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**BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL  
LICENSING OF THE DEPARTMENT OF COMMERCE  
OF THE STATE OF UTAH**

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IN THE MATTER OF THE LICENSES OF ) NON-DISCIPLINARY  
JOHN B. WALL TO PRACTICE ) **STIPULATION AND ORDER**  
AS A PHYSICIAN/SURGEON AND )  
TO ADMINISTER AND PRESCRIBE ) CASE NO. DOPL 2013- 234  
CONTROLLED SUBSTANCES )  
IN THE STATE OF UTAH )

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**JOHN B. WALL** (“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. Respondent admits the jurisdiction of the Division over Respondent and over the subject matter of this action.

2. Respondent acknowledges that Respondent enters into this Stipulation knowingly and voluntarily.

3. Respondent understands that Respondent has the right to be represented by counsel in this matter and Respondent's signature below signifies that Respondent has consulted with his attorney, G. Fred Metos, and is satisfied with his attorney's advice.

4. Respondent understands that Respondent is entitled to a hearing before the State of Utah's Physician Licensing Board, or other Division Presiding Officer, at which time Respondent may present evidence on Respondent's own behalf, call witnesses, and confront adverse witnesses. Respondent understands that by signing this document Respondent hereby waives the right to a hearing, the right to present evidence on Respondent's own behalf, the right to call witnesses, the right to confront adverse witnesses, and any other rights to which Respondent may be entitled in connection with said hearing. Respondent understands that by signing this document Respondent waives all rights to any administrative and judicial review as set forth in Utah Code Ann. §§ 63G-4-301 through 63G-4-405 and Utah Administrative Code R156-46b-12 through R156-46b-15. Respondent and the Division hereby express their intent that

this matter be resolved expeditiously through stipulation as contemplated in Utah Code Ann. § 63G-4-102(4).

5. Respondent waives the right to the issuance of a Petition and a Notice of Agency Action in this matter.

6. Respondent understands that this Stipulation and Order, if adopted by the Director of the Division, will be classified as a public document. The Division may release this Stipulation and Order, and will release other information about this action concerning Respondent's license, to other persons and entities.

7. Respondent admits the following facts are true:

- a. On or about October 25, 1996 Respondent was first licensed to practice as a physician/surgeon and to administer and prescribe controlled substances in the State of Utah.
- b. On or about April 25, 2013 Respondent was charged with murder a 1<sup>st</sup> degree felony and with aggravated burglary a 1<sup>st</sup> degree felony in the Third District Court, Salt Lake County, State of Utah case number 131903972.
- c. Respondent desires to suspend Respondent's licenses to practice as a physician/surgeon and to administer and prescribe controlled substances in the State of Utah pending the criminal charges. Respondent's agreement to suspend his licenses is not an admission as to his guilt of the criminal charges.

8. This Stipulation and Order is not a finding of unprofessional or unlawful conduct, nor is it a disciplinary action against Respondent. Respondent agrees that Respondent's licenses to practice as a physician/surgeon and to

administer and prescribe controlled substances (“licenses”) are hereby suspended pending the criminal charges. If the Respondent is found not guilty, acquitted, or all criminal charges or all related criminal charges are dismissed the suspension of Respondent’s licenses shall be automatically lifted. However, if the Respondent is found guilty, pleads guilty or is convicted of the criminal charges or any related criminal charges the suspension of Respondent’s licenses shall continue until such time as a determination of the status of Respondent’s licenses is made by further stipulation of the parties or by administrative adjudicative proceedings. The Division retains jurisdiction to subsequently initiate disciplinary proceedings for any conduct Respondent may have engaged in prior to the effective date of this Stipulation and Order or may engage in subsequent to the effective date of this Stipulation and Order.

9. Respondent agrees to keep his Utah licenses current during the period of time that his Utah licenses are suspended. If on January 31, 2014 Respondent desires not to renew his licenses he may allow his licenses to expire.

10. Upon approval by the Director of the Division, this Stipulation and Order shall be the final compromise and settlement of this non-criminal administrative matter involving the specific facts described in paragraph 7 above, however, the Division is not prevented from taking further action against

Respondent for acts or omissions related to the conduct described in paragraph 7 above. Respondent acknowledges that the Director is not required to accept the terms of this Stipulation and Order 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 prejudgment they might otherwise have with regard to the Director by virtue of his having reviewed this Stipulation, and this waiver shall survive such nullification.

11. Respondent shall abide by and comply with all applicable federal and state laws, regulations, rules and orders related to the Respondent's licensed practice.

12. 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 and Order. There are no verbal agreements that modify, interpret, construe or affect this Stipulation.

13. The accompanying Order becomes effective immediately upon the approval of this Stipulation and signing of the Order by the Division Director. Respondent shall comply with all the terms and conditions of this Stipulation

immediately following the Division Director's signing of the Order page of this Stipulation and Order.

14. If Respondent violates any term or condition of this Stipulation and Order, the Division may take action against Respondent, including imposing appropriate sanctions, in the manner provided by law. Such sanctions may include revocation of Respondent's licenses, or any other appropriate sanctions.

15. Respondent understands that the action taken by the Division in this Stipulation and Order may adversely affect any license that Respondent may possess in another state or any application for licensure Respondent may submit in another state.

16. Respondent has read each and every paragraph contained in this Stipulation and Order, understands each and every paragraph contained in this Stipulation and Order and has no questions about any paragraph or provision contained in this Stipulation and Order.

DIVISION OF OCCUPATIONAL  
AND PROFESSIONAL LICENSING

BY:   
NOEL TAXIN  
Bureau Manager

RESPONDENT

BY:   
JOHN B. WALL  
Respondent

DATE: 6/5/13

DATE: 6/3/13

JOHN E. SWALLOW  
ATTORNEY GENERAL

BY:   
RON R. KUNZLER  
Counsel for the Division

DATE: 6/5/2013

APPROVED AS TO FORM

BY:   
G. FRED METOS  
Counsel for the Respondent

DATE: 6/4/2013

**ORDER**

THE ABOVE STIPULATION, in the matter of **JOHN B. WALL**, is hereby approved by the Division of Occupational and Professional Licensing, and constitutes my Findings of Fact and Conclusions of Law in this matter. The terms and conditions of the Stipulation are incorporated herein and constitute my final Order in this case.

DATED this 5<sup>th</sup> day of June, 2013.

DIVISION OF OCCUPATIONAL AND  
PROFESSIONAL LICENSING

  
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MARK B. STEINAGE

Director