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BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of
MARTHA GROUT, M.D.
Holder of License No. 24896
For the Practice of Allopathic Medicine
In the State of Arizona

Case No. MD-13-0320A
**ORDER FOR LETTER OF REPRIMAND
CONSENT TO THE SAME**

Martha Grout, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Order for Letter of Reprimand; admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order by the Board.

FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.
2. Respondent is the holder of license number 24896 for the practice of allopathic medicine in the State of Arizona.
3. The Board initiated case number MD-13-0320A after receiving a complaint regarding Respondent's care and treatment of a 18 month old-female patient ("MM"). The complaint alleged that Respondent failed to properly treat a patient with retinoblastoma by providing laetrile resulting in the death of the patient.
4. On February 22, 2013, MM underwent enucleation of her right eye. She was being treated by an oncologist and ophthalmologist in Maine. A post-procedure brain MRI was negative. Per MM's medical records, her parents were reluctant to comply with follow up allopathic medical care and would not cooperate with the staging of the tumor post-enucleation. MM's oncologist advised her parents to comply with the standard of care, and

1 they were informed of the success of such treatment and the necessity of such treatment
2 was emphasized. The family sought alternative remedies for the treatment of MM.

3 5. MM subsequently traveled to Arizona with her family. Her ophthalmologist in
4 Maine received the biopsy report confirming that cancer cells had spread beyond the right
5 eye and were detected in orbital tissues. The ophthalmologist contacted MM's family and
6 urged them to have a spinal tap done for the staging of the retinoblastoma. MM's parents
7 consulted Respondent for alternative treatment with amygdalin (laetrile). MM's father
8 signed a consent form that indicated the safety and efficacy of many homeopathic
9 medicines have not been established in controlled studies to the satisfaction of the FDA
10 and many conventional physicians. Pursuant to Respondent's clinic records, she provided
11 MM with 3.4mL of amygdalin orally on March 13, 2013 at 3:00 p.m.
12

13 6. Respondent's medical note written on March 14, 2013, indicated that she
14 was contacted by MM's father around 5:15 p.m. and informed that MM was crying and
15 behaving unusually. According to the police report, MM's father stated that MM was having
16 shortness of breath and bloating. MM's parents were advised by Respondent to return to
17 the clinic. Respondent documented that upon arrival to the clinic, MM was sleeping and
18 had a slow respiratory rate. She then experienced a sudden onset of pallor and
19 cardiorespiratory arrest. Respondent called the paramedics at 6:15 p.m. and provided
20 initial CPR to MM. By the time the paramedics arrived, MM did not have a pulse and was
21 apneic. The paramedics provided CPR to MM and transported her to the hospital, where
22 aggressive resuscitation attempts were made. MM was pronounced dead at 7:56 p.m. The
23 Hospital contacted the Scottsdale Police Department ("Department") and MM's father
24 declined consent for an autopsy. The Department requested an autopsy on March 15,
25

1 2013. Thereafter, the Department initiated a formal child abuse investigation against
2 Respondent and MM's parents.

3 7. The Medical Consultant ("MC") observed that MM died of cyanide poisoning
4 secondary to the amygdalin given to her by Respondent on March 7, 2013. The MC stated
5 that Respondent prescribed the medicine outside of established standard of care for the
6 treatment of retinoblastoma or any cancer in children. The MC noted that this is not a
7 medication that pediatricians usually prescribe and that the FDA does not approve its use.
8 The MC observed that Respondent gave the medicine to MM who had stage III
9 retinoblastoma treated with enucleation of the right eye.
10

11 8. The standard of care requires a physician, prior to the use of amygdalin, to
12 make sure that the patient has tried all forms of currently accepted allopathic medical
13 treatment for cancer and to make sure that the use of amygdalin will pose no harm to the
14 patient.

15 9. Respondent deviated from the standard of care by administering amygdalin
16 to MM without first ensuring that MM had tried all forms of currently accepted allopathic
17 medical treatment for cancer and by failing to make sure that the use of amygdalin will not
18 pose harm to MM.
19

20 CONCLUSIONS OF LAW

21 1. The Board possesses jurisdiction over the subject matter hereof and over
22 Respondent.

23 2. The conduct and circumstances described above constitute unprofessional
24 conduct pursuant to A.R.S. § 32-1401(27)(q) ("[a]ny conduct or practice that is or might be
25 harmful or dangerous to the health of the patient or the public.").

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ORDER

IT IS HEREBY ORDERED THAT

1. Respondent is issued a Letter of Reprimand.

DATED AND EFFECTIVE this 8th day of August, 2014.

ARIZONA MEDICAL BOARD

By C. Lloyd Vest, II
C. Lloyd Vest, II
Executive Director

CONSENT TO ENTRY OF ORDER

1. Respondent has read and understands this Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent acknowledges she has the right to consult with legal counsel regarding this matter.

2. Respondent acknowledges and agrees that this Order is entered into freely and voluntarily and that no promise was made or coercion used to induce such entry.

3. By consenting to this Order, Respondent voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged, or to challenge this Order in its entirety as issued by the Board, and waives any other cause of action related thereto or arising from said Order.

4. The Order is not effective until approved by the Board and signed by its Executive Director.

5. Respondent consents to the entry of the order set forth above as a compromise of a disputed matter between Respondent and the Board, and does so only for the purpose of terminating the disputed matter by agreement. Respondent acknowledges it is the Board's position that, if this matter proceeded to formal hearing, the Board could establish sufficient evidence to support a conclusion that certain aspects of

1 Respondent's conduct constitute unprofessional conduct or render her unable to safely
2 engage in the practice of medicine. Respondent agrees not to contest the validity of the
3 Findings of Fact and Conclusions of Law contained in the Order in present or future
4 administrative proceedings before the Board (or any other state agency in the State of
5 Arizona), concerning the denial or issuance of any license or registration required by the
6 state to engage in the practice or any business or profession or action relating to a license
7 issued by this Board.

8 6. Upon signing this agreement, and returning this document (or a copy thereof)
9 to the Board's Executive Director, Respondent may not revoke the consent to the entry of
10 the Order. Respondent may not make any modifications to the document. Any
11 modifications to this original document are ineffective and void unless mutually approved
12 by the parties.

13 7. This Order is a public record that will be publicly disseminated as a formal
14 disciplinary action of the Board and will be reported to the National Practitioner's Data
15 Bank and on the Board's web site as a disciplinary action.

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

18 9. If the Board does not adopt this Order, Respondent will not assert as a
19 defense that the Board's consideration of the Order constitutes bias, prejudice,
20 prejudgment or other similar defense.

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MARTNA GROUT, M.D.

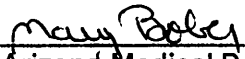
DATED: 7-21-14

1 EXECUTED COPY of the foregoing mailed
2 this 8th day of August, 2014 to:

3 Stephen W. Myers, Esq.
4 Myers & Jenkins, P.C.
5 One East Camelback Road, Suite 500
6 Phoenix, Arizona 85012

7 ORIGINAL of the foregoing filed
8 this 8th day of August, 2014 with:

9 Arizona Medical Board
10 9545 E. Doubletree Ranch Road
11 Scottsdale, AZ 85258

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Arizona Medical Board Staff