

**CONSENT AGREEMENT
BETWEEN
SHIMON ZUCKERMAN, D.O.
AND
THE STATE MEDICAL BOARD OF OHIO**

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

SHIMON ZUCKERMAN, 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.

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

- A. THE STATE MEDICAL BOARD OF OHIO expressly reserves the right to institute formal proceedings based upon violations of Chapter 4731. of the Revised Code, whether occurring before or after the effective date of this Agreement.**
- B. SHIMON ZUCKERMAN, D.O. is licensed to practice medicine and surgery in the State of Ohio.**
- C. DOCTOR ZUCKERMAN has been diagnosed as suffering from left brachial neuralgia, degenerative disc disease of the cervical spine, recurrent bilateral occipital neuritis, and cervical strain and sprain. The nature of these injuries has prevented DOCTOR ZUCKERMAN from performing surgeries since October of 1985.**
- D. The BOARD does not find, and DOCTOR ZUCKERMAN does not admit, that this Consent Agreement is based on "...reasons relating to professional competency or professional conduct which affects or could adversely affect the health or welfare of a patient." Thus, this Agreement shall not be reported to the National Practitioner Data Bank.**

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth, SHIMON ZUCKERMAN, D.O. knowingly and voluntarily agrees with THE STATE MEDICAL BOARD OF OHIO, (hereinafter BOARD), to the following terms, conditions and limitations:

- 1. DOCTOR ZUCKERMAN agrees to limit his practice of oestopathic medicine and surgery to office practice and consultations and shall not perform any type of surgery without complying with paragraphs 2, 3, and 4 of this Consent Agreement;**

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- 2. Before undertaking the performance of surgeries DOCTOR ZUCKERMAN agrees to provide the BOARD with complete records of a physical examination performed by a physician approved in advance by the BOARD or its designated representative. Such examination shall state whether DOCTOR ZUCKERMAN is physically able to perform surgeries according to acceptable and prevailing standards of care;**

- 3. Upon resuming the performance of surgeries, DOCTOR ZUCKERMAN agrees to have his first five (5) surgeries supervised by a surgeon approved in advance by the BOARD or its designated representative in order to confirm that DOCTOR ZUCKERMAN is able to perform surgery according to acceptable and prevailing standards of care; and**

- 4. Upon resuming the performance of surgeries, DOCTOR ZUCKERMAN agrees to provide the BOARD for two (2) years, on an annual basis, with complete records of a physical examination performed by a physician approved by the BOARD or its designated representative. Such examination shall state whether DOCTOR ZUCKERMAN is physically able to perform surgeries according to acceptable and prevailing standards of care.**

The above described terms, limitations and conditions may be amended or terminated in writing at any time upon the agreement of both parties.

If, in the discretion of the Secretary of THE STATE MEDICAL BOARD OF OHIO, DOCTOR ZUCKERMAN 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.

DOCTOR ZUCKERMAN acknowledges that he has had an opportunity to ask questions concerning the terms of this Agreement and that all questions asked have been answered in a satisfactory manner.

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.

DOCTOR ZUCKERMAN hereby releases THE STATE MEDICAL BOARD OF OHIO, its Members, Employees, Agents, Officers and Representatives jointly and severally from any and all liability arising from the within matter.

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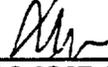
This Consent Agreement shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code, and shall become effective upon the last date of signature below.

Further, this Consent Agreement may be reported to appropriate organizations, data banks, and governmental bodies, except as specified in paragraph D above.


SHIMON ZUCKERMAN, D.O.
10/7/91
DATE


HENRY C. CRAMBLETT, M.D.
Secretary 10/17/91
DATE


CATHERINE M. BALLARD, ESQ.
Attorney for Shimon Zuckerman, D.O.
14 October 91
DATE


TIMOTHY S. JOST, ESQ.
Supervising Member
10/22/91
DATE


JOHN C. DOWLING, ESQ.
Assistant Attorney General
10/25/91
DATE

Rev. 10/89

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