BEFORE THE ARIZONA STATE
BOARD OF HOMEOPATHIC MEDICAL EXAMINERS

In the Matter of ) No. 93-05

HARVEY BIGELSEN, M.D., M.D. (H.) ) FINDINGS OF FACT,
Holder of License No. 002 ) CONCLUSIONS OF LAW,
for the Practice of Homeopathic ) AND REQUEST FOR
Medicine in the State of Arizona ) CANCELLATION OF
) LICENSE WITH CAUSE

1. HARVEY BIGELSEN, M.D., M.D. (H.), holder of
License No. 002 for the practice of homeopathic medicine in the
State of Arizona, hereby requests that the Arizona State Board
of Homeopathic Medical Examiners ("Board") cancel License No.
002 for cause.

2. In order to effect such cancellation, IT IS HEREBY
STIPULATED AND AGREED by and between Doctor BIGELSEN and the
Board that, pursuant to A.R.S. § 41-1061(D), the following
Findings of Fact and Conclusions of Law are true and accurate
and the following Order shall be entered thereon in the
above-entitled matter and shall be deemed to be irrevocable and
not subject to rehearing or review or to judicial review.

3. Doctor BIGELSEN agrees that he fully understands
the Findings of Fact, Conclusions of Law and Order.

4. Doctor BIGELSEN acknowledges that he understands
that he has the right to consult legal counsel regarding this
matter and to be represented by legal counsel and agrees that he
has either consulted legal counsel or affirmatively chooses not to do so.

5. Doctor BIGELSEN agrees that he shall NOT make application at any future date for licensing or relicensing for a homeopathic medical license with the Arizona State Board of Homeopathic Medical Examiners.

SUBSCRIBED AND SWORN to before me this 3 day of February, 1997.

My Commission expires: MAY 13, 1997

By: GLADYS MCGAREY, M.D., M.D.(H.)
President, Arizona State Board of Homeopathic Medical Examiners

Based upon the evidence before it and the foregoing representations by Doctor BIGELSEN, the Arizona State Board of Homeopathic Medical Examiners adopts the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Arizona State Board of Homeopathic Medical Examiners is the duly constituted authority for the regulation and control of the practice of homeopathic medicine in the State of Arizona.
2. HARVEY BIGELESEN, M.D., M.D.(H.), is the holder of License No. 002 for the practice of homeopathic medicine in the State of Arizona.

3. On or about October 21, 1993, Doctor BIGELESEN entered into a Plea Agreement with the United States Attorney, District of Arizona, in Case No. CR92-474-PHX-RCB, United States of America v. Harvey BIGELESEN. As part of that Plea Agreement, Doctor BIGELESEN pleaded guilty to Counts 3, 9, 67 and 109 of the Superseding Indictment which charged him with filing false, fictitious or fraudulent claims in violation of Title 18, United States Code, Section 287 (Counts 3 and 9), mail fraud in violation of Title 18, United States Code, Section 1341 (Count 67), and conspiring to obstruct justice in violation of Title 18, United States Code, Section 371 (Count 109), all felonies.

4. As part of the aforementioned Plea Agreement, Doctor BIGELESEN further agreed prior to sentencing to voluntarily relinquish and cancel and execute any other required documents to cancel and terminate all homeopathic or medical licenses with any local, state or federal boards, commissions or agencies, including, but not limited to, the following:

   1. Arizona Homeopathic Licensee No. 002
   2. Arizona Medical License No. 9667
   3. New York Medical License No. 097755
   4. New Jersey Medical License No. 24552
   5. DEA Certificate No. BB3105992

This action is done so that Doctor BIGELESEN will be unable to practice homeopathic or allopathic medicine in the United States of America or its territories.
5. Grounds exist under A.R.S. § 32-2934 to take disciplinary action against Doctor BIGELSEN.

CONCLUSIONS OF LAW

1. This matter is within the jurisdiction of the Arizona Board of Medical Examiners pursuant to A.R.S. § 32-2901 et seq.

2. Doctor BIGELSEN's conduct described above constitutes unprofessional conduct pursuant to A.R.S. § 32-2933(3) (commission of a felony involving moral turpitude).

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, IT IS HEREBY ORDERED by the Arizona State Board of Homeopathic Medical Examiners that:

Immediately upon the execution by him of this Consent Order, HARVEY BIGELSEN, M.D., M.D.(H.) shall surrender for cancellation with cause, License No. 002 for the practice of homeopathic medicine in the State of Arizona which is hereby accepted by the Board. Cancellation shall be effective upon approval by the Board and signature of the President of the Board on the date entered below.

Doctor BIGELSEN shall return to the Arizona State Board of Homeopathic Medical Examiners all wallet certificates, wallet size certificates, and any other certificates or documentation indicating licensure with the Arizona State Board of Homeopathic
Medical Examiners, as previously issued by the Board, no later than ten (10) days after execution of this Order by the Board.

Doctor BIGELESEN SHALL NOT make application at any future date for licensing or relicensing for a homeopathic medical license with the Arizona State Board of Homeopathic Medical Examiners.

ENTERED this ___ day of ___ , 199_.

ARIZONA STATE BOARD OF HOMEOPATHIC MEDICAL EXAMINERS

[SEAL]

By: GLADYS MCGAREY, M.D., M.D.(H.)
President

COPY of the foregoing mailed this ______ day of December, 1993, to:

Richard A. Jaffe, Esq.
1710 Summit Tower
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