



State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: www.state.oh.us/med/

August 8, 2001

Quirino B. Valeros, M.D.
2104 E. Enid
Mesa, AZ 85204

Dear Doctor Valeros:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of Daniel Roberts, Attorney Hearing Examiner, State Medical Board of Ohio; and an excerpt of draft Minutes of the State Medical Board, meeting in regular session on August 8, 2001, including motions approving and confirming the Report and Recommendation as the Findings and Order of the State Medical Board of Ohio.

Section 119.12, Ohio Revised Code, may authorize an appeal from this Order. Such an appeal must be taken to the Franklin County Court of Common Pleas.

Such an appeal setting forth the Order appealed from and the grounds of the appeal must be commenced by the filing of a Notice of Appeal with the State Medical Board of Ohio and the Franklin County Court of Common Pleas. Any such appeal must be filed within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12, Ohio Revised Code.

THE STATE MEDICAL BOARD OF OHIO

Anand G. Garg, M.D.
Anand G. Garg, M.D. *ITAD*
Secretary

AGG: jam
Enclosures

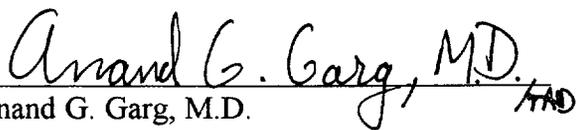
CERTIFIED MAIL RECEIPT NO. 7000 0600 0022 4402 8065
RETURN RECEIPT REQUESTED

Mailed 8.13.01

CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; Report and Recommendation of Daniel Roberts, State Medical Board Attorney Hearing Examiner; and excerpt of draft Minutes of the State Medical Board, meeting in regular session on August 8, 2001, including motions approving and confirming the Findings of Fact, Conclusions and Proposed Order of the Hearing Examiner as the Findings and Order of the State Medical Board of Ohio; constitute a true and complete copy of the Findings and Order of the State Medical Board in the Matter of Quirino B. Valeros, M.D., as it appears in the Journal of the State Medical Board of Ohio.

This certification is made by authority of the State Medical Board of Ohio and in its behalf.


Anand G. Garg, M.D.
Secretary

(SEAL)

AUGUST 8, 2001

Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

*

*

QUIRINO B. VALEROS, M.D.

*

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio on August 8, 2001.

Upon the Report and Recommendation of Daniel Roberts, State Medical Board Attorney Hearing Examiner, designated in this Matter pursuant to R.C. 4731.23, a true copy of which Report and Recommendation is attached hereto and incorporated herein, and upon the approval and confirmation by vote of the Board on the above date, the following Order is hereby entered on the Journal of the State Medical Board of Ohio for the above date.

It is hereby ORDERED that:

The certificate of Quirino B. Valeros, M.D., to practice medicine and surgery in the State of Ohio shall be LIMITED and RESTRICTED as follows:

1. Dr. Valeros shall not commence practice in Ohio without prior Board approval.
2. The Board shall not consider granting approval for Dr. Valeros to commence practice in Ohio unless all of the following minimum requirements have been met:
 - a. Dr. Valeros shall hold a current certificate to practice medicine and surgery in the State of Ohio.
 - b. Dr. Valeros shall notify the Board in writing that he intends to commence practice in Ohio.

- c. Dr. Valeros shall provide documentation acceptable to the Board that he has fully complied with the California Order that became effective on September 29, 2000.
- d. Dr. Valeros shall enter into a written consent agreement with the Board. The consent agreement shall include probationary terms, conditions, and limitations, as determined by the Board.

This Order shall become effective immediately upon the mailing of notification of approval by the Board.

(SEAL)

Anand G. Garg, M.D. /TAD
Anand G. Garg, M.D.
Secretary

AUGUST 8, 2001
Date

2001 JUN 20 A 10: 53

**REPORT AND RECOMMENDATION
IN THE MATTER OF QUIRINO B. VALEROS, M.D.**

The Matter of Quirino B. Valeros, M.D., was heard by Daniel Roberts, Attorney Hearing Examiner for the State Medical Board of Ohio, on May 23, 2001.

INTRODUCTION

I. Basis for Hearing

A. By letter dated March 14, 2001, the State Medical Board of Ohio [Board] notified Quirino B. Valeros, M.D., that it had proposed to take disciplinary action against his certificate to practice medicine and surgery in this state. The Board based its proposed action on allegations that Dr. Valeros had been disciplined by the Arizona Board of Medical Examiners [Arizona Board] and the Medical Board of California [California Board]. Specifically the Board alleged that:

1. On or about September 22, 1999, Dr. Valeros entered into a Consent Agreement to a Letter of Reprimand & Order of Probation [Arizona Order] with the Arizona Board, for his failure to adequately assess the symptoms of "cardiac ischemis". The Arizona Board placed Dr. Valeros on probation for one year with the condition that he obtain, in addition to the twenty Continuing Medical Education [CME] hours required for licensure renewal, forty hours of Arizona Board approved CME in the evaluation and treatment of cardiovascular disease in an outpatient setting.
2. On or about August 30, 2000, the California Board issued a Decision adopting an attached Stipulated Settlement and Disciplinary Order as the Decision and Order of the California Board [California Order]. The California Board Accusation, filed May 24, 2000, had been based on the Arizona Order.

In the California Order, Dr. Valeros stipulated and agreed to a Public Reprimand and was required to comply with all terms and conditions of the Arizona Order. Dr. Valeros further agreed that he would not practice medicine in California until the Arizona Board had removed all restrictions.

The Board alleged that the Arizona and California Orders, individually and/or collectively, constitute "[a]ny of the following actions taken by the state agency responsible for regulating the practice of medicine and surgery, osteopathic medicine and surgery, podiatry, or the limited branches of medicine in another

state, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand,' as that clause is used in Section 4731.22(B)(22), Ohio Revised Code."

Accordingly, the Board advised Dr. Valeros of his right to request a hearing in this matter. (State's Exhibit 1A)

- B. On April 12, 2001, Dr. Valeros submitted a written hearing request. (State's Exhibit 1B)

II. Appearances

- A. On behalf of the State of Ohio: Betty D. Montgomery, Attorney General, by Rebecca J. Albers, Assistant Attorney General.
- B. On behalf of the Respondent: Having been advised of his right to appear in person and/or be represented by counsel, Dr. Valeros elected to submit his position and evidence in writing.

EVIDENCE EXAMINED

I. Testimony Heard

None

II. Exhibits Examined

A. Presented by the State

1. State's Exhibits 1A-1F: Procedural exhibits.
2. State's Exhibit 2: Certified copies of Arizona Board documents including September 22, 1999, Consent Agreement To Letter of Reprimand & Order of Probation between Quirino B. Valeros, M.D., and the Arizona Board; and October 4, 2000, letter to Dr. Valeros from the Arizona Board confirming his "total compliance" with the Arizona Board Order and termination of his Arizona probation.

3. State's Exhibit 3: Certified copy of August 30, 2000, Decision of the California Board adopting a Stipulated Settlement and Disciplinary Order in the Matter of the Accusation Against: Quirino Bello Valeros, M.D.

B. Presented by the Respondent

Respondent's Exhibit A: Copy of March 31, 2001 letter from Dr. Valeros to the Board with the following attachments:

- a. Copy of October 4, 2000, letter to Dr. Valeros from the Arizona Board contained in State's Exhibit 2.
- b. Copy of October 5, 2000 CME Log for Dr. Valeros.
- c. Copy of Dr. Valeros' current license Arizona license.
- d. Copy of Dr. Valeros' current California license.
- e. Copy of July 23, 1999, letter to the Arizona Board from A. Craig Blakey, II, Esq., summarizing Dr. Valeros' position in regards to the investigation of his treatment of Patient B.B.

SUMMARY OF THE EVIDENCE

All exhibits and transcripts of testimony, even if not specifically mentioned, were thoroughly reviewed and considered by the Hearing Examiner prior to preparing this Report and Recommendation.

The Arizona Action

1. On September 22, 1999, the Arizona State Board of Medical Examiners [Arizona Board] entered an Order affirming a Consent Agreement To Letter Of Reprimand & Order of Probation In the Matter of Quirino Valeros, M.D. [Arizona Order]. The Arizona Board Findings of Fact were:
 1. The Board is the duly constituted authority for the regulation and control of the practice of medicine in the State of Arizona.
 2. Dr. Valeros is the holder of license No. 9962 for the practice of medicine in the State of Arizona.
 3. The parties mutually waive any other findings of fact.

The Arizona Order contains no other information about Dr. Valero's conduct except for the single sentence fragment that Dr. Valeros had failed to "adequately assess the symptoms of cardiac ischemis." (State's Exhibit [St. Ex.] 2)

The Arizona Board placed Dr. Valeros on probation for one year and ordered that he obtain forty hours of Arizona Board approved Continuing Medical Education [CME] in the evaluation and treatment of cardiovascular disease in an outpatient setting within one year. It noted that these hours would be in addition to the twenty hours normally required to retain an Arizona medical license. (St.Ex. 2)

By letter to Dr. Valeros, dated October 4, 2000, the Arizona Board confirmed that Dr. Valeros had complied with all of the terms of the Arizona Order and that his probation had been terminated effective September 22, 2000. (St.Ex. 2)

The California Action

2. On August 30, 2000, The Division of Medical Quality of the Medical Board of California [California Board] entered a Decision effective September 20, 2000, adopting a July 26, 2000, Stipulated Settlement and Disciplinary Order in the Matter of the Accusation Against: Quirino Bello Valeros, M.D. [California Order]. The California Board ordered that Dr. Valeros receive a Public Reprimand and comply with the Arizona Order. The California Board further ordered that Dr. Valeros not resume practice in California prior to demonstrating that all restrictions had been removed from his Arizona License and receiving permission from the California Board. The California Board also required Dr. Valeros to pay five hundred dollars for the costs of investigation and prosecution. The California Order was based on the Arizona Order. (St. Ex. 3)

The Underlying Conduct

3. By letter dated March 31, 2001, Dr. Valeros addressed the Board. Dr. Valeros provided a brief synopsis of the events leading to the Arizona and California Orders, and enclosed documentation which supported his contention that he had completed the requirements of the California and Arizona Orders. He also included a statement of the underlying facts that had been prepared by his counsel and submitted to the Arizona Board on July 23, 1999. By letter dated April 12, 2001, Dr. Valeros requested that the Board consider his March 31, 2001, letter and attached materials in evaluating this matter. The written statements of Dr. Valeros and his legal counsel have not been subject to cross-examination by the State. (Respondent's Exhibit [Resp. Ex.] A; St. Ex. 1B)

Dr. Valeros stated as follows in his written defense:

Dr. Valeros first saw Patient B.B. on February 8, 1994. His impression had been hypertension, degenerative arthritis of the cervical and lumbar spines and

fibromyalgia. On February 28, 1994, Dr. Bouchier at Mesa General Hospital who diagnosed non-cardiac chest pain and released him saw Patient B.B. (Resp. Ex. A)

Dr. Valeros again examined Patient B.B. on March 4, 1994. He noted that the patient's blood pressure was 130/80, his cardiac rhythm was normal, no murmurs were detected, and his lungs were clear. However, because the patient's complaints included sternal chest pain that radiated into his neck and jaw, Dr. Valeros obtained an electrocardiogram [EKG], which was "unremarkable." These results were the same as those from an EKG performed at Mesa General Hospital on February 28, 1994. Noting that the patient's right bundle branch block, absence of shortness of breath, and history of fibromyalgia and arthritis did not suggest an impending myocardial infarction, Dr. Valeros concluded that the patient was not experiencing acute cardiac problems. (Resp. Ex. A)

Dr. Valeros ordered a chest x-ray to determine if there had been an enlargement of the heart or other possible pulmonary illness. He advised the patient to return immediately after the chest x-ray. However, the patient instead consulted Ralph Wilson, M.D., an orthopedist, who diagnosed the patient's complaints as sternoclavicular muscular pain and fibromyalgia and who did not observe a cardiac problem. (Resp. Ex. A)

During testimony in a subsequent lawsuit, relatives of Patient B.B. stated that he had returned to Dr. Valeros' office on March 28, 1994, complaining of chest pain. The family members explained that Dr. Valeros had not seen Patient B.B. Instead Dr. Valeros' nursing staff had instructed him to go immediately to a hospital emergency department. However, he refused to go to the hospital, despite the urging of family members. Patient B.B. returned home where, later in the evening, he suffered an acute myocardial infarction and was transported via ambulance to Valley Lutheran Hospital. Dr. Valeros' counsel states that the medical records from Valley Lutheran show evidence of a mild heart attack, with excellent blood flow in two of three arteries and no cardiac ischemia. (Resp. Ex. A)

Patient B.B. subsequently developed vascular insufficiency of his lower extremities, resulting in below the knee amputations. Patient B.B. was transferred to a nursing home for rehabilitation. He later suffered a second myocardial infarction and passed away. (Resp. Ex. A)

Dr. Valeros' Argument to the Arizona Board

4. Dr. Valeros' argued to the Arizona Board that he had not been negligent in failing to diagnose a myocardial infarction. However, he did concede that there were some shortcomings in his practice. Dr. Valeros explained that he had already taken action to address the shortcomings. Dr. Valeros admitted to the Arizona Board that he should have

requested Patient B.B.'s medical records from Mesa General Hospital. However, he also stated that those records would not have changed his diagnosis or treatment plan. He noted that he had intended to conduct additional tests. However, Patient B.B. had not returned as instructed for additional testing and evaluation. Dr. Valeros addressed a number of additional concerns involving his record keeping. However, the Arizona Board did not refer to these issues in describing its basis for disciplining Dr. Valeros. (Resp. Ex. A)

Dr. Valeros asserted that he had not been negligent in his treatment of Patient B.B. and that this viewpoint was supported by the fact that two other physicians who had examined Patient B.B. in the same period of time had also failed to identify acute cardiac difficulties. (Resp. Ex. A)

FINDINGS OF FACT

1. On September 22, 1999, Quirino B. Valeros, M.D., entered into a Consent Agreement to Letter of Reprimand & Order of Probation with the Arizona Board of Medical Examiners, for his failure to "adequately assess the symptoms of cardiac ischemis." The Arizona Board placed Dr. Valeros on probation for one year with the conditions that he obtain, in addition to the twenty CME hours required for licensure renewal, forty hours of Arizona Board approved CME in the evaluation and treatment of cardiovascular disease in an outpatient setting.
2. On August 30, 2000, the Division of Medical Quality of the Medical Board of California issued a Decision adopting an attached Stipulated Settlement and Disciplinary Order as the Decision and Order of the California Board. The California Board Accusation, filed May 24, 2000, had been based upon the Arizona Board Order.

Dr. Valeros stipulated and agreed to a Public Reprimand. The California Board required Dr. Valeros to comply with all terms and conditions of the Arizona Board Order and that he not practice medicine in California until the Arizona Board had removed all restrictions and he had received specific permission from the California Board to resume practice in California.

CONCLUSIONS OF LAW

1. The Arizona Board Consent Agreement to Letter of Reprimand & Order of Probation, concerning Quirino B. Valeros, M.D., constitutes "[a]ny of the following actions taken by the state agency responsible for regulating the practice of medicine and surgery, osteopathic medicine and surgery, podiatry, or the limited branches of medicine in another state, for any reason other than the nonpayment of fees: the limitation, revocation, or

suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand," as that clause is used in Section 4731.22(B)(22), Ohio Revised Code.

2. The Decision the Division of Medical Quality of the Medical Board of California In the Matter of the Accusation Against: Quirino Bello Valeros, constitutes "[a]ny of the following actions taken by the state agency responsible for regulating the practice of medicine and surgery, osteopathic medicine and surgery, podiatry, or the limited branches of medicine in another state, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand," as that clause is used in Section 4731.22(B)(22), Ohio Revised Code.

PROPOSED ORDER

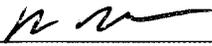
It is hereby ORDERED that:

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1. Dr. Valeros shall not commence practice in Ohio without prior Board approval.
2. The Board shall not consider granting approval for Dr. Valeros to commence practice in Ohio unless all of the following minimum requirements have been met:
 - a. Dr. Valeros shall hold a current certificate to practice medicine and surgery in the State of Ohio.
 - b. Dr. Valeros shall notify the Board in writing that he intends to commence practice in Ohio.
 - c. Dr. Valeros shall provide documentation acceptable to the Board that he has fully complied with the California Order that became effective on September 29, 2000.
 - d. Dr. Valeros shall enter into a written consent agreement with the Board. The consent agreement shall include probationary terms, conditions, and limitations, as determined by the Board.

Report and Recommendation
In the Matter of Quirino B. Valeros, M.D.
Page 8

This Order shall become effective immediately upon the mailing of notification of approval by the Board.



Daniel Roberts
Attorney Hearing Examiner



State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: www.state.oh.us/med/

EXCERPT FROM THE DRAFT MINUTES OF AUGUST 8, 2001

REPORTS AND RECOMMENDATIONS

Dr. Bhati announced that the Board would now consider the findings and orders appearing on the Board's agenda.

Dr. Bhati asked whether each member of the Board had received, read, and considered the hearing record, the proposed findings, conclusions, and orders, and any objections filed in the matter of Warrick Lee Barrett, M.D.; Christopher Chen, M.D.; Brian W. Davies, M.D.; Daniel X. Garcia, M.D.; Alan P. Skora, D.O.; Rezso Spruch, M.D.; Tom Reutti Starr, M.D.; Joseph A. Tore, M.D.; Quirino B. Valeros, M.D. and Dirk Gregory Wood, M.D. A roll call was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Talmage	- aye
	Dr. Somani	- aye
	Dr. Buchan	- aye
	Mr. Browning	- aye
	Ms. Sloan	- aye
	Dr. Agresta	- aye
	Dr. Steinbergh	- aye
	Dr. Bhati	- aye

Dr. Bhati asked whether each member of the Board understands that the disciplinary guidelines do not limit any sanction to be imposed, and that the range of sanctions available in each matter runs from dismissal to permanent revocation. A roll call was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Talmage	- aye
	Dr. Somani	- aye
	Dr. Buchan	- aye
	Mr. Browning	- aye
	Ms. Sloan	- aye
	Dr. Agresta	- aye
	Dr. Steinbergh	- aye
	Dr. Bhati	- aye

Dr. Bhati noted that, in accordance with the provision in Section 4731.22(F)(2), Revised Code, specifying that no member of the Board who supervises the investigation of a case shall participate in further

adjudication of the case, the Secretary and Supervising Member must abstain from further participation in the adjudication of these matters.

Dr. Bhati stated that if there were no objections, the Chair would dispense with the reading of the proposed findings of fact, conclusions and orders in the above matters. No objections were voiced by Board members present.

The original Reports and Recommendations shall be maintained in the exhibits section of this Journal.

.....

QUIRINO B. VALEROS, M.D.

.....

DR. SOMANI MOVED TO APPROVE AND CONFIRM MR. ROBERTS' PROPOSED FINDINGS OF FACT, CONCLUSIONS, AND ORDER IN THE MATTER OF QUIRINO B. VALEROS, M.D. DR. TALMAGE SECONDED THE MOTION.

.....

A vote was taken on Dr. Somani's motion to approve and confirm:

Vote:	Mr. Albert	- abstain
	Dr. Talmage	- aye
	Dr. Somani	- aye
	Dr. Buchan	- aye
	Mr. Browning	- aye
	Ms. Sloan	- aye
	Dr. Agresta	- aye
	Dr. Steinbergh	- aye
	Dr. Bhati	- aye

The motion carried.



State Medical Board of Ohio

77 S. High Street, 17th Floor • Columbus, Ohio 43266-0315 • 614/466-3934 • Website: www.state.oh.us/med/

March 14, 2001

Quirino B. Valeros, M.D.
2104 E. Enid
Mesa, Arizona 85204

Dear Doctor Valeros:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio intends to determine whether or not to limit, revoke, permanently revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery, or to reprimand or place you on probation for one or more of the following reasons:

- (1) On or about September 20, 1999, you entered into a Consent Agreement to Letter of Reprimand & Order of Probation with the Arizona Board of Medical Examiners (hereinafter the "Arizona Board"), for your failure to adequately assess the symptoms of cardiac ischemis. The Arizona Board placed you on probation for one (1) year with the conditions that you obtain, in addition to the twenty (20) Continuing Medical Education (CME) hours required for licensure renewal, forty (40) hours of Board approved CME in the evaluation and treatment of cardiovascular disease in an outpatient setting.

A Copy of the Arizona Board Consent Agreement to Letter of Reprimand & Order of Probation is attached hereto and incorporated herein.

- (2) On or about August 30, 2000, the Medical Board of California (hereinafter the "California Board") issued a Decision adopting the attached Stipulated Settlement and Disciplinary Order as the Decision and Order of the California Board. The California Board Accusation (Exhibit A to the above Order), filed May 24, 2000, was based upon the Arizona Board Order in paragraph (1) above.

In the California Board Decision and Order, you stipulated and agreed to a Public Reprimand for the above discipline by the Arizona Board, and you were required to comply with all terms and conditions of the Arizona Board Order. You further agreed that you shall not practice medicine in California until all restrictions had been removed by the Arizona Board.

Mailed 3-15-01

A copy of the California Board Decision, Stipulated Settlement and Disciplinary Order is attached hereto and fully incorporated herein.

The Arizona Board Consent Agreement to Letter of Reprimand & Order of Probation in paragraph (1) above, individually and/or collectively, constitutes “[a]ny of the following actions taken by the state agency responsible for regulating the practice of medicine and surgery, osteopathic medicine and surgery, podiatry, or the limited branches of medicine in another state, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual’s license to practice; acceptance of an individual’s license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand,” as that clause is used in Section 4731.22(B)(22), Ohio Revised Code.

The California Board Decision in paragraph (2) above, individually and/or collectively, constitutes “[a]ny of the following actions taken by the state agency responsible for regulating the practice of medicine and surgery, osteopathic medicine and surgery, podiatry, or the limited branches of medicine in another state, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual’s license to practice; acceptance of an individual’s license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand,” as that clause is used in Section 4731.22(B)(22), Ohio Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, the request must be made in writing and must be received in the offices of the State Medical Board within thirty (30) days of the time of mailing of this notice.

You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing received within thirty (30) days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, permanently revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation.

Please note that, whether or not you request a hearing, Section 4731.22(L), Ohio Revised Code, effective March 9, 1999, provides that “[w]hen the board refuses to grant a certificate to an applicant, revokes an individual’s certificate to practice, refuses to register an applicant, or refuses to reinstate an individual’s certificate to practice, the

Quirino B. Valeros, M.D.

Page 3

board may specify that its action is permanent. An individual subject to a permanent action taken by the board is forever thereafter ineligible to hold a certificate to practice and the board shall not accept an application for reinstatement of the certificate or for issuance of a new certificate.”

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Anand G. Garg, M.D.
Secretary

AGG/jag
Enclosures

CERTIFIED MAIL # 7000 0600 0024 5140 0852
RETURN RECEIPT REQUESTED

Adamsville Road
Florence, Arizona 85232

CERTIFIED MAIL # 7000 0600 0024 5140 0845
RETURN RECEIPT REQUESTED

BEFORE THE BOARD OF MEDICAL EXAMINERS

OCT 30 2000

IN THE STATE OF ARIZONA

In the Matter of

QUIRINO VALEROS, M.D.

Holder of License No. 9962
For the Practice of Medicine
In the State of Arizona.

INVESTIGATION NO. 12109

**CONSENT AGREEMENT
TO LETTER OF REPRIMAND
& ORDER OF PROBATION**

IT IS HEREBY AGREED by and between Quirino Valeros, M.D. and the Board of Medical Examiners (Board), that the accompanying Order be entered in the above-entitled matter and be effective as of the date issued. Dr. Valeros acknowledges that any violation of this Order constitutes unprofessional conduct within A.R.S. § 32-1401(25)(r), and may result in disciplinary action pursuant to A.R.S. § 32-1451. Furthermore, by signing this Consent Agreement, Dr. Valeros waives and relinquishes any right to appeal from or challenge this Consent Agreement by filing any type of administrative or judicial review of this Order.


QUIRINO VALEROS, M.D.

Dated: 9/1/99

FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of medicine in the State of Arizona.
2. Dr. Valeros is the holder of License No. 9962 for the practice of medicine in the State of Arizona.
3. The parties mutually waive any other findings of fact.

CONCLUSIONS OF LAW

OCT 30 2000

1
2 1. The Board possesses jurisdiction over the subject matter hereof and over Dr.
3 Valeros.

4 2. Pursuant to A.R.S. § 32-1451(G) the Board may enter the following order.

5 ORDER

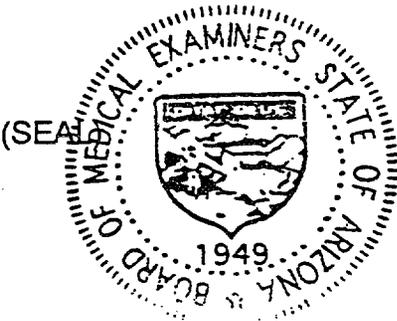
6 IT IS HEREBY ORDERED that Dr. Valeros is hereby issued a Letter of Reprimand
7 for failure to adequately assess the symptoms of cardiac ischemis and is placed on
8 probation for one (1) year with the following conditions:

9 1. Dr. Valeros shall obtain 40 hours of Board approved Continuing Medical
10 Education (CME) in the evaluation and treatment of cardiovascular disease in an
11 outpatient setting, within one year of the date of this Order. These CME hours shall be in
12 addition to the 20 hours required for license renewal.

13 2. The Board retains jurisdiction to take further action if Dr. Valeros fails to
14 comply with the terms and conditions of this Order.

15 DATED this 20 day of September, 1999.

16 BOARD OF MEDICAL EXAMINERS
17 OF THE STATE OF ARIZONA



22 By [Signature]
23 CLAUDIA FOUTZ
24 Executive Director

25 ORIGINAL of the foregoing filed this
22nd day of September, 1999 with:

The Arizona Board of Medical Examiners
1651 East Morten, Suite 210
Phoenix, AZ 85020

OCT 3 0 2000

1 EXECUTED COPY of the foregoing mailed by
2 Certified Mail this 22nd day of September 1999 to:

3 Quirino Valeros, M.D.
4 

5 EXECUTED COPY of the foregoing mailed
6 this 22nd day of September, 1999, to:

7 Craig Blakey, Esq.
8 Olson, Jantsch, Bakker & Blakey
9 P.O. Box 47250
10 Phoenix, AZ 85068-7250
11 Attorney for Dr. Valeros

12 EXECUTED COPY of the foregoing
13 hand-delivered this 22nd day of
14 September, 1999, to:

15 Marc Harris
16 Assistant Attorney General
17 The Arizona Board of Medical Examiners
18 1651 East Morten, Suite 210
19 Phoenix, AZ 85020

20 Christina Anderson

21 Board Operations
22
23
24
25

K

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

STATE MEDICAL BOARD
DEC 6 2000

In the Matter of the Accusation)
Against:)
)
)
QUIRINO BELLO VALEROS, M.D.)
)
Physician's and Surgeon's)
Certificate No. A-37269)
)
Respondent)
_____)

File No. 16-2000-107507

MEDICAL BOARD OF CALIFORNIA
I do hereby certify that
this document is true
and correct copy of the
original on file in this
office.

Kurt DeJorge 11/29/2000
SIGNED DATE

Asst. Custodian of Records
TITLE

DECISION

The attached Stipulated Settlement and Disciplinary Order has been adopted as the Decision and Order of the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on September 29, 2000.

IT IS SO ORDERED August 30, 2000.

MEDICAL BOARD OF CALIFORNIA

By: *Ira Lubell*
IRA LUBELL, M.D.
Chair, Panel A
Division of Medical Quality

1 BILL LOCKYER, Attorney General
of the State of California
2 GAIL M. HEPPELL, Supervising
Deputy Attorney General
3 FRED A. SLIMP II
Deputy Attorney General
4 1300 I Street, Suite 125
P. O. Box 944255
5 Sacramento, CA 94244-2550
Telephone: (916) 324-7861

6 Attorneys for Complainant
7

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

11 In the Matter of the Accusation)	Case No. 16-2000-107507
Against:)	
12 QUIRINO BELLO VALEROS, M.D.)	STIPULATED SETTLEMENT
13 2104 E. Enid Avenue)	AND
14 Mesa, AZ 85204)	DISCIPLINARY ORDER
15 Physician and Surgeon's)	
Certificate No. A-37269,)	
16 Respondent.)	

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

21 1. An Accusation in case number 16-2000-107507 was
22 filed with the Division of Medical Quality, of the Medical Board
23 of California Department of Consumer Affairs (the "Division") on
24 May 24, 2000, and is currently pending against Quirino Bello
25 Valeros, M.D. ("respondent").

26 2. The Accusation, together with all statutorily
27

1 required documents, was duly served on the respondent on or about
2 May 24, 2000, and respondent filed a Notice of Defense contesting
3 the Accusation. A copy of Accusation No. 16-2000-107507 is
4 attached as Exhibit "A" and hereby incorporated by reference as
5 if fully set forth.

6 3. The Complainant, Ronald Joseph, is the Executive
7 Director of the Medical Board of California and brought this
8 action solely in his official capacity. The Complainant is
9 represented by the Attorney General of California, Bill Lockyer,
10 by and through Deputy Attorney General Fred A. Slimp II.

11 4. The respondent is represented in this matter by
12 himself.

13 5. The respondent understands and is fully aware of
14 the charges contained in Accusation number 16-2000-107507, and
15 likewise understands and is fully aware of his legal rights and
16 the effects of this stipulation.

17 6. At all times relevant herein, respondent has been
18 licensed by the Medical Board of California under Physician and
19 Surgeon's Certificate No. A-37269.

20 7. Respondent understands the nature of the charges
21 alleged in the Accusation and that, if proven at hearing, the
22 charges and allegations would constitute cause for imposing
23 discipline upon his certificate. Respondent is fully aware of
24 his right to a hearing on the charges contained in the
25 Accusation, his right to confront and cross-examine witnesses
26 against him, his right to the use of subpoenas to compel the

27

1 attendance of witnesses and the production of documents in both
2 defense and mitigation of the charges, his right to
3 reconsideration, appeal and any and all other rights accorded by
4 the California Administrative Procedure Act and other applicable
5 laws. Respondent knowingly, voluntarily and irrevocably waives
6 and give up each of these rights.

7 8. Respondent admits the truth of each and every
8 allegation of the Accusation No. 16-2000-107507, and agrees that
9 respondent has thereby subjected his certificate to disciplinary
10 action pursuant to Bus. & Prof. Code section 141(a). Respondent
11 agrees to be bound by the Division's Disciplinary Order as set
12 forth below.

13 9. Based on the foregoing admissions and stipulated
14 matters, the parties agree that the Division shall, without
15 further notice or formal proceeding, issue and enter the
16 following order:

17
18 **DISCIPLINARY ORDER**

19 IT IS HEREBY ORDERED that:

20 1. **PUBLIC REPRIMAND** Respondent shall be, and hereby
21 is, publicly reprimanded for his discipline in the State of
22 Arizona as set forth in Accusation number 16-2000-107507.

23 2. **COMPLIANCE WITH ARIZONA DISCIPLINARY ORDER** Respondent
24 shall comply with all terms and conditions of the Consent
25 Agreement to Letter of Reprimand and Order of Probation from the
26 Arizona State Board of Medical Examiners in Investigation no.

27

1 12109 dated September 20, 1999, and shall not practice medicine
2 in the State of California until he has shown the Division in
3 writing that all restrictions have been removed from his Arizona
4 medical license and has received permission from the Division to
5 resume practice in California.

6 3. COSTS OF INVESTIGATION AND PROSECUTION The respondent is
7 hereby ordered to reimburse the Division the amount of five
8 hundred dollars (\$500) within ninety (90) days of the effective
9 date of this decision for its investigative and prosecution
10 costs.

11 4. VIOLATION OF DISCIPLINARY ORDER Failure by respondent
12 to timely comply with or violation of any term or provision of
13 this stipulation shall constitute a violation of the disciplinary
14 order, unprofessional conduct within the meaning of the
15 California Medical Practice Act, Bus. & Prof. Code § 2000, et
16 seq., and shall permit the Division to impose such other, further
17 or additional discipline as to it shall appear just or proper
18 after any hearing required by law.

19 CONTINGENCY

20 This stipulation shall be subject to the approval of
21 the Division. Respondent understands and agrees that Board staff
22 and counsel for complainant may communicate directly with the
23 Division regarding this stipulation and settlement without notice
24 to or participation by respondent. If the Division fails to
25 adopt this stipulation as its Order, the stipulation shall be of
26 no force or effect, it shall be inadmissible in any legal action

27

1 between the parties, and the Division shall not be disqualified
2 from further action in this matter by virtue of its consideration
3 of this stipulation. After respondent has executed this
4 stipulation, he shall not be permitted to withdraw from it.

5 ACCEPTANCE

6 I have read the above Stipulated Settlement and
7 Disciplinary Order. I understand and am fully aware of the terms
8 and conditions and other matters contained therein, as well as
9 the effect this Stipulated Settlement and Disciplinary Order will
10 have on my certificate, and agree to be bound thereby. I enter
11 this stipulation freely, knowingly, intelligently and
12 voluntarily.

13 DATED: 7/22/02

14 
15 QUIRINO BELLO VALEROS, M.D.
16 Respondent

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for the consideration of the Division of Medical Quality, Medical Board of California, Department of Consumer Affairs.

DATED: 7/26/2000

BILL LOCKYER, Attorney General
of the State of California



FRED A. SLIMP II
Deputy Attorney General

Attorneys for Complainant

1 Quirino Bello Valeros, M.D. (hereinafter "respondent"). At all
2 times pertinent to the matters at issue herein said certificate
3 was in full force and effect. Unless otherwise renewed, the
4 certificate will expire on October 31, 2000.

5 JURISDICTION

6 3. This accusation is brought before the Division of
7 Medical Quality of the Medical Board of California, Department of
8 Consumer Affairs (hereinafter the "Division"), under the
9 authority of the following sections of the California Business
10 and Professions Code (hereinafter "Code") and/or other relevant
11 statutory enactment:

12 A. Section 2227 of the Code provides that the Board
13 may revoke, suspend for a period not to exceed one year, or
14 place on probation, the license of any licensee who has been
15 found guilty under the Medical Practice Act, and may recover
16 the costs of probation monitoring if probation is imposed.

17 B. Section 125.3 of the Code provides in part that
18 the Board may request the administrative law judge to direct
19 any licentiate found to have committed a violation or
20 violations of the licensing act to pay the Board a sum not
21 to exceed the reasonable costs of the investigation and
22 enforcement of the case.

23 C. Section 141(a) of the Code provides that a
24 disciplinary action taken by another state, by an agency of
25 the federal government, or by another country for any act
26 substantially related to the practice of medicine against a
27 holder of a California physician's and surgeon's certificate

1 is subject to discipline.

2 D. Section 14124.12(a) of the Welfare & Institutions
3 Code provides in pertinent part that upon written notice of
4 the Medical Board of California that a physician and
5 surgeon's medical license has been placed on probation as a
6 result of a disciplinary action, no Medi-Cal claim for the
7 type of surgical service or invasive procedure giving rise
8 to the probationary order and performed on or after the
9 effective date of said probationary order or during the
10 period of probation shall be reimbursed, except upon a prior
11 determination that compelling circumstances warrant the
12 continuance of reimbursement during the probationary period
13 for procedures other than those giving rise to the
14 probationary order.

15 4. Respondent is subject to discipline within the
16 meaning of Code section 141(a) as more particularly set forth
17 hereinbelow.

18 FIRST CAUSE FOR DISCIPLINE
19 (Out-of-State Discipline)
[Bus. & Prof. Code § 141(a)]

20 5. On or about September 20, 1999, the Arizona State
21 Board of Medical Examiners entered its Order in Investigation No.
22 12109 whereby respondent was issued a letter of reprimand and
23 placed on probation for one (1) year with terms and conditions
24 for failure to adequately assess the symptoms of cardiac
25 ischemia. (See Attachment "A" hereto.)

26 6. Respondent's conduct and the disciplinary action
27 of the Arizona State Board of Medical Examiners as set forth in

1 paragraph 5, above, constitute conduct subject to discipline
2 within the meaning of Code section 141(a).

3 **PRAYER**

4 **WHEREFORE** complainant requests that a hearing be held
5 on the matters herein alleged and that, following the hearing,
6 the Division issue a decision:

7 1. Revoking or suspending physician and surgeon's
8 certificate number A-37269 heretofore issued to respondent
9 Quirino Bello Valeros, M.D.;

10 2. Revoking, suspending or denying approval of
11 respondent's authority to supervise physician assistants pursuant
12 to Code section 3527;

13 3. Ordering respondent to pay the Division the actual
14 and reasonable costs of the investigation and enforcement of this
15 case and the costs of probation monitoring if probation is
16 imposed; and

17 4. Taking such other and further action as the
18 Division may deem necessary or proper.

19 DATED: May 24, 2000.

20 

21 _____
22 Ronald Joseph
23 Executive Director
24 Medical Board of California
25 Department of Consumer Affairs
26 State of California

27 Complainant

forms\accuse [115 rev]

ATTACHMENT "A"

Jane Dee Hull
Governor

Claudia Foutz
Executive Director

Tom Adams
Assistant Director, Regulation

Donna Linkous
Assistant Director, Licensing/Operations



Arizona State Board of Medical Examiners

1651 East Morten, Suite 210 • Phoenix, Arizona 85020

Home Page: <http://www.docboard.org>

Telephone (602) 674-2700 • Fax (602) 255-1848 • In-State Toll Free (877) 255-2212

Ram R. Krishna, M.D.
Chairman

Tim B. Hunter, M.D.
Vice Chairman

Patrick Connell, M.D.
Secretary

March 22, 2000

Medical Board of California
Discipline Coordination Unit
Attn: April Rohde
1426 Howe Avenue, Suite 54
Sacramento, CA 95825-3236

Re: Quirino Valeros, M.D.

Dear Ms. Rohde:

I, Tom Adams, Assistant Director, Regulation of the Board of Medical Examiners of the State of Arizona, hereby certify that the annexed documents to wit:

**Consent Agreement to Letter of Reprimand & Order of Probation
Dated 09/20/99**

are true copies of the original document as they appear on the records and in the files of this Board in the Matter of Quirino Valeros, M.D., Holder of License No. 9962 For the Practice of Medicine in the State of Arizona.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the seal of the Board of Medical Examiners of the State of Arizona to be affixed, the day and year first above written.

Tom Adams
Assistant Director, Regulation

[SEAL]

1 CONCLUSIONS OF LAW

2 1. The Board possesses jurisdiction over the subject matter hereof and over Dr.
3 Valeros.

4 2. Pursuant to A.R.S. § 32-1451(G) the Board may enter the following order.

5 ORDER

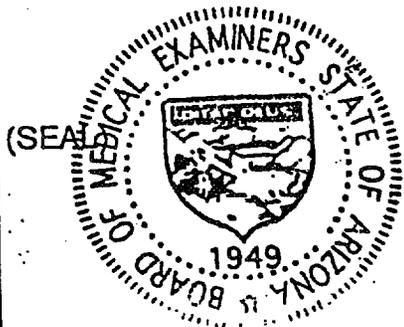
6 IT IS HEREBY ORDERED that Dr. Valeros is hereby issued a Letter of Reprimand
7 for failure to adequately assess the symptoms of cardiac ischemis and is placed on
8 probation for one (1) year with the following conditions:

9 1. Dr. Valeros shall obtain 40 hours of Board approved Continuing Medical
10 Education (CME) in the evaluation and treatment of cardiovascular disease in an
11 outpatient setting, within one year of the date of this Order. These CME hours shall be in
12 addition to the 20 hours required for license renewal.

13 2. The Board retains jurisdiction to take further action if Dr. Valeros fails to
14 comply with the terms and conditions of this Order.

15 DATED this 20 day of September, 1999.

16 BOARD OF MEDICAL EXAMINERS
17 OF THE STATE OF ARIZONA



22 By T. Foutz
23 for CLAUDIA FOUTZ
24 Executive Director

25 ORIGINAL of the foregoing filed this
22nd day of September, 1999 with:

The Arizona Board of Medical Examiners
1651 East Morten, Suite 210
Phoenix, AZ 85020

1 EXECUTED COPY of the foregoing mailed by
2 Certified Mail this 22nd day of September 1999 to:

3 Quirino Valeros, M.D.
4 

5 EXECUTED COPY of the foregoing mailed
6 this 22nd day of September, 1999, to:

7 Craig Blakey, Esq.
8 Olson, Jantsch, Bakker & Blakey
9 P.O. Box 47250
10 Phoenix, AZ 85068-7250
11 Attorney for Dr. Valeros

12 EXECUTED COPY of the foregoing
13 hand-delivered this 22nd day of
14 September, 1999, to:

15 Marc Harris
16 Assistant Attorney General
17 The Arizona Board of Medical Examiners
18 1651 East Morten, Suite 210
19 Phoenix, AZ 85020

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