

BEFORE THE BOARD OF MEDICAL EXAMINERS
FOR THE STATE OF ARIZONA

In the Matter of:)	Board Case Nos. 11941 and 12077
)	
JOHN ISRAEL BISKIND, M.D.)	OAH Docket Nos. 99F-11941-MDX;
Holder of License No. 12642)	99F-12077-MDX
For the Practice of Medicine)	
In the State of Arizona.)	STIPULATION FOR CONSENT
)	ORDER
_____)	

STIPULATION

By mutual agreement and understanding, between the Arizona Board of Medical Examiners (hereafter "Board") and John I. Biskind, M.D. (hereafter "Respondent"), the parties agree to the following disposition of this matter.

1. Respondent acknowledges that he has read this Stipulation and the stipulated Findings of Fact, Conclusions of Law and Consent Order; and, he is aware of and understands the content of this document.

2. Respondent understands that by entering into this Stipulation for issuance of the foregoing Consent Order, he voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged or to challenge this Stipulation and the Consent Order in its entirety as issued by the Board and the preceding Interim Order of the Board, and waives any other cause of action related thereto or arising from said Orders.

3. Respondent acknowledges and understands that this Stipulation and the Consent Order will not become effective until approved by the Board and signed by its Executive Director.

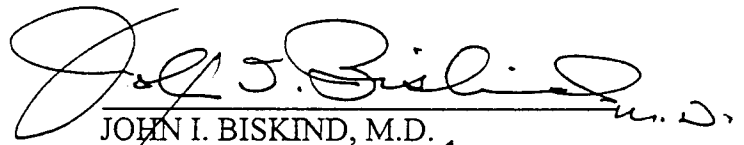
4. All admissions made by Respondent are solely for final disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Respondent. Therefore, said admissions by Respondent are not intended or made for any other use, such as in the context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

5. Respondent acknowledges and agrees that, upon signing this agreement, and returning this document (or a copy thereof) to the Board's Executive Director, he may not revoke his acceptance of the Stipulation and Consent Order or make any modifications to the document, although said Stipulation has not yet been accepted by the Board and issued by the Executive Director. Any modifications to this original document are ineffective and void unless mutually approved by the parties.


6. Respondent further understands that this Stipulation and Consent Order, once approved and signed, shall constitute a public record document which may be publicly disseminated as a formal action of the Board.

7. If any part of the Stipulation and Consent Order is later declared void or otherwise unenforceable, the remainder of the Consent Order in its entirety shall remain in force and effect.

REVIEWED AND ACCEPTED this
11th day of August, 1998.


JOHN I. BISKIND, M.D.

REVIEWED AND APPROVED as to form
By counsel for Respondent this 12th day of
August, 1998.


LAWRENCE KAZAN, Attorney at Law
DEBUS & KAZAN
335 E. Palm Lane
Phoenix, AZ 85004-1532

STIPULATED FINDINGS OF FACT

1. The Board of Medical Examiners of the State of Arizona is the duly constituted authority for the regulation and control of the practice of medicine in the State of Arizona, pursuant to A.R.S. § 32-1401, et. seq.

2. John I. Biskind, M.D., ("Respondent") is the holder of License No. 12642 for the practice of medicine in the State of Arizona.

3. The Board issued, on July 20, 1998, Interim Findings of Fact, Conclusions of Law and Order for Summary Suspension of License against Respondent, pursuant to A.R.S. § 32-1451(D). The aforementioned Interim Order was served on Respondent by mailing a copy of the document by Certified Mail, (return receipt requested) on July 20, 1998, to Respondent's last known address of record with the Board. The Board's Interim Order, in addition to summarily suspending the Respondent's license to practice medicine in the State of Arizona, also constituted written notification to the Respondent of formal charges of unprofessional conduct made by the Board against him and referring the matter to the Office of Administrative Hearings, pursuant to A.R.S. § 32-1451(J).

4. The Board's Executive Director issued a Notice of Hearing dated July 27, 1998, giving notification to Respondent, his attorney of record and the Office of the Arizona Attorney General, appearing on behalf of the State, of the scheduling of a hearing at the Office of Administrative Hearings for September 1, 1998 on the allegations made in the Board's Interim Order, pursuant to A.R.S. § 41-1061 and § 41-1092, et. seq. .

5. The Respondent through his counsel filed an Answer to the allegations made in the Board's Interim Order which was dated August 4, 1998 and received at the

Board's Office on August 7, 1998. Said Answer generally denies the Board's Interim Findings of Fact and Conclusions of Law.

6. Pursuant to stipulation, set forth above and made a part hereof, the Respondent admits solely for the disposition of this matter that the Board's Interim Findings of Fact (issued as part of the Board's Interim Order on July 20, 1998) can be established and would be supported by substantial evidence, if this matter proceeded through the Board's entire administrative hearing process.

STIPULATED CONCLUSIONS OF LAW

1. The Board of Medical Examiners for the State of Arizona possesses jurisdiction over the subject matter hereof and over the Respondent, pursuant to A.R.S. § 32-1401 et. seq.

2. The Board has authority to enter into an agreement for the stipulated disposition of this matter pursuant to A.R.S. § 41-1061(D).

3. Pursuant to stipulation between the Respondent and the Board, the Board concludes that Respondent engaged in unprofessional conduct as described in the Board's Interim Findings of Fact, Conclusions of Law and Order for Summary Suspension of License. See, A.R.S. § 32-1401(25)(a), (e), (n), (q), (dd), (jj), and (ll) for specifically defined unprofessional conduct.

CONSENT ORDER

Based upon the foregoing and pursuant to A.R.S. §§ 41-1061(D) and 32-1401, et. seq., IT IS HEREBY ORDERED by the Board:

1. Pursuant to stipulation which is incorporated herein, the license to practice medicine in the State of Arizona issued to John I. Biskind, M.D., No. 12642, is hereby

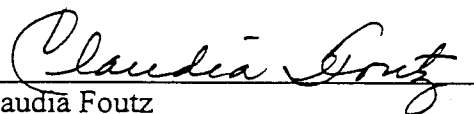
revoked; and, pursuant to stipulation, Dr. Biskind waives and surrenders all rights to reapply for a Board license subsequent to the issuance of this Order.

2. Pursuant to A.R.S. § 32-1451(M), a copy of this Stipulation and Consent Order shall be mailed to the State Board of Pharmacy; and, Board staff personnel shall distribute copies of this document to any other state or federal agency and hospital in conformity with the Board's customary procedure.

3. Issuance of this Consent Order was authorized by the Board during its public meeting on 20th day of August, 1998 and is effective immediately upon issuance.

Issued this 20th day of August, 1998.

BOARD OF MEDICAL EXAMINERS
OF THE STATE OF ARIZONA


Claudia Foutz
Executive Director
1651 E. Morten, Suite 210
Phoenix, AZ 85020
(602) 255-3751

Copy of the foregoing mailed by
Certified Mail, Return Receipt Requested
this 21 day of August, 1998,
to:

John I. Biskind, M.D.
24600 Shaker Blvd.
Beachwood, Ohio 44122

Copy of the foregoing mailed this
21st day of August, 1998,
to:

Lawrence I. Kazan, Attorney at Law
DEBUS & KAZAN
335 E. Palm Lane
Phoenix, AZ 85004-1532
Counsel for Respondent

Copy sent interagency mail/hand-delivered
this 21st day of August, 1998,
to:

Michael Harrison
Assistant Attorney General
Office of the Attorney General
Counsel for the State

