

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

Docket No. 05A-19005-MDX

JOHN C. WOODS, M.D.

Case No. MD-05-0868A

Holder of License No. 19005
For the Practice of Allopathic Medicine in the
State of Arizona

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER FOR
REVOCAION OF LICENSE**

On February 8, 2006 this matter came before the Arizona Medical Board ("Board") for oral argument and consideration of the Administrative Law Judge ("ALJ") Brian Brendan Tully's proposed Findings of Fact and Conclusions of Law and Recommended Order involving John C. Woods, M.D. ("Respondent"). Respondent was notified of the Board's intent to consider this matter at the Board's public meeting. Respondent did not appear and was not represented by counsel. The State was represented by Assistant Attorney General Stephen A. Wolf. Christine Cassetta, of the Solicitor General's Section of the Attorney General's Office provided legal advice to the Board.

The Board having considered the ALJ's report and the entire record in this matter hereby issues the following Findings of Fact, Conclusion of Law and Order.

FINDINGS OF FACT

1. The Board is the duly constituted authority for licensing and regulating the practice of allopathic medicine in the State of Arizona.

2. Respondent holds License No. 19005 for the practice of allopathic medicine in the State of Arizona.

3. On August 30, 2005 the Board conducted an Emergency Summary Action Teleconference Meeting. During that meeting the Board voted to summarily suspend Respondent's medical license after determining that he was unstable psychiatrically and a

1 danger to the public. On August 31, 2005 the Board's Executive Director issued Interim
2 Findings of Fact, Conclusions of Law and Order for Summary Suspension in Case No.
3 MD-05-0868A against Respondent.

4 4. The Board initiated Case No. MD-05-0868A on August 22, 2005 after
5 being informed that Respondent has been arrested on or about August 16, 2005 by the
6 Navajo County Sheriff's Office. Respondent was charged with four counts of aggravated
7 assault, one count of kidnapping, one count of disorderly conduct, two counts of weapons
8 charges, one count of criminal damage, two counts of discharge of a weapon at a
9 structure, and three counts of endangerment. Respondent's bail was set at \$1.25 million.

10 5. The charges against Respondent stem from a violent domestic dispute
11 between Respondent and his wife at their residence in Linden, Arizona. According to the
12 police report of the incident, Respondent and his wife argued about insurance on August
13 14, 2005. During the argument that started inside their residence, Respondent grabbed a
14 .44 Magnum handgun and struck his wife in the head several times with the barrel of the
15 handgun. Respondent then dragged his wife outside of the residence into the rain. The
16 wife left the house and went into a pickup truck located on the property. While his wife
17 was inside the truck preparing to leave, Respondent had exited the residence with
18 another handgun, a .38 caliber revolver, and approached the front of the truck.
19 Respondent pointed the weapon at his wife and fired two shots into the vehicle. One shot
20 entered the radiator causing steam to rise from under the hood of the truck. Respondent
21 then went to the driver's door, pointed the handgun at his wife and made her get out of
22 the truck and return to the residence. When his wife exited the vehicle, Respondent
23 followed behind her pointing the handgun at her. Because his wife was not moving fast
24 enough, Respondent fired a shot that hit the ground so close to her feet that mud hit her
25 when the bullet impacted into the ground.

1 6. Once back inside the residence, Respondent's wife talked with him and
2 calmed him down. According to the wife, Respondent would not let her leave the house.

3 7. The next day while Respondent was out of the home, his wife locked up
4 all the weapons in the home to prevent Respondent having access to them. When
5 Respondent returned home he became upset with his wife for securing the weapons.
6 Respondent's wife then left the house and called the Sheriff's Office.

7 8. On August 15, 2005 Respondent's wife went to Navajo Regional Medical
8 Center for treatment of her injuries sustained on August 14, 2005 and caused by
9 Respondent.

10 9. On August 15, 2005 Respondent's wife obtained an Order of Protection
11 against Respondent from the Holbrook Justice Court, Precinct One.

12 10. On August 16, 2005 Sheriff's deputies went to Respondent's residence to
13 search it pursuant to written consent by his wife.

14 11. At the scene, Deputy N. Arney, exited his patrol unit and observed
15 Respondent driving the truck that had been previously identified by Respondent's wife to
16 the Sheriff's investigators. Deputy Arney deployed his patrol rifle and ordered
17 Respondent to stop his vehicle and exit it. Respondent continued driving towards Deputy
18 Arney's patrol unit. The deputy continued to give commands to Respondent.
19 Respondent eventually stopped his truck and exited it as commanded. Respondent was
20 placed under arrest.

21 12. Sheriff's officers found 50 firearms in Respondent's home at the time of
22 his arrest. The officers found a .38 caliber handgun with three spent rounds in the
23 cylinder.

1 1401(27)(h) [Prescribing or dispensing controlled substances to members of the
2 physician's immediate family].

3 4. The conduct and circumstances described in the above Findings
4 constitutes unprofessional conduct by Respondent in violation of A.R.S. § 32-1401(27)(d)
5 [Committing a felony, whether or not involving moral turpitude, or a misdemeanor
6 involving moral turpitude. In either case, conviction by any court of competent jurisdiction
7 or a plea of no contest is conclusive evidence of the commission]. Although there is no
8 evidence as to the status of Respondent's criminal case, which requires proof beyond
9 reasonable doubt for conviction, the Board met its burden of proving that Respondent
10 committed the acts constituting felonies by a preponderance of the evidence.

11 5. The conduct and circumstances described in the above Findings
12 constitutes unprofessional conduct by Respondent pursuant to A.R.S. § 32-1401(27)(q)
13 [Any conduct or practice that is or might be harmful or dangerous to the health of the
14 patient or the public].

15 6. The evidence of record supports the Board's summary suspension of
16 Respondent's medical license, which, given the facts presented to the Board, warranted
17 emergency action to protect the public health, safety and welfare. A.R.S. § 32-1451(D).

18 7. Respondent's above described unprofessional conduct warrants the
19 imposition of permanent disciplinary action pursuant to A.R.S. § 32-1451.

20 **ORDER**

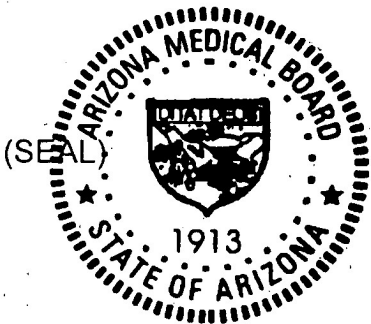
21 Based upon the Findings of Fact and Conclusions of Law as adopted, the Board
22 hereby enters the following Order:

23 1. Respondent's license No. 19005 to practice allopathic medicine in the
24 State of Arizona is revoked on the effective date of this Order and Respondent shall
25 return his wallet card and certificate of licensure to the Board.

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2 **RIGHT TO APPEAL TO SUPERIOR COURT**

3 Respondent is hereby notified that this Order is the final administrative decision
4 of the Board and that Respondent has exhausted his administrative remedies.
5 Respondent is advised that an appeal to Superior Court in Maricopa County may be
6 taken from this decision pursuant to Title 12, Chapter 7, Article 6.

7 Dated this 9 day of February, 2006.



ARIZONA MEDICAL BOARD

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By: 

Timothy C. Miller, J.D.
Executive Director

Original of the foregoing filed this
9 day of FEBRUARY, 2006, with:

Arizona Medical Board
9545 East Doubletree Ranch Road
Scottsdale, AZ 85258

Copy of the foregoing filed this
9 day of FEBRUARY, 2006, with:

Cliff J. Vanell, Director
Office of Administrative Hearings
1400 W. Washington, Ste. 101
Phoenix, AZ 85007

Executed copy of the foregoing mailed
by Certified Mail this _____ day of _____,
2006, to:

John C. Woods, M.D.
(Address of record)

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Executed copy of the foregoing mailed
this 04 day of FEBRUARY, 2006, to:

Dean Brekke
Assistant Attorney General
Office of the Attorney General
CIV/LES
1275 W. Washington
Phoenix, Arizona 85007

