipulation of Licensure is approved and effective this 17th day of February 2016.

NEW MEXICO MEDICAL BOARD

By: 
Steven M. Jenkusky, M.D., Chair