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BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING OF THE DEPARTMENT OF COMMERCE OF THE STATE OF UTAH	
IN THE MATTER OF THE LICENSES OF ROBERT WEITZEL, M.D., TO PRACTICE AS A PHYSICIAN AND SURGEON AND TO ADMINISTER AND PRESCRIBE CONTROLLED SUBSTANCES IN THE STATE OF UTAH	DISCIPLINARY SURRENDER STIPULATION AND ORDER Case No. DOPL 2017-170 License Numbers 187798-1205 and 187798-8905

Robert Allan Weitzel, M.D., (“Respondent”) and the Division of Occupational and Professional Licensing of the Department of Commerce of the State of Utah (“Division”) stipulate and agree as follows:

1. The Respondent admits the jurisdiction of the Division over himself and over the subject matter of this action.
2. The Division and Respondent desire to resolve the subject matter of this action, and all other issues pertaining to and/or arising out of Petition on file herein Loan. By entering this Stipulation and Order (“Stipulation”), the Respondent is not admitting any liability, culpability, error or wrongdoing. This Stipulation is entered into solely for the purposes of avoiding and terminating all further litigation between the parties. The Respondent acknowledges that he enters into this Surrender Stipulation and Order (“Stipulation”) knowingly and voluntarily.

3. The Respondent understands that he has the right to be represented by counsel in this matter, and his signature below signifies that he has been represented in this matter by Brett N. Anderson and Scott R. Taylor of Blackburn & Stoll, LC.

4. The Respondent understands that by signing this Stipulation he hereby knowingly and intelligently waives the right to all administrative and judicial review as set forth in Utah Code Ann. §§ 63G-4-301 through 63G-4-405, and Utah Administrative Code R151-46b-12 through R151-46b-15. The Respondent and the Division hereby express their intent that this matter be resolved expeditiously through a stipulation as contemplated in Utah Code Ann. § 63G-4-102(4).

5. The Respondent understands that this Stipulation, if adopted by the Division Director, will be classified as a public document.

6. The Respondent admits that the following facts are true:

a. During his probation, positive test results indicating alcohol consumption were obtained on October 15, 2013 (as reported by FirstMed Urgent Care) and on December 17, 2014 (as reported by FirstMed Urgent Care).

b. The Respondent wishes to settle this matter. That being the case, he wishes to permanently surrender his physician and surgeon license, number 1187798-1205, and his controlled substance license, number 187798-8905. In order to properly transition his patients to other care providers and in accordance with AMA Code of Ethics 1.15, the Respondent will surrender his licenses at 8 a.m. M.T. on September 1, 2017.

7. When both parties and the Division Director have signed this Stipulation, this Stipulation resolves all issues in the Notice of Agency Action/Petition, DOPL Case Number 2017-170, which was issued on March 9, 2017.

8. This Stipulation, upon approval by the Director of the Division, shall be the final compromise and settlement of this matter. The Respondent acknowledges that the Director is not required to accept the terms of this Stipulation, and that if the Director does not do so, this Stipulation and the representations contained therein shall be null and void, except that the

Division and the Respondent waive any claim of bias or prejudice the Respondent might have with regard to the Director by virtue of the Director having reviewed this Stipulation, and this waiver shall survive such nullification.

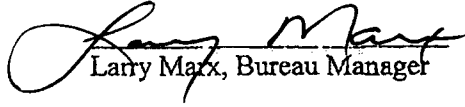
9. If the Division receives an inquiry from a third party about this Stipulation, it will respond that the matter was resolved by this Stipulation and Order.

10. This document constitutes the entire agreement between the parties and supersedes and cancels any and all prior negotiations, representations, understandings or agreements between the parties regarding the subject of this Stipulation. There are no verbal agreements that modify, interpret, construe or affect this Stipulation.

11. The terms and conditions of this Stipulation become effective immediately upon the signing of the Order page of this Stipulation by the Division Director, which means that the agreement for the Respondent to surrender his professional licenses on September 1, 2017 becomes effective when the Division Director signs this Stipulation. Once the Division Director signs this Stipulation, the Respondent's licenses will be surrendered on September 1, 2017, along with all residual rights associated with the Respondent's professional licenses. The Respondent must comply with all the terms and conditions of this Stipulation immediately following the Division Director's signing of the Order page of this Stipulation.


12. The Respondent has read each and every paragraph contained in this Stipulation. He understands each and every paragraph contained in this Stipulation, he has no questions about any paragraph or provision contained in this document, and he agrees with every paragraph and provision contained in this Stipulation.

**DIVISION OF OCCUPATIONAL
& PROFESSIONAL LICENSING**


Larry Marx, Bureau Manager

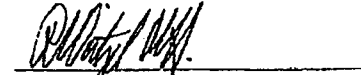
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APPROVED AS TO FORM:

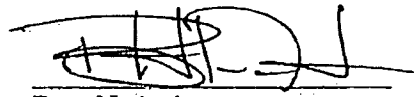

Dan Lau
Division Counsel

Date: 8/3/17

RESPONDENT


Robert Weitzel, Respondent

Date: 8/3/17


Brett N. Anderson
Counsel for Respondent

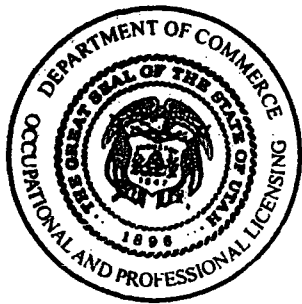
Date: 8/3/17

ORDER

THE ABOVE STIPULATION, in the Matter of the Licenses of Robert Allan Weitzel, is hereby approved by the Division of Occupational and Professional Licensing, and constitutes my Findings of Fact and Conclusions of Law in this matter. This issuance of this Order is disciplinary action pursuant to Utah Code Ann. § 58-1-401(2) and Utah Admin. Code R156-1-102(6). Specifically, the Division is accepting the Respondent's voluntary surrender while his license was on probation, which is otherwise acting upon the license of a licensee pursuant to Utah Code Ann. 58-1-401. The terms and conditions of the Stipulation are incorporated herein and constitute my final Order in this case.

DATED this 3 day of August 2017.

for W. Ray Walker, Acting Director
Mark B. Steinagel
Division Director



CERTIFICATE OF SERVICE

I hereby certify that on the 3 day of August, 2016, a true and correct copy of the foregoing STIPULATION AND ORDER has been served on the parties of record in this proceeding by mailing a copy thereof, properly addressed by first class mail with postage prepaid, to the following:

Copy emailed to:


Brent Anderson, Respondent's attorney
(bretta@blackburn-stoll.com)

Scott R. Taylor, Respondent's attorney
(staylor@blackburn-stoll.com)

Dan Lau, Assistant Attorney General
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Che Arguello, Assistant Attorney General
(carguello@agutah.gov)

Bruce Dibb, Commerce ALJ
(bdibb@utah.gov)



Carol Inglesby/Kim Lesh
Admin. Asst/Secretary
Division of Occupational
and Professional
Licensing