

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Arnold Scott Devous, M.D.

**Physician's and Surgeon's
Certificate No. C 40851**

Respondent.

Case No. 800-2022-088697

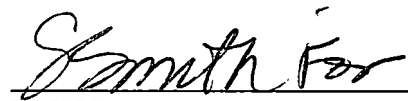
DECISION

The attached Stipulated Surrender of License and Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on DEC 19 2025.

IT IS SO ORDERED DEC 12 2025.

MEDICAL BOARD OF CALIFORNIA



Reji Varghese, Executive Director

1 ROB BONTA
Attorney General of California
2 GREG W. CHAMBERS
Supervising Deputy Attorney General
3 MARYAM AHMAD
Deputy Attorney General
4 State Bar No. 324028
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
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E-mail: Maryam.Ahmad@doj.ca.gov
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 800-2022-088697

12 **ARNOLD SCOTT DEVOUS, M.D.**
13 **1808 Sligo Ln.**
Billings, MT 59106-3686

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

14 **Physician's & Surgeon's Certificate No. C**
15 **40851**

16 Respondent.

17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 **PARTIES**

21 1. Reji Varghese (Complainant) is the Executive Director of the Medical Board of
22 California (Board). He brought this action solely in his official capacity and is represented in this
23 matter by Rob Bonta, Attorney General of the State of California, Greg W. Chambers,
24 Supervising Deputy Attorney General, and Maryam Ahmad, Deputy Attorney General.

25 2. ARNOLD SCOTT DEVOUS, M.D. (Respondent) is represented in this proceeding
26 by attorneys Earl M. Pott and Madison R. Kneadler.

27 3. On or about February 28, 1983, the Board issued Physician's & Surgeon's Certificate
28 No. C 40851 to Respondent. That license was in full force and effect at all times relevant to the

1 charges brought in Accusation No. 800-2022-088697 and will expire on July 31, 2026, unless
2 renewed.

3 **JURISDICTION**

4 4. Accusation No. 800-2022-088697 was filed before the Board and is currently pending
5 against Respondent. The Accusation and all other statutorily required documents were properly
6 served on Respondent on May 20, 2025. Respondent timely filed his Notice of Defense
7 contesting the Accusation. A copy of Accusation No. 800-2022-088697 is attached as Exhibit A
8 and incorporated by reference.

9 **ADVISEMENT AND WAIVERS**

10 5. Respondent has carefully read, fully discussed with counsel, and understands the
11 charges and allegations in Accusation No. 800-2022-088697. Respondent also has carefully read,
12 fully discussed with counsel, and understands the effects of this Stipulated Surrender of License
13 and Order.

14 6. Respondent is fully aware of his legal rights in this matter, including the right to a
15 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
16 the witnesses against him; the right to present evidence and to testify on his own behalf; the right
17 to the issuance of subpoenas to compel the attendance of witnesses and the production of
18 documents; the right to reconsideration and court review of an adverse decision; and all other
19 rights accorded by the California Administrative Procedure Act and other applicable laws.

20 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
21 every right set forth above.

22 **CULPABILITY**

23 8. Respondent understands that the charges and allegations in Accusation No. 800-2022-
24 088697, if proven at a hearing, constitute cause for imposing discipline upon his Physician's &
25 Surgeon's Certificate.

26 9. For the purpose of resolving the Accusation without the expense and uncertainty of
27 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual
28 basis for the charges in the Accusation and that those charges constitute cause for discipline.

1 Respondent hereby gives up his right to contest that cause for discipline exists based on those
2 charges.

3 10. Respondent understands that by signing this stipulation he enables the Board to issue
4 an order accepting the surrender of his Physician's & Surgeon's Certificate without further
5 process.

6 CONTINGENCY

7 11. Business and Professions Code section 2224, subdivision (b), provides, in pertinent
8 part, that the Medical Board "shall delegate to its executive director the authority to adopt a ...
9 stipulation for surrender of a license."

10 12. Respondent understands that, by signing this stipulation, he enables the Executive
11 Director of the Board to issue an order, on behalf of the Board, accepting the surrender of his
12 Physician's & Surgeon's Certificate No. C 40851 without further notice to, or opportunity to be
13 heard by, Respondent.

14 13. This Stipulated Surrender of License and Order shall be subject to the approval of the
15 Executive Director on behalf of the Board. The parties agree that this Stipulated Surrender of
16 License and Order shall be submitted to the Executive Director for his consideration in the above-
17 entitled matter and, further, that the Executive Director shall have a reasonable period of time in
18 which to consider and act on this Stipulated Surrender of License and Order after receiving it. By
19 signing this stipulation, Respondent fully understands and agrees that he may not withdraw his
20 agreement or seek to rescind this stipulation prior to the time the Executive Director, on behalf of
21 the Medical Board, considers and acts upon it.

22 14. The parties agree that this Stipulated Surrender of License and Order shall be null and
23 void and not binding upon the parties unless approved and adopted by the Executive Director on
24 behalf of the Board, except for this paragraph, which shall remain in full force and
25 effect. Respondent fully understands and agrees that in deciding whether or not to approve and
26 adopt this Stipulated Surrender of License and Order, the Executive Director and/or the Board
27 may receive oral and written communications from its staff and/or the Attorney General's
28 Office. Communications pursuant to this paragraph shall not disqualify the Executive Director,

1 the Board, any member thereof, and/or any other person from future participation in this or any
2 other matter affecting or involving Respondent. In the event that the Executive Director on
3 behalf of the Board does not, in his discretion, approve and adopt this Stipulated Surrender of
4 License and Order, with the exception of this paragraph, it shall not become effective, shall be of
5 no evidentiary value whatsoever, and shall not be relied upon or introduced in any disciplinary
6 action by either party hereto. Respondent further agrees that should this Stipulated Surrender of
7 License and Order be rejected for any reason by the Executive Director on behalf of the Board,
8 Respondent will assert no claim that the Executive Director, the Board, or any member thereof,
9 was prejudiced by its/his/her review, discussion and/or consideration of this Stipulated Surrender
10 of License and Order or of any matter or matters related hereto.

11 **ADDITIONAL PROVISIONS**

12 15. This Stipulated Surrender of License and Order is intended by the parties herein to be
13 an integrated writing representing the complete, final, and exclusive embodiment of the
14 agreements of the parties in the above-entitled matter.

15 16. The parties agree that copies of this Stipulated Surrender of License and Order,
16 including copies of the signatures of the parties, may be used in lieu of original documents and
17 signatures and, further, that such copies shall have the same force and effect as originals.

18 17. In consideration of the foregoing admissions and stipulations, the parties agree the
19 Executive Director of the Board may, without further notice to or opportunity to be heard by
20 Respondent, issue and enter the following Disciplinary Order on behalf of the Board:

21 **ORDER**

22 IT IS HEREBY ORDERED that Physician's & Surgeon's Certificate No. C 40851, issued
23 to Respondent ARNOLD SCOTT DEVOUS, M.D., is surrendered and accepted by the Board.

24 1. The surrender of Respondent's Physician's & Surgeon's Certificate and the
25 acceptance of the surrendered license by the Board shall constitute the imposition of discipline
26 against Respondent. This stipulation constitutes a record of the discipline and shall become a part
27 of Respondent's license history with the Board.
28

2. Respondent shall lose all rights and privileges as a physician in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board his pocket license and, if one was issued, his wall certificate on or before the effective date of the Decision and Order.

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations, and procedures for reinstatement of a revoked or surrendered license in effect at the time the petition is filed, and all charges and allegations contained in Accusation No. 800-2022-088697 shall be deemed to be true, correct, and admitted by Respondent when the Board determines whether to grant or deny the petition.

5. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$4,906.50 prior to issuance of a new or reinstated license.

6. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation No. 800-2022-088697 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorneys, Earll M. Pott and Madison R. Kneadler. I understand the stipulation and the effect it will have on my Physician's & Surgeon's Certificate. I enter this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 11/21/2025 PST



Signer ID: 3ZVAEGNJ16...

ARNOLD SCOTT DEVOUS, M.D.

Respondent

1 I have read and fully discussed with Respondent ARNOLD SCOTT DEVOUS, M.D. the
2 terms and conditions and other matters contained in this Stipulated Surrender of License and
3 Order. I approve its form and content.

4
5 DATED: November 24, 2025


6 EARLL M. POTT
7 MADISON R. KNEADLER
8 *Attorneys for Respondent*

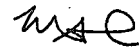
9 **ENDORSEMENT**

10 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted
11 for consideration by the Medical Board of California of the Department of Consumer Affairs

12 DATED: 11/24/2025

Respectfully submitted,

13 ROB BONTA
14 Attorney General of California
15 GREG W. CHAMBERS
16 Supervising Deputy Attorney General

17 
18 MARYAM AHMAD
19 Deputy Attorney General
20 *Attorneys for Complainant*

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SF2025302488

Exhibit A

Accusation No. 800-2022-088697

1 ROB BONTA
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2 GREG W. CHAMBERS
Supervising Deputy Attorney General
3 MARYAM AHMAD
Deputy Attorney General
4 State Bar No. 324028
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Telephone: (415) 510-3851s
6 Facsimile: (415) 703-5480
E-mail: maryam.ahmad@doj.ca.gov
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 800-2022-088697

13 **Arnold Scott Devous, M.D.**
1808 Sligo Ln.
Billings, MT 59106-3686

ACCUSATION

14 **Physician's & Surgeon's Certificate**
No. C 40851,

15 Respondent.

16
17
18 **PARTIES**

19 1. Reji Varghese (Complainant) brings this Accusation solely in his official capacity as
20 the Executive Director of the Medical Board of California, Department of Consumer Affairs
21 (Board).

22 2. On or about February 28, 1983, the Medical Board issued Physician's & Surgeon's
23 Certificate Number C 40851 to Arnold Scott Devous, M.D. (Respondent). The Physician's and
24 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
25 herein and will expire on July 31, 2026, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 2004 of the Code provides that the Board shall have the responsibility for the enforcement of the disciplinary and criminal provisions of the Medical Practice Act.

5. Section 2227 of the Code provides that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Board deems proper.

6. Section 2305 of the Code states:

"The revocation, suspension, or other discipline, restriction or limitation imposed by another state upon a license or certificate to practice medicine issued by that state, or the revocation, suspension, or restriction of the authority to practice medicine by any agency of the federal government, that would have been grounds for discipline in California of a licensee under this chapter shall constitute grounds for disciplinary action for unprofessional conduct against the licensee in this state."

7. Section 2236 of the Code states:

"(a) The conviction of any offense substantially related to the qualifications, functions, or duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this chapter [Chapter 5, the Medical Practice Act]. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred.

"..."

"(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to be a conviction within the meaning of this section and Section 2236.1. The record of conviction shall be conclusive evidence of the fact that the conviction occurred."

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1 8. Section 141 of the Code states:

2 “(a) For any licensee holding a license issued by a board under the jurisdiction of the
3 department, a disciplinary action taken by another state, by any agency of the federal government,
4 or by another country for any act substantially related to the practice regulated by the California
5 license, may be a ground for disciplinary action by the respective state licensing board. A
6 certified copy of the record of the disciplinary action taken against the licensee by another state,
7 an agency of the federal government, or another country shall be conclusive evidence of the
8 events related therein.

9 “(b) Nothing in this section shall preclude a board from applying a specific statutory
10 provision in the licensing act administered by that board that provides for discipline based upon a
11 disciplinary action taken against the licensee by another state, an agency of the federal
12 government, or another country.”

13 9. California Code of Regulations, title 16, section 1360, states:

14 “(a) For the purposes of denial, suspension or revocation of a license, certificate or permit
15 pursuant to Division 1.5 (commencing with Section 475) of the code, a crime or act shall be
16 considered to be substantially related to the qualifications, functions or duties of a person holding
17 a license, certificate or permit under the Medical Practice Act if to a substantial degree it
18 evidences present or potential unfitness of a person holding a license, certificate or permit to
19 perform the functions authorized by the license, certificate or permit in a manner consistent with
20 the public health, safety or welfare. Such crimes, misconduct, or acts shall include but not be
21 limited to the following: Violating or attempting to violate, directly or indirectly, or assisting in or
22 abetting the violation of, or conspiring to violate any provision of state or federal law governing
23 the applicant’s or licensee’s professional practice.

24 “(b) In making the substantial relationship determination required under subdivision (a) for
25 a crime, the board shall consider the following criteria:

26 “(1) The nature and gravity of the crime;

27 “(2) The number of years elapsed since the date of the crime; and

28 “(3) The nature and duties of the profession.”

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1 for Hearing, the Stipulation, and Final Order are attached hereto as **Exhibit 1**. The circumstances
2 are as follows:

3 13. On or about February 26, 2020, the U.S. Attorney's Office filed a grand jury
4 Indictment in *United States of America v. Dr. Arnold Scott Devous*, Case No. CR20-18-GF-
5 BMM, United States District Court, Montana, Great Falls Division, charging Respondent with
6 one count of violating Title 18 U.S.C. §§ 208(a), 216(a)(2) – Federal Medical Officer with
7 Conflict of Interest. The Indictment alleged that Respondent was employed as a Medical Officer
8 for Indian Health Services ("IHS") between 2015 – 2016 and oversaw the diabetes program.
9 Respondent used his position to prescribe Farxiga,¹ which was not on the IHS formulary and
10 could not be obtained at an IHS facility. Respondent solicited a non-IHS pharmacy to fill the
11 prescription in exchange for receiving a portion of the profits and kickbacks. Respondent received
12 eighty percent of the profits from the sale of Farxiga, resulting in a total of \$45,590.89 in profits.

13 14. On January 7, 2021, in *United States of America v. Dr. Arnold Scott Devous*,
14 Respondent pled guilty to the sole count of the Indictment. He was sentenced to three months in
15 federal prison.

16 SECOND CAUSE FOR DISCIPLINE

17 (Unprofessional Conduct – Criminal Conviction)

18 15. Paragraphs 12 through 14 are incorporated by reference as if fully set forth.

19 16. Respondent Arnold Scott Devous, M.D., is subject to disciplinary action under
20 sections 2234 and 2236, subd. (a) [conviction of offense related to qualification, function, or
21 duties] of the Code, and/or California Code of Regulations, title 16, section 1360 [substantial
22 relationship criteria], in that Respondent suffered a federal criminal conviction on or about
23 January 7, 2021, for violating Title 18 U.S.C. §§ 208(a), 216(a)(2) (Federal Medical Officer with
24 Conflict of Interest), a conviction that is substantially related to the qualifications, functions, or
25 duties of a physician and surgeon.

26 ///

27 ///

28 ¹ Also known as Dapagliflozin, this is a medication used to treat Type 2 diabetes.

1 DISCIPLINARY CONSIDERATIONS

2 17. To determine the degree of discipline, if any, to be imposed on Respondent Arnold
3 Scott Devous, M.D., Complainant alleges that on or about June 18, 1984, Accusation D-3202 was
4 filed in a prior disciplinary action titled, *In the Matter of the Accusation Against Arnold Scott*
5 *Devous, M.D.*, before the Medical Board of California. Respondent's license was revoked, and
6 Respondent was placed on probation, after he was found guilty at jury trial of violating 21 U.S.C.
7 section 841(a)(1) (distribution of a controlled substance), 21 U.S.C. section 843(a)(3) (acquisition
8 of a controlled substance by fraud), and 21 U.S.C. section 843(a)(4)(A) (false or omitted
9 information on required records). Respondent was sentenced to one year in prison and five years
10 of criminal probation. On December 21, 1984, Respondent entered a Stipulated Surrender of his
11 medical license and five years' probation. The decision became effective on March 15, 1985. On
12 October 8, 1987, Respondent's probation was terminated early, and his license reinstated.

13 PRAYER

14 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
15 and that following the hearing, the Medical Board of California issue a decision:

- 16 1. Revoking or suspending Physician's and Surgeon's Certificate Number C 40851,
17 issued to Respondent Arnold Scott Devous, M.D.;
- 18 2. Revoking, suspending or denying approval of Respondent Arnold Scott Devous,
19 M.D.'s authority to supervise physician assistants and advanced practice nurses;
- 20 3. Ordering Respondent Arnold Scott Devous, M.D., to pay the Board the costs of the
21 investigation and enforcement of this case, and if placed on probation, the costs of probation
22 monitoring; and
- 23 4. Taking such other and further action as deemed necessary and proper.

24
25 DATED: MAY 20 2025

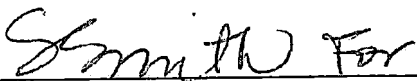
26 
27 REJI VARGHESE
28 Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

EXHIBIT 1

Kevin G. Maki
Agency Counsel
DEPARTMENT OF LABOR AND INDUSTRY
Office of Legal Services
1315 Lockey Avenue
P.O. Box 1728
Helena, MT 59624-1728
Telephone: (406) 444-5466
E-mail: laborlegal@mt.gov

**BEFORE THE BOARD OF MEDICAL EXAMINERS
STATE OF MONTANA**

In the Matter of	Case No. 2020-MED-325
A. SCOTT DEVOUS,	NOTICE OF PROPOSED BOARD
Medical Doctor, License No. 4771.	ACTION AND OPPORTUNITY FOR
	HEARING

On February 19, 2021, the Screening Panel of the Montana Board of Medical Examiners (Board), considered information presented by the Montana Department of Labor and Industry (Department), and directed issuance of this *Notice of Proposed Board Action and Opportunity for Hearing* (Notice), to A. Scott Devous.

A. FACT ASSERTIONS

1. A. Scott Devous holds a medical doctor (MD) license, number 4771, issued on or about June 28, 1989. Dr. Devous' license is active through March 31, 2023.
2. On February 26, 2020, the U.S. Attorney's Office filed an Indictment against Dr. Devous in the U.S. District Court for the District of Montana – Great Falls Division, charging Dr. Devous with one count of Federal Medical Officer with Conflict of Interest. See Ex. A (Indictment).

Notice of Proposed Board Action and Opportunity for Hearing
In Re A. Scott Devous, Case No. 2020-MED-325

3. According to the Indictment, Dr. Devous:

- a. was employed as a Medical Officer for Indian Health Services (IHS) in Browning, Montana during 2015-2016, where he was in charge of the diabetes program;
- b. used his position to prescribe dapagliflozin (Farxiga®), a medication used to treat Type 2 diabetes, to patients when Farxiga® was not on the IHS formulary and could not be obtained at an IHS facility; and
- c. solicited a pharmacy in Montana to fill prescriptions of Farxiga® in exchange for Dr. Devous receiving a "cut" of the profits and kickbacks.

4. Dr. Devous pleaded guilty to one count of Federal Medical Officer with Conflict of Interest and was sentenced in January 2021 to 3 months in the custody of the U.S. Bureau of Prisons and other conditions. See Ex. B (Judgment).

B. ASSERTIONS OF LAW

1. The Board has subject matter jurisdiction and legal authority to bring this action under Mont. Code Ann. Title 37, ch. 1 and 3, and Admin. R. Mont. Title 24, ch. 101 and 156. For disciplinary purposes, the Board retains jurisdiction over the license for two years after lapse. Mont. Code Ann. § 37-1-141.

2. Based on the fact assertions above, the Board found reasonable cause to believe Dr. Devous violated the following statutes, rules, or standards, justifying disciplinary proceedings:

Montana Code Annotated

§ 37-1-316. Unprofessional conduct. The following is unprofessional conduct for a licensee or license applicant governed by this part:

(1) conviction, including conviction following a plea of nolo contendere, of a crime relating to or committed during the course of the person's practice or involving violence, use or sale of drugs, fraud, deceit, or theft, whether or not an appeal is pending.

C. STATEMENT OF RIGHTS AND PROCEDURES

1. You may request a hearing to contest these charges. To exercise the right to a hearing, you must send a written request within 20 days of receipt of this Notice, addressed as follows:

Department of Labor and Industry
Office of Legal Services
1315 Lockey Avenue
P.O. Box 1728
Helena, MT 59624-1728

2. Failure to request a hearing within 20 days of the receipt of this Notice constitutes a default and allows the Board to enter a Final Order of discipline against you based on the facts available to it.

3. If you request a hearing within 20 days, the Commissioner of Labor and Industry will appoint an impartial hearing examiner to conduct the hearing. The hearing examiner will notify you and the Department of the time and place of the hearing. You have the right to appear in person or by or with counsel.

4. Procedural and substantive requirements governing this matter may be found at Mont. Code Ann. Title 2, ch. 4, pt. 6 (Montana Administrative Procedure Act) and Title 37, ch. 1, pt. 1 and 3, and ch. 3, including the right to: a hearing before an impartial hearing examiner; present evidence, testify, confront, and cross-examine witnesses at the hearing; be represented by legal counsel; subpoena witnesses; and request judicial review and appeal.

5. After a proposed decision of a hearing examiner, a default, or a stipulated agreement, the Board will issue a Final Order and may impose one or any combination of sanctions under Mont. Code Ann. § 37-1-312 or rules adopted by the Board, including:

- a. revocation of the license;
- b. suspension of the license for a fixed or indefinite term;
- c. restriction or limitation of the practice;
- d. satisfactory completion of a specific program of remedial education or treatment;
- e. monitoring of the practice by a supervisor approved by the disciplining authority;
- f. censure or reprimand, either public or private;
- g. compliance with conditions of probation for a designated period of time;
- h. payment of a fine not to exceed \$1,000.00 for each violation (deposited in the state general fund); and
- i. refund of costs and fees billed to and collected from a customer.

6. You may request judicial review of a Final Order of the Board entered after consideration of a proposed decision of a hearing examiner by filing a petition in district court within 30 days of the issuance of a Final Order.

7. In lieu of a hearing, you may enter into a stipulated agreement resolving potential or pending charges that include one or more sanctions authorized by law.

DATED this 8th day of September 2021.



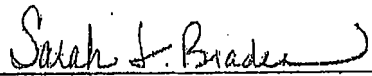
Kevin G. Maki
Agency Counsel
DEPARTMENT OF LABOR AND INDUSTRY

CERTIFICATE OF SERVICE

I certify I served a true and accurate copy of the foregoing ***NOTICE OF PROPOSED BOARD ACTION AND OPPORTUNITY FOR HEARING*** by placing it in the United States Postal Service mail, certified with return receipt requested and postage prepaid, addressed to the following:

A SCOTT DEVOUS
C/O PETER LACNY
201 WEST MAIN STREET STE 201
MISSOULA MT 59802

DATED this 8th day of September 2021.



Department of Labor and Industry

**BEFORE THE BOARD OF MEDICAL EXAMINERS
STATE OF MONTANA**

In the Matter of A. SCOTT DEVOUS, Medical Doctor, License No. 4771.	Case No. 2020-MED-325 STIPULATION
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The Department of Labor and Industry (Department), through its legal counsel, and A. Scott Devous, through his legal counsel, enter this Stipulation and agree as follows:

A. AGREED FACTS

1. A. Scott Devous holds a medical doctor (MD) license, number 4771, issued on or about June 28, 1989. Dr. Devous' license is active through March 31, 2023.
2. On February 26, 2020, the U.S. Attorney's Office filed an Indictment against Dr. Devous in the U.S. District Court for the District of Montana – Great Falls Division, charging Dr. Devous with one count of Federal Medical Officer with Conflict of Interest. See Ex. A (Indictment).
3. Dr. Devous pleaded guilty to one count of Federal Medical Officer with Conflict of Interest and was sentenced in January 2021 to 3 months in the custody of the U.S. Bureau of Prisons and other conditions. See Ex. B (Judgment).
4. Dr. Devous is retired from the practice of medicine.

B. AGREED CONCLUSIONS OF LAW

1. The Board has subject matter jurisdiction and legal authority to bring this action under Mont. Code Ann. Title 37, ch. 1 and 3, and Admin. R. Mont. Title 24, ch. 101 and 156. For disciplinary purposes, the Board retains jurisdiction over the license for two years after lapse. Mont. Code Ann. § 37-1-141.

Stipulation
In Re A. Scott Devous, Case No. 2020-MED-325

2. The Department serves notice on the licensee following a Screening Panel's reasonable cause finding pursuant to Mont. Code Ann. § 37-1-309.

3. A licensee may request a hearing pursuant to Mont. Code Ann. § 37-1-309 or enter a Stipulation with the Department pursuant to Mont. Code Ann. § 2-4-603(1).

4. Dr. Devous' criminal conviction, described above, constitute unprofessional conduct as defined by Mont. Code Ann. 37-1-316(1) ("conviction, including conviction following a plea of nolo contendere, of a crime relating to or committed during the course of the person's practice or involving violence, use or sale of drugs, fraud, deceit, or theft, whether or not an appeal is pending").

5. Upon a decision a licensee has violated Title 37 of the Mont. Code Ann. or is unable to practice with reasonable skill and safety due to a physical or mental condition or upon stipulation of the parties, the Board may issue an order entering sanctions authorized by Mont. Code Ann. § 37-1-312.

C. AGREED SANCTIONS

1. Surrender of License. Dr. Devous surrenders his MD license issued by the Board as resolution of this matter.

a. By accepting the surrender of Dr. Devous's MD license, the Board shall enter a Final Order revoking the license pursuant to Mont. Code Ann. § 37-1-312(1)(a).

b. Dr. Devous must return any hard copy of his MD license in his possession to the Board office within 24 hours of receiving the Final Order in this matter at:

Board of Medical Examiners
301 South Park Avenue
P.O. Box 200514
Helena, MT 59620-0514

c. Dr. Devous is retired from the practice of medicine and he agrees not to reapply for or petition for reinstatement of his MD license with the Board.

D. ADDITIONAL PROVISIONS

1. Waiver of Rights. Respondent has read and understands each term of the *Notice of Proposed Board Action and Opportunity for Hearing* (Notice) and this Stipulation, and understands the various rights provided, including the right to: a hearing before an impartial hearing examiner; present evidence, testify, and confront and cross-examine witnesses at the hearing; be represented by legal counsel; subpoena witnesses; request judicial review and appeal; and all other rights under Mont. Code Ann. Title 2, ch. 4, pt. 6 (Montana Administrative Procedure Act), Title 37, ch. 1 and 3, and other applicable law. Respondent desires to avoid unnecessary expenditure of time and other valuable resources to resolve this matter. Therefore, Respondent voluntarily and knowingly waives the rights listed above and elects to resolve this matter on the terms and conditions of this Stipulation and acknowledges that no promise, other than those contained in this Stipulation, and no threat or improper assertion has been made by the

Board or Department or by any member, officer, agent, or representative of the Board or Department to induce Respondent to enter into this Stipulation.

2. Release. This Stipulation is a final compromise and settlement of this contested case proceeding. Respondent, and assigns, agents, and representatives of Respondent, release the Board, its members, officers, agents, or representatives from any and all liability, claim, and cause of action, whether now known or contemplated, including but not limited to, any claims under Mont. Code Ann. Title 2, ch. 9, pt. 3 (Montana Tort Claims Act), as amended, or any claim arising under 42 U.S.C. § 1983, which now or in the future may be based upon, arise out of, or relate to any of the matters raised in this case, its processing, investigation, litigation, or from the negotiation or execution of this Stipulation.

3. Entire Agreement. This Stipulation contains the entire agreement of the parties. All prior discussions and writings are superseded by this Stipulation, and no discussion by the Board prior to the approval of this Stipulation may be used to interpret or modify it. Any modification requires a written amendment signed by both parties and final Board approval.

4. Severability. If a court or administrative tribunal declares any term or condition contained in this Stipulation to be unenforceable for any reason, the unenforceable term or condition shall be severed from the remainder of this Stipulation, and the remainder of this Stipulation shall be interpreted and enforced according to its original intent.

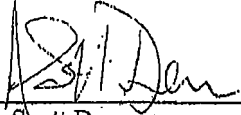
5. Reservation. This Stipulation does not restrict the Board from initiating disciplinary action concerning allegations of unprofessional conduct that occur after the date Respondent signs this Stipulation or concerning allegations of conduct not specifically mentioned in this Stipulation that are now known to the Board or yet to be discovered.

6. Stipulation Subject to Final Approval. This Stipulation is subject to final approval by the Board.

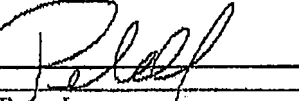
7. Renewed Right to Hearing – Inadmissibility of Stipulation. If the Board considers and does not approve this Stipulation, it is withdrawn and may not be considered as evidence for any purpose. Respondent will have a renewed 20 days from the date of the publicly noticed Board meeting to submit a written request for a hearing in this matter. Failure by Respondent to request a hearing constitutes a default and allows the Board to enter a Final Order of discipline against Respondent. If, instead, this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any record relating to this Stipulation.

8. Public Documents. The Notice and this Stipulation and Final Order issued by the Board are public documents that the Department, at minimum, must make publicly available on the Department's website and professional databases, and may otherwise distribute to other interested persons or entities.

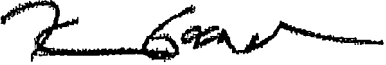
9. Complying with the Terms of the Stipulation. Respondent's failure to strictly abide by the terms of the Stipulation shall constitute a violation of the Final Order of the Board and may result in a separate disciplinary action against Respondent's license. Mont. Code Ann. § 37-1-316(8). Alternatively, Respondent's failure to strictly abide by the terms of the Stipulation may result in administrative suspension of Respondent's license until Respondent complies with the terms of the Stipulation and pays a reinstatement fee. Mont. Code Ann. § 37-1-321.


A. Scott Devous
Respondent

4/27/22
DATE


Peter Lacny
Attorney for Respondent

4.27.2022
DATE


Kevin G. Maki
Agency Counsel
Montana Board of Medical Examiners

April 28, 2022
DATE

**BEFORE THE BOARD OF MEDICAL EXAMINERS
STATE OF MONTANA**

In the Matter of A. SCOTT DEVOUS, Medical Doctor, License No. 4771.	Case No. 2020-MED-325 FINAL ORDER
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The Montana Board of Medical Examiners, giving primary consideration to sanctions necessary to protect and compensate the public and secondary consideration to sanctions designed to rehabilitate A. Scott Devous, approves, adopts, and incorporates all terms and conditions of the fully executed Stipulation as its Findings of Fact, Conclusions of Law, and Final Order.

The Board accepts the surrender of licensure and **HEREBY REVOKES DR. DEVOUS'S MONTANA MD LICENSE.** Mont. Code Ann. § 37-1-312(1)(a).

DATED 5/16/2022 | 2:26:40 PM MDT

DocuSigned by:

Ana Diaz

D8B77183C78F418
Presiding Officer, Adjudication Panel
Montana Board of Medical Examiners

Certified Correct Copy of Original
of Public Record State of Montana
Department of Labor & Industry
Employment Standards Division
Business & Occupational Licensing Bureau

J. D. Mont

By Custodian of Records

Final Order
In Re A. Scott Devous, Case No. 2020-MED-325