

**BEFORE THE STATE OF NEW MEXICO
BOARD OF PODIATRY**

IN THE MATTER OF:)
)
SANFORD DAVID SCHULHOFER DPM) **CASE NO. P-12-07-02**
LICENSE #253)
)
 Respondent.)

ORDER

WHEREAS the New Mexico Board of Podiatry (“Board”) has issued a Notice of Contemplated Action (“NCA”) against Respondent Sanford David Schulhofer, DPM (“Respondent”); and

WHEREAS the Administrative Prosecutor in this case is Assistant Attorney General Sally Galanter who agrees to the entry of this Order; and

WHEREAS Respondent is represented by G.T.S. Khalsa who both agree to the entry of this Order; and

WHEREAS the parties and the Board desire to settle the differences between them; and

WHEREAS Respondent does not admit any wrongdoing; and

WHEREAS Respondent acknowledges his continuing waiver of his right to have this matter heard within the time limits set forth in NMSA 61-1-1(4)F NMSA 1978 and only waives his right to assert a claim of bias or excusal any Board member with respect to the Board’s consideration of this Order; and

WHEREAS by presenting this proposed Order to the Board, Respondent is not waiving any other procedural and substantive defenses that he has in this matter; and

WHEREAS if this Order is not accepted, in later proceedings the Administrative Prosecutor will not assert that Respondent has waived any other defense that he may have, specifically including the issue addressed by the New Mexico Supreme Court in *Reid vs. New Mexico Board of Optometry, 92 N.M. 414; and*

WHEREAS upon the Board accepting this Order, as indicated by the Board Chairperson's signature, Respondent releases the Board from any and all claims arising out of the Board's decision to investigate the complaint, file a Notice of Contemplated Act and take the action described herein; and

WHEREAS if this proposed Order is not accepted, the case will only proceed on the lack of informed consent allegation in the NCA; and

WHEREAS in consideration of the entry of this Order, Respondent agrees to take and complete the CE approved course "Patient-Physician Interactions" no later than 90 days after the entry of this Order; and

WHEREAS Respondent will not include the above course in submitting his required CE courses to the Board when they are due; and

WHEREAS upon the successful completion of the course, the Board agrees to withdraw and seal the NCA within 10 days after receiving notice of the completion of the course, to not send any report, including any adverse action report, to any healthcare reporting database, to not refer to this matter in any of its own records regarding Respondent or upon any request for information about disciplinary actions taken against Respondent from any person or entity; and

WHEREAS the parties will bear their own costs in this matter; AND GOOD CAUSE APPEARING;

IT IS HEREBY ORDERED that within 10 days of receiving notice that Respondent has completed the course described above, the Board will withdraw and seal the NCA in this case; and

IT IS FURTHER ORDERED that the Board will not send any report, including any adverse action report, to any healthcare reporting database and will not refer to this case in any of its own records regarding Respondent or upon any request for information about disciplinary actions taken against Respondent by the Board from any person or entity; and

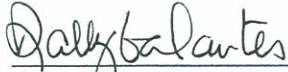
IT IS FURTHER ORDERED that the parties will bear their own costs.

Dated: 5/23/14

New Mexico Board of Podiatry

By:  _____

Approved:



Sally Galanter

Assistant Attorney General

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Administrative Prosecutor



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Attorney For Respondent



Sanford David Schulhofer, DPM

Respondent