

CONSENT AGREEMENT  
BETWEEN  
ELMER F. DILTZ, SR., D.O.  
AND  
THE STATE MEDICAL BOARD OF OHIO

THIS CONSENT AGREEMENT is entered into by and between ELMER F. DILTZ, SR., D.O., and THE STATE MEDICAL BOARD OF OHIO, a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

'87 AUG -6 P7:49

ELMER F. DILTZ, SR., D.O., has been duly licensed to practice Osteopathic Medicine and Surgery in the State of Ohio, and no disciplinary action has been taken against his license.

ELMER F. DILTZ, SR., D.O., enters into this Agreement being fully informed of his rights under Chapter 119., Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudicative hearing on the issues included herein.

This Consent Agreement is entered into on the basis of the following stipulations and understandings:

1. The State Medical Board of Ohio has requested that Dr. Diltz enter into this Agreement for reasons of disability.

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, ELMER F. DILTZ, SR., D.O., knowingly and voluntarily agrees with THE STATE MEDICAL BOARD OF OHIO (hereinafter BOARD) to the following terms, conditions and limitations:

1. DOCTOR DILTZ shall, effective immediately, retire from the practice of medicine as evidenced by the Voluntary Retirement which is attached hereto and fully incorporated herein.
2. Accordingly, DOCTOR DILTZ is no longer permitted to engage in the active practice of osteopathic medicine and surgery in any form or manner in the State of Ohio.
3. DOCTOR DILTZ shall be considered licensed for purposes of eligibility for Continuing Medical Education and membership in professional societies.
4. DOCTOR DILTZ is permitted and authorized to maintain his positions as Police and Fire Surgeon for the City of Whitehall, Ohio, Civil Service Commission and a Member of the City of Whitehall, Ohio Paramedical Advisory Board. This is with the understanding that he is not permitted to practice osteopathic medicine and surgery in any form or manner regarding those positions with the City of Whitehall, Ohio.

*ELMER*

Further, ~~EDWARD~~ ELMER F. DILTZ, SR., D.O., agrees to supply the STATE MEDICAL BOARD OF OHIO with documents from the City of Whitehall, Ohio confirming these restrictions.

5. Upon renewal of his certificate to practice osteopathic medicine and surgery, DOCTOR DILTZ shall meet all of the requirements of Section 4731.281, Ohio Revised Code, including those relating to Continuing Medical Education.
6. The above described terms, limitations, and conditions may be amended or terminated in writing upon the agreement of both parties. No request for amendment or termination shall be considered by the Board prior to August 1, 1988. Upon the request of either party, the BOARD shall schedule an appearance by DOCTOR DILTZ before the BOARD at its formal meeting to discuss the appropriateness of modifying or terminating the above stated terms and conditions. At the time DOCTOR DILTZ requests amendment or termination of these terms, he shall present evidence satisfactory to the Board demonstrating his

87 MR-6 P2:48  
MEDICAL BOARD OF OHIO

current ability to practice. Such required demonstration may include:

- A) Submission to and passing of Component 2 of the Federation Licensing Examination (FLEX), or such other examination as the Board finds acceptable.
- B) Submission to a physical and/or mental examination as directed by the Board.

ELMER F. DILTZ, SR., D.O., hereby releases the STATE MEDICAL BOARD, its Members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

If, in the discretion of the Secretary of the STATE MEDICAL BOARD OF OHIO, ELMER F. DILTZ, SR., D.O., appears to have violated or breached any terms or conditions of this Agreement, the STATE MEDICAL BOARD OF OHIO reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this Agreement.

Any action initiated by the BOARD based on alleged violations of this Consent Agreement shall comply with the Administrative Procedure Act, Chapter 119., Ohio Revised Code.

It is AGREED and UNDERSTOOD by and between both parties that this CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code.

The terms and conditions of this Agreement shall become effective immediately upon the parties' signature hereto.

Elmer F. Diltz, Sr., D.O.  
ELMER F. DILTZ, SR., D.O.

Henry G. Cramblett  
HENRY G. CRAMBLETT, M.D.  
Secretary

August 3, 1987  
DATE

8/17/87  
DATE

Stephen J. Vergamini  
STEPHEN J. VERGAMINI, ESQ.

William W. Johnston  
WILLIAM W. JOHNSTON, ESQ.  
Supervising Member

August 3, 1987  
DATE

10 Aug 87  
DATE

Christopher M. Culley  
CHRISTOPHER M. CULLEY, ESQ.  
Assistant Attorney General

F-7-17

87 AUG -6 P 2:48

OHIO  
MEDICAL BOARD

VOLUNTARY RETIREMENT  
FROM THE PRACTICE OF OSTEOPATHIC MEDICINE  
AND SURGERY

I, ELMER F. DILTZ, SR., D.O., am aware of my rights to representation by counsel, the right of being formally charged and having a formal adjudicative hearing, and do hereby freely execute this document and choose to take the actions described herein.

I, ELMER F. DILTZ, SR., D.O., do hereby voluntarily, knowingly, and intelligently retire from the practice of osteopathic medicine and surgery, because of my disability, effective May 22, 1987.

I understand that I am no longer permitted to practice osteopathic medicine and surgery in any form or manner in the State of Ohio.

Signed this 3<sup>RD</sup> day of AUGUST, 1987

in the office of STEPHEN J. VERGAMINI.

Elmer F. Diltz D.O.

Mary Lou Diltz  
WITNESS

Stephen J. Vergamini  
WITNESS

Sworn to and signed to me this 3<sup>RD</sup> Day of AUGUST  
1987.

Stephen J. Vergamini  
Notary Public

STEPHEN J. VERGAMINI, Attorney At Law  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION HAS NO EXPIRATION DATE  
SECTION 147.03 R.C.