

STATE MEDICAL BOARD

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**STATE OF OHIO  
THE STATE MEDICAL BOARD  
PERMANENT WITHDRAW OF APPLICATION FOR RESTORATION  
AND PERMANENT SURRENDER OF CERTIFICATE  
TO PRACTICE OSTEOPATHIC MEDICINE AND SURGERY**

I, Robert H. Chatfield, 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, Robert H. Chatfield, D.O., do hereby voluntarily, knowingly, and intelligently surrender my certificate to practice osteopathic medicine and surgery, License #34.002208, to the State Medical Board of Ohio [Board], thereby relinquishing all rights to practice osteopathic medicine and surgery in Ohio. Further, I acknowledge that I have not been legally authorized to practice osteopathic medicine or surgery since on or about June 9, 2004, the date upon which my license became inactive pursuant to the Findings, Order and Journal Entry issued by the Board that indefinitely suspended my license, but not less than ninety days.

I understand that as a result of the surrender herein I will no longer be permitted to practice osteopathic medicine and surgery in any form or manner in the State of Ohio in the future.

I agree that I shall be ineligible for, and shall not apply for, reinstatement or restoration of certificate to practice osteopathic medicine and surgery License #34.002208 or issuance of any other certificate pursuant to the authority of the State Medical Board of Ohio, on or after the date of signing this Surrender of Certificate to Practice Osteopathic Medicine and Surgery. Any such attempted reapplication shall be considered null and void and shall not be processed by the Board. Further, I request that my pending application for restoration of my certificate to practice osteopathic medicine and surgery in the State of Ohio, received by the Board on or about December 28, 2009, be permanently withdrawn.

I, Robert H. Chatfield, D.O., hereby release the Board, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

This document shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code. Further, this information may be reported to appropriate organizations, data banks and governmental bodies. I, Robert H. Chatfield, D.O., acknowledge that my social security number will be used if this information is so reported and agree to provide my social security number to the Board for such purposes.

Permanent Withdraw of Application for Restoration and  
Permanent Surrender of Certificate  
Robert H. Chatfield, D.O.

I stipulate and agree that I am taking the action described herein in lieu of formal disciplinary proceedings pursuant to Sections 4731.22(B)(5), (B)(20) and (B)(26), Ohio Revised Code, related to my failure to self-report relapses to the Board.

**EFFECTIVE DATE**

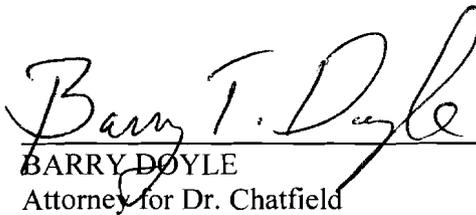
It is expressly understood that this Surrender of Certificate is subject to ratification by the Board prior to signature by the Secretary and Supervising Member and shall become effective upon the last date of signature below.

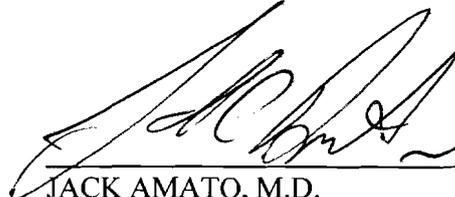
  
ROBERT H. CHATFIELD, D.O.

  
LANCE A. TALMAGE, M.D.  
Secretary

5/5/2010  
DATE

5-12-10  
DATE

  
BARRY DOYLE  
Attorney for Dr. Chatfield

  
JACK AMATO, M.D.  
Acting Supervising Member

5/3/10  
DATE

5/12/10  
DATE

  
MARCIE PASTRICK  
Enforcement Attorney

May 7, 2010  
DATE

STATE MEDICAL BOARD

2010 JULY -5 PM 2:08



# State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: [www.med.ohio.gov](http://www.med.ohio.gov)

June 9, 2004

Robert H. Chatfield, D.O.  
3319 Eloc Drive  
Swartz Creek, MI 48473

Dear Doctor Chatfield:

Please find enclosed a certified copy of the Findings, Order and Journal Entry approved and confirmed by the State Medical Board meeting in regular session on June 9, 2004.

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 of the Ohio Revised Code.

Very truly yours,

Lance A. Talmage, M.D.  
Secretary

LAT:jam  
Enclosures

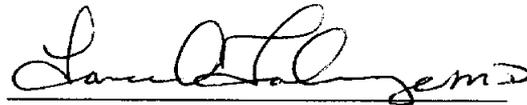
CERTIFIED MAIL RECEIPT NO. 7000 0600 0024 5150 2464  
RETURN RECEIPT REQUESTED

*Mailed 6/10/04*

CERTIFICATION

I hereby certify that the attached copy of the Findings, Order and Journal Entry approved by the State Medical Board, meeting in regular session on June 9, 2004, constitutes a true and complete copy of the Findings, Order and Journal Entry in the Matter of Robert H. Chatfield, D.O., as it appears in the Journal of the State Medical Board of Ohio.

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



Lance A. Talmage, M.D.  
Secretary

(SEAL)

June 9, 2004  
Date

**BEFORE THE STATE MEDICAL BOARD OF OHIO**

IN THE MATTER OF :  
:  
ROBERT H. CHATFIELD, D.O. :

**FINDINGS, ORDER AND JOURNAL ENTRY**

This matter came on for consideration before the State Medical Board of Ohio on June 9, 2004, pursuant to a Notice of Opportunity for Hearing issued to Christopher John Sherman, M.D., on December 10, 2003. No request for hearing having been received within the statutorily mandated time period, Hearing Examiner Siobhan R. Clovis, Esq., on behalf of the Board, reviewed and summarized evidence supporting the Notice, and prepared Proposed Findings and a Proposed Order.

WHEREFORE, having reviewed Ms. Clovis' Proposed Findings and Proposed Order, which is attached hereto and incorporated herein, the Board hereby finds that there is reliable, probative and substantial evidence to support the allegations as set forth in the December 10, 2003, Notice of Opportunity for Hearing.

Accordingly, it is hereby ORDERED that:

- A. **SUSPENSION OF CERTIFICATE:** The certificate of Robert H. Chatfield, D.O., to practice osteopathic medicine and surgery in the State of Ohio shall be **SUSPENDED** for an indefinite period of time, but not less than ninety days.
  
- B. **CONDITIONS FOR REINSTATEMENT OR RESTORATION:** The Board shall not consider reinstatement or restoration of Dr. Chatfield's certificate to practice osteopathic medicine and surgery until all of the following conditions have been met:
  - 1. **Application for Reinstatement or Restoration:** Dr. Chatfield shall submit an application for reinstatement or restoration, accompanied by appropriate fees, if any.
  
  - 2. **Certification of Compliance with the Order of the Michigan Board:** At the time he submits his application for reinstatement or restoration, Dr. Chatfield shall submit to the Board certification from the Michigan Board dated no earlier than sixty days prior to Dr. Chatfield's application for reinstatement or restoration, that Dr. Chatfield has maintained full compliance with the Order of the Michigan Board.

3. **Completion of Inpatient Treatment:** Dr. Chatfield shall complete a minimum of twenty-eight days of inpatient or residential treatment, or a combination thereof, for his chemical dependency. Such inpatient or residential treatment shall be completed without interruption. Further, such inpatient or residential treatment shall be provided in accordance with Rule 4731-16-08(A)(13), Ohio Administrative Code, by a treatment provider approved under Section 4731.25, Ohio Revised Code.

In addition, upon discharge from treatment, Dr. Chatfield shall enter into, and thereafter maintain compliance with, a post-discharge aftercare contract which complies with Rule 4731-16-10, Ohio Administrative Code, with a treatment provider approved under Section 4731.25, Ohio Revised Code, who has access to Dr. Chatfield's treatment records.

4. **Demonstration of Ability to Resume Practice:** Dr. Chatfield shall demonstrate to the satisfaction of the Board that he can resume practice in compliance with acceptable and prevailing standards of care under the provisions of his certificate. Such demonstration shall include but shall not be limited to the following:
  - a. Certification from a treatment provider approved under Section 4731.25 of the Revised Code that Dr. Chatfield has successfully completed any required inpatient treatment.
  - b. Evidence of continuing full compliance with a post-discharge aftercare contract with a treatment provider approved under Section 4731.25 of the Revised Code. Such evidence shall include, but not be limited to, a copy of the signed aftercare contract. The aftercare contract must comply with rule 4731-16-10 of the Administrative Code.
  - c. Evidence of continuing full compliance with this Order.
  - d. Two written reports indicating that Dr. Chatfield's ability to practice has been evaluated for chemical dependency and/or impairment and that he has been found capable of practicing according to acceptable and prevailing standards of care. The evaluations shall have been performed by individuals or providers approved by the Board for making such evaluations. Moreover, the evaluations shall have been performed within sixty days prior to Dr. Chatfield's application for reinstatement or restoration. The reports of evaluation shall describe with particularity the bases for the determination that Dr. Chatfield has been found capable of practicing according to acceptable and prevailing standards of care and shall include any recommended limitations upon his practice.
5. **Psychiatric Assessment:** Prior to submitting his application for reinstatement or restoration, Dr. Chatfield shall submit to the Board for its prior approval the name and curriculum vitae of a psychiatrist of Dr. Chatfield's choice.

Upon approval by the Board, Dr. Chatfield shall obtain from the approved psychiatrist an assessment of Dr. Chatfield's current psychiatric status. The assessment shall take place no more than sixty days prior to the submission of Dr. Chatfield's application for reinstatement, unless otherwise approved by the Board. Prior to the initial assessment, Dr. Chatfield shall furnish the approved psychiatrist copies of the Board's Order, including the Summary of the Evidence, the Findings, and any other documentation from the record which the Board may deem appropriate or helpful to that psychiatrist.

Upon completion of the initial assessment, Dr. Chatfield shall cause a written report to be submitted to the Board from the approved psychiatrist. The written report shall include:

- a. A detailed report of the evaluation of Dr. Chatfield's current psychiatric status and condition;
- b. A detailed plan of recommended psychiatric treatment, if any, based upon the psychiatrist's informed assessment of Dr. Chatfield's current needs; and
- c. Any reports upon which the treatment recommendation is based, including reports of physical examination and psychological or other testing.

6. **Psychiatric Reports Evidencing Fitness to Practice; Recommended Limitations:** At the time Dr. Chatfield submits his application for reinstatement or restoration, Dr. Chatfield shall provide the Board with written reports of evaluation by two psychiatrists acceptable to the Board indicating that Dr. Chatfield's ability to practice has been assessed and that he has been found capable of practicing in accordance with acceptable and prevailing standards of care. Such evaluations shall have been performed within sixty days prior to Dr. Chatfield's application for reinstatement or restoration. The reports of evaluation shall describe with particularity the bases for the determination that Dr. Chatfield has been found capable of practicing according to acceptable and prevailing standards of care and shall include any recommended limitations upon his practice.

7. **Additional Evidence of Fitness To Resume Practice:** In the event that Dr. Chatfield has not been engaged in the active practice of osteopathic medicine and surgery for a period in excess of two years prior to application for reinstatement or restoration, the Board may exercise its discretion under Section 4731.222 of the Revised Code to require additional evidence of his fitness to resume practice.

- C. **PROBATIONARY CONDITIONS:** Upon reinstatement or restoration, Dr. Chatfield's certificate shall be subject to the following PROBATIONARY terms, conditions, and limitations for a period of at least five years:
1. **Obey the Law:** Dr. Chatfield shall obey all federal, state, and local laws, and all rules governing the practice of osteopathic medicine and surgery in Ohio.
  2. **Personal Appearances:** Dr. Chatfield shall appear in person for an interview before the full Board or its designated representative during the third month following the month in which Dr. Chatfield's certificate is restored or reinstated. Subsequent personal appearances must occur every three months thereafter, and/or as otherwise requested by the Board. If an appearance is missed or is rescheduled for any reason, ensuing appearances shall be scheduled based on the appearance date as originally scheduled.
  3. **Quarterly Declarations:** Dr. Chatfield shall submit quarterly declarations under penalty of Board disciplinary action and/or criminal prosecution, stating whether there has been compliance with all the conditions of this Order. The first quarterly declaration must be received in the Board's offices on or before the first day of the third month following the month in which Dr. Chatfield's certificate is restored or reinstated. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.
  4. **Evidence of Compliance with the Order of the Michigan Board of Osteopathic Medicine and Surgery:** At the time he submits his quarterly declarations, Dr. Chatfield shall also submit declarations under penalty of Board disciplinary action or criminal prosecution stating whether he has complied with all the terms, conditions, and limitations imposed by the Michigan Board. Moreover, Dr. Chatfield shall cause to be submitted to the Board copies of any reports that he submits to the Michigan Board whenever the Michigan Board requires such submission.
  5. **Abstention from Drugs:** Dr. Chatfield shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of Dr. Chatfield's history of chemical dependency.
  6. **Abstention from Alcohol:** Dr. Chatfield shall abstain completely from the use of alcohol.
  7. **Comply with the Terms of Treatment and Aftercare Contract:** Dr. Chatfield shall maintain continued compliance with the terms of the treatment and aftercare contracts entered into with his treatment provider, provided that, where terms of the treatment and aftercare contract conflict with terms of this Order, the terms of this Order shall control.
  8. **Drug & Alcohol Screens; Supervising Physician:** Dr. Chatfield shall submit to random urine screenings for drugs and/or alcohol on a weekly basis or as otherwise directed by the Board. Dr. Chatfield shall ensure that all

screening reports are forwarded directly to the Board on a quarterly basis. The drug testing panel utilized must be acceptable to the Secretary of the Board.

Within thirty days of the effective date of the restoration or reinstatement of Dr. Chatfield's certificate, or as otherwise determined by the Board, Dr. Chatfield shall submit to the Board for its prior approval the name and curriculum vitae of a supervising physician to whom Dr. Chatfield shall submit the required specimens. In approving an individual to serve in this capacity, the Board will give preference to a physician who practices in the same locale as Dr. Chatfield. Dr. Chatfield and the supervising physician shall ensure that the urine specimens are obtained on a random basis and that the giving of the specimen is witnessed by a reliable person. In addition, the supervising physician shall assure that appropriate control over the specimen is maintained and shall immediately inform the Board of any positive screening results.

Dr. Chatfield shall ensure that the supervising physician provides quarterly reports to the Board, in a format acceptable to the Board as set forth in the materials provided by the Board to the supervising physician, verifying whether all urine screens have been conducted in compliance with this Order, whether all urine screens have been negative, and whether the supervising physician remains willing and able to continue in his or her responsibilities.

In the event that the designated supervising physician becomes unable or unwilling to so serve, Dr. Chatfield must immediately notify the Board in writing, and make arrangements acceptable to the Board for another supervising physician as soon as practicable. Dr. Chatfield shall further ensure that the previously designated supervising physician also notifies the Board directly of his or her inability to continue to serve and the reasons therefore.

All screening reports and supervising physician reports required under this paragraph must be received in the Board's offices no later than the due date for Dr. Chatfield's quarterly declaration. It is Dr. Chatfield's responsibility to ensure that reports are timely submitted.

9. **Submission of Blood or Urine Specimens upon Request:** Dr. Chatfield shall submit blood and urine specimens for analysis without prior notice at such times as the Board may request, at Dr. Chatfield's expense.
10. **Rehabilitation Program:** Dr. Chatfield shall maintain participation in an alcohol and drug rehabilitation program, such as A.A., N.A., C.A., or Caduceus, no less than three times per week, unless otherwise determined by the Board. Substitution of any other specific program must receive prior Board approval. Dr. Chatfield shall submit acceptable documentary evidence of continuing compliance with this program, which must be received in the Board's offices no later than the due date for Dr. Chatfield's quarterly declarations.

11. **Monitoring Physician:** Before engaging in any medical practice, Dr. Chatfield shall submit the name and curriculum vitae of a monitoring physician for prior written approval by the Secretary or Supervising Member of the Board. In approving an individual to serve in this capacity, the Secretary or Supervising Member will give preference to a physician who practices in the same locale as Dr. Chatfield and who is engaged in the same or similar practice specialty.

The monitoring physician shall monitor Dr. Chatfield and his medical practice, and shall review Dr. Chatfield's patient charts. The chart review may be done on a random basis, with the frequency and number of charts reviewed to be determined by the Board.

Further, the monitoring physician shall provide the Board with reports on the monitoring of Dr. Chatfield and his medical practice, and on the review of Dr. Chatfield's patient charts. Dr. Chatfield shall ensure that the reports are forwarded to the Board on a quarterly basis and are received in the Board's offices no later than the due date for Dr. Chatfield's quarterly declaration.

In the event that the designated monitoring physician becomes unable or unwilling to serve in this capacity, Dr. Chatfield must immediately so notify the Board in writing. In addition, Dr. Chatfield shall make arrangements acceptable to the Board for another monitoring physician within thirty days after the previously designated monitoring physician becomes unable or unwilling to serve, unless otherwise determined by the Board. Furthermore, Dr. Chatfield shall ensure that the previously designated monitoring physician also notifies the Board directly of his or her inability to continue to serve and the reasons therefore.

12. **Contact Impaired Physicians Committee:** Dr. Chatfield shall contact an appropriate impaired physicians committee, approved by the Board, to arrange for assistance in recovery or aftercare.
13. **Continue Psychiatric Treatment:** Dr. Chatfield shall continue to receive psychiatric treatment, if recommended prior to commencing practice in Ohio, with a psychiatrist approved by the Board, at such intervals as are deemed appropriate by the treating psychiatrist, but not less than once per month unless otherwise determined by the Board. The sessions shall be in person and may not be conducted by telephone or other electronic means.

Dr. Chatfield shall continue in psychiatric treatment until such time as the Board determines that no further treatment is necessary. To make this determination, the Board shall require quarterly reports from the approved treating psychiatrist. Dr. Chatfield shall ensure that psychiatric reports are forwarded by his treating psychiatrist to the Board on a quarterly basis, or as otherwise directed by the Board. It is Dr. Chatfield's responsibility to ensure

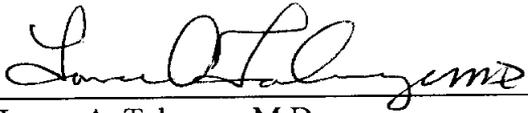
that the quarterly reports are received in the Board's offices no later than the due date for Dr. Chatfield's quarterly declaration.

14. **Absence from Ohio**: In the event that Dr. Chatfield should leave Ohio for three continuous months, or reside or practice outside the State, Dr. Chatfield must notify the Board in writing of the dates of departure and return. Periods of time spent outside Ohio will not apply to the reduction of this period under the Order, unless otherwise determined by the Board in instances where the Board can be assured that probationary monitoring is otherwise being performed.
  15. **Violation of Probation; Discretionary Sanction Imposed**: If Dr. Chatfield violates probation in any respect, the Board, after giving him notice and the opportunity to be heard, may institute whatever disciplinary action it deems appropriate, up to and including the permanent revocation of his certificate.
  16. **Tolling of Probationary Period while Out of Compliance**: In the event Dr. Chatfield is found by the Secretary of the Board to have failed to comply with any provision of this Order, and is so notified of that deficiency in writing, such period(s) of noncompliance will not apply to the reduction of the probationary period.
- D. **TERMINATION OF PROBATION**: Upon successful completion of probation, as evidenced by a written release from the Board, Dr. Chatfield's certificate will be fully restored.
- E. **RELEASES**: Dr. Chatfield shall provide continuing authorization, through appropriate written consent forms, for disclosure of evaluative reports, summaries, and records, of whatever nature, by any and all parties that provide treatment or evaluation for Dr. Chatfield's psychiatric condition, chemical dependency and/or related conditions, or for purposes of complying with this Order, whether such treatment or evaluations occurred before or after the effective date of this Order. The above-mentioned evaluative reports, summaries, and records are considered medical records for purposes of Section 149.43 of the Ohio Revised Code and are confidential pursuant to statute.
- Dr. Chatfield shall also provide the Board written consent permitting any treatment provider from whom Dr. Chatfield obtains treatment to notify the Board in the event he fails to agree to or comply with any recommended treatment or with any treatment or aftercare contract. Failure to provide such consent, or revocation of such consent, shall constitute a violation of this Order.
- F. **REQUIRED REPORTING BY LICENSEE TO EMPLOYERS AND HOSPITALS**: Within thirty days of the effective date of this Order, Dr. Chatfield shall provide a copy of this Order to all employers or entities with which he is under contract to provide health care services or is receiving training; and the Chief of Staff at each hospital where he has privileges or appointments. Further, Dr. Chatfield shall provide a copy of this Order to all employers or entities with

which he contracts to provide health care services, or applies for or receives training, and the Chief of Staff at each hospital where he applies for or obtains privileges or appointments. Further, Dr. Chatfield shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.

- G. **REQUIRED REPORTING BY LICENSEE TO OTHER STATE LICENSING AUTHORITIES:** Within thirty days of the effective date of this Order, Dr. Chatfield shall provide a copy of this Order by certified mail, return receipt requested, to the proper licensing authority of any state or jurisdiction in which he currently holds any professional license. Dr. Chatfield shall also provide a copy of this Order by certified mail, return receipt requested, at time of application to the proper licensing authority of any state in which he applies for any professional license or reinstatement or restoration of any professional license. Further, Dr. Chatfield shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.

**EFFECTIVE DATE OF ORDER:** This Order shall become effective immediately upon the mailing of notification of approval by the Board.

  
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Lance A. Talmage, M.D.  
Secretary

(SEAL)

June 9, 2004  
\_\_\_\_\_  
Date

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**PROPOSED FINDINGS AND PROPOSED ORDER  
IN THE MATTER OF ROBERT H. CHATFIELD, D.O.**

The Matter of Robert H. Chatfield, D.O., was reviewed by Siobhan R. Clovis, Esq., Hearing Examiner for the State Medical Board of Ohio.

**INTRODUCTION**

Basis for the Review

1. By letter dated December 10, 2003, the State Medical Board of Ohio [Board] notified Robert H. Chatfield, D.O., that it had proposed to take disciplinary action against his certificate to practice osteopathic medicine and surgery in Ohio. The Board based its proposed action on the following allegations:
  - On or about October 28, 1998, Dr. Chatfield entered inpatient treatment for alcohol dependence at Brighton Hospital [Brighton], a Board-approved treatment provider in Brighton, Michigan. At Brighton, his diagnoses included chemical dependence, alcohol withdrawal syndrome, and depression. On or about November 7, 1998, he was discharged. He then entered into an Aftercare Plan with Brighton, and became involved with the Michigan Health Care Recovery Program [MHCRP].
  - On or about November 9, 1999, Dr. Chatfield entered inpatient treatment for major depression and alcohol dependence at Talbott Recovery Campus [Talbott], a Board-approved treatment provider in Atlanta, Georgia. Dr. Chatfield sought this treatment upon the advice of his therapist. At Talbott, Dr. Chatfield's diagnoses included alcohol dependence, major depression, and avoidant personality disorder. He was discharged on or about November 19, 1999.
  - Dr. Chatfield relapsed on alcohol on or about October 26, 2000. On or about October 28, 2000, he entered inpatient treatment for depression and alcohol dependence at McLaren Regional Medical Center [McLaren] in Flint, Michigan. At McLaren, Dr. Chatfield's diagnoses included major depressive disorder with alcohol withdrawal. He was discharged on or about October 30, 2000.
  - Dr. Chatfield again relapsed on alcohol, as demonstrated by the treatment records of Sierra Tucson [Sierra], a Board-approved treatment provider in Tucson, Arizona. On or about January 10, 2001, Dr. Chatfield entered inpatient treatment at Sierra for depression and alcohol dependence. His diagnoses included alcohol dependence, mood disorder, depressive disorder, generalized anxiety disorder, and post-traumatic

stress disorder. He was discharged on or about February 8, 2001. He then continued treatment as recommended at The Life Healing Center in Santa Fe, New Mexico.

- On or about February 9, 2001, Dr. Chatfield began inpatient treatment for depression and alcohol dependence at The Life Healing Center. His diagnoses included bipolar disorder, alcohol dependence, and post-traumatic stress disorder. He was discharged on or about March 9, 2001. He then entered into an Aftercare Plan with The Life Healing Center.
- Dr. Chatfield subsequently relapsed on alcohol and stopped taking his psychiatric medications. On or about April 5, 2001, he entered inpatient treatment at McLaren for acute exacerbation of bipolar disorder, depression, and alcohol dependence. His diagnoses included major depression, recurrent, with alcohol abuse. He was discharged on or about April 9, 2001.
- On or about May 2, 2001, the State of Michigan, Department of Consumer & Industry Services, Bureau of Health Services, Board of Osteopathic Medicine and Surgery, Disciplinary Subcommittee [Michigan Board] summarily suspended Dr. Chatfield's Michigan license to practice osteopathic medicine. The summary suspension was based upon an Administrative Complaint in which the Michigan Board determined that the public health, safety, or welfare required emergency action.

On or about August 2, 2001, the Michigan Board issued a Consent Order and Stipulation [Consent Order] in which Dr. Chatfield stipulated to the allegations in the Administrative Complaint. He further stipulated that those allegations constituted violations of the Public Health Code, 1978, PA 368, as amended, specifically that Dr. Chatfield evidenced a condition which impaired, or could impair, his ability to safely and skillfully practice, in violation of Michigan Code Section 16221(a); that his conduct evidenced substance abuse, in violation of Michigan Code Section 16221(b)(ii); and that he suffered a mental or physical inability reasonably related to and adversely affecting his ability to practice safely and competently, in violation of Michigan Code Section 16221(b)(iii).

The Consent Order mandated the dissolution of the summary suspension of Dr. Chatfield's license on September 1, 2001. Dr. Chatfield was placed on probation, with terms including monitoring, for at least two years.

- Dr. Chatfield failed to self-report his relapses to the Board as required by Rule 4731-15-01(A)(5), Ohio Administrative Code.

The Board alleged that the Michigan Board's Order of Summary Suspension, Administrative Complaint, and Consent Order constitute "[a]ny of the following actions taken by the agency responsible for regulating the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or the limited branches of medicine in another jurisdiction, 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 Board further alleged that Dr. Chatfield suffers "[i]mpairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice,' as that clause is used in Section 4731.22(B)(26), Ohio Revised Code."

Moreover, the Board alleged that Dr. Chatfield is unable "to practice according to acceptable and prevailing standards of care by reason of mental illness or physical illness, including, but not limited to, physical deterioration that adversely affects cognitive, motor, or perceptive skills,' as that clause is used in Section 4731.22(B)(19), Ohio Revised Code."

Lastly, the Board alleged that, by failing to report his relapses to the Board, Dr. Chatfield is "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board,' as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-15-01(A)(5), Ohio Administrative Code."

Accordingly, the Board advised Dr. Chatfield of his right to request a hearing in this matter.

2. On December 10, 2003, in accordance with Section 119.07, Ohio Revised Code, the Notice of Opportunity for Hearing [Notice] was sent via certified mail, return receipt requested, to the last known address of record for Dr. Chatfield: 3319 Eloc Drive, Swartz Creek, Michigan, 48473. Proper service was documented. (Exhibit 2 at 2, 21; Exhibit 3).
3. As of April 15, 2004, more than thirty days following the mailing of the Notice, the Board had not received a hearing request from Dr. Chatfield. (Exhibit 1).

### EVIDENCE EXAMINED

1. Exhibit 1: April 15, 2004, Memorandum from Barbara A. Jacobs, Public Services Administrator, to Gregory Porter, Chief Hearing Officer. (Note: Dr. Chatfield is misidentified as an M.D. rather than a D.O.)
2. Exhibit 2: Certified copies of Board records In the Matter of Robert H. Chatfield, D.O. (Note: The Hearing Examiner numbered the pages.) (Further note: Dr. Chatfield is misidentified on the certification as an M.D. rather than a D.O.)
3. Exhibit 3: April 6, 2004, Affidavit of Debra L. Jones, Continuing Medical Education and Renewal Officer for the Board.
4. Exhibit 4: April 6, 2004, Affidavit of Marcie P. Burrow, Enforcement Attorney for the Board, with the following attachments: (Note: Dr. Chatfield is misidentified in the Affidavit as an M.D. rather than a D.O.)
  - \* a. Exhibit 4A: Certified copies of treatment records for Dr. Chatfield from Brighton Hospital.
  - \* b. Exhibit 4B: Certified copies of treatment records for Dr. Chatfield from Talbott Recovery Campus.
  - \* c. Exhibit 4C: Copies of treatment records for Dr. Chatfield from McLaren Regional Medical Center.
  - \* d. Exhibit 4D: Certified copies of treatment records for Dr. Chatfield from Sierra Tucson.
  - \* e. Exhibit 4E: Copies of treatment records for Dr. Chatfield from The Life Healing Center.
  - f. Exhibit 4F: Copy of Dr. Chatfield's October 9, 2001, Recovery Monitoring Agreement with the Michigan Health Professional Recovery Program, with an August 2002 Addendum. (Note: The Hearing Examiner numbered the pages.)
  - g. Exhibit 4G: Certified Copies of the May 2, 2001, Order of Summary Suspension and Administrative Complaint filed against Dr. Chatfield by the Michigan Board. (Note: The Hearing Examiner numbered the pages.)

- h. Exhibit 4H: Certified Copy of the August 2, 2001, Consent Order of the Michigan Board. (Note: The Hearing Examiner numbered the pages.)
- 5. Exhibit 5: April 14, 2004, Affidavit of Barbara A. Jacobs, Public Services Administrator for the Board. (Note: Dr. Chatfield is misidentified as an M.D. rather than a D.O.)
- \* These Exhibits were sealed to maintain patient confidentiality. The Hearing Examiner numbered the pages of each Exhibit and redacted all social security numbers.

### SUMMARY OF THE EVIDENCE

All exhibits, even if not specifically mentioned, were thoroughly reviewed and considered by the Hearing Examiner.

1. Robert H. Chatfield, D.O., is a fifty-six-year-old pathologist who practices and resides in Michigan. He grew up on a dairy farm in the Ludington, Michigan area. He completed his undergraduate degree at Michigan State University, and attended a school of osteopathy in Kansas City. He attained his osteopathy degree in 1973. He began his residency at Doctors Hospital in Columbus and completed his residency at Flint Osteopathic Hospital in 1977. He then accepted a permanent position at Flint Osteopathic Hospital. He was placed on disability in November 1998, and was never accepted back to his previous position. Since then, he has worked at other Michigan locations as a pathologist.<sup>1</sup> (Exhibit [Ex.] 4; Ex. 4C at 14, 100; Ex. 4D at 45; Ex. 4F at 5).
2. On October 28, 1998, Dr. Chatfield admitted himself into Brighton Hospital [Brighton], a Board-approved treatment provider in Brighton, Michigan, for inpatient treatment of alcoholism. He had first attempted outpatient treatment, but had been unsuccessful in maintaining his sobriety. He had recently been terminated from his pathology position by his partners, pursuant to a disability clause in his contract. His partners had “smell[ed] alcohol,” and he had missed work due to his drinking. (Ex. 4A at 6, 45; Ex. 4B at 8).

Dr. Chatfield was discharged from Brighton on November 7, 1998. His discharge diagnoses were chemical dependence (alcohol), alcohol withdrawal syndrome, and depression. (Ex. 4A at 6). The medical discharge summary states:

This patient successfully completed planned residential treatment. He appeared to successfully engage in treatment. He was seen by the

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<sup>1</sup> The most recent record evidencing Dr. Chatfield’s employment history is from August 2002, so there may have been some more recent changes of which the Hearing Examiner is not aware.

Department of Psychiatry, and was felt to have major depression with partial remission.

(Ex. 4A at 6).

The discharge summary recommended treatment with Prozac and Antabuse. Dr. Chatfield was given an Aftercare Plan, including compliance with the Michigan Health Professionals' Recovery Program [MHPRP]. (Ex. 4A at 6-8, 10).

3. Upon his discharge from Brighton, Dr. Chatfield entered the intensive outpatient program. He "felt great." However, he did not return to work until the following April, in *locum tenens* positions. He experienced increasing financial difficulties, as well as increasing depression, although he had been seeing a therapist and taking medication, namely Prozac, BuSpar, and Wellbutrin-SR. (Ex. 4B at 8).

On November 9, 1999, a year after his discharge from Brighton, Dr. Chatfield entered Talbott Recovery Campus [Talbott], a Board-approved treatment provider in Atlanta, Georgia, for inpatient treatment of major depression and alcoholism, at the recommendation of his therapist and the MHPRC. He reported that he had remained abstinent from alcohol since his discharge from Brighton, but that he had been suffering extreme depression, to the point that he could not get out of bed. Dr. Chatfield was diagnosed with alcohol dependence, in full sustained remission, major depression, recurrent, and an avoidant personality disorder. Dr. Chatfield was discharged from Talbott on November 19, 1999. (Ex. 4; Ex. 4B at 4, 5, 6, 12, 16, 18, 27, 28).

4. On October 26, 2000, Dr. Chatfield began drinking vodka "around the clock." On October 30, 2000, he sought treatment for depression and alcohol abuse at the emergency room of McLaren Regional Medical Center [McLaren] in Flint, Michigan. At McLaren, Dr. Chatfield reported that he had been depressed for a "long period of time," but that his depression had intensified within the previous ten to twelve days. He had not seen his psychiatrist in over two months, and he reported that he had been unable to take his anti-depressants during the preceding week because of a flu-like illness. He was also upset over the recent death of his father-in-law. He had again missed significant time at work because of his depression and was spending an inordinate amount of time in bed, despite difficulties sleeping. (Ex. 4C at 87, 89, 91, 99-100).

Dr. Chatfield was discharged from inpatient treatment at McLaren on October 30, 2000. He had been diagnosed with major depressive disorder, recurrent type, and alcohol withdrawal. His previous course of medication (Prozac, BuSpar, and Wellbutrin-SR) was continued. Dr. Chatfield also expressed a desire to return to Antabuse, and agreed to discuss that with his outpatient therapist. (Ex. 4C at 90, 91).

5. Two months later, on January 10, 2001, Dr. Chatfield was admitted to Sierra Tucson [Sierra], a Board-approved treatment provider in Tucson, Arizona, for inpatient treatment of alcohol relapse, childhood trauma issues, and depression. He reported that he had relapsed about ten days prior to his admission at Sierra and had “been drinking on a daily basis almost all day.” (Ex. 4; Ex. 4D at 3, 9, 14).

At Sierra, Dr. Chatfield explained that the onset of his drinking problem had coincided with the onset of his depression in 1987. Prior to his depression, he had been “a very energetic, goal directed, upbeat, man who was progressing well in his career, almost characterized as too energetic.” Dr. Chatfield stated that he had “pulled out of” his first bout of depression spontaneously, and that he then experienced another period of being “high.” But he continued to have episodes of depression, during which he would drink “more and more.” Dr. Chatfield reported that, in the preceding year or two, he had been having more frequent “ups and downs.” He further reported that his periods of depression and binge drinking had been getting worse. He would find himself “virtually paralyzed” by his depression and unable to get out of bed. (Ex. 4D at 14-15).

Dr. Chatfield also appears to have admitted to intermittent binge drinking following his first relapse, which he reported as being in August 2000:

The patient states that he has gone for several months without consuming any alcohol, but that he does also have a history of binge drinking once every two months. Her [sic] further reports that this has decreased somewhat during the past six months, although he admits still to occasional binge drinking. \* \* \* The patient states that he was totally abstinent from alcohol from October 1998 until August of 2000.

(Ex. 4D at 44).

Dr. Chatfield reported that he had been working as a pathologist with a private corporation since July 1999. His employer was aware of his depression and alcohol issues, and had restricted his hours to 35 per week. (Ex. 4D at 46).

Dr. Chatfield’s discharge diagnoses were alcohol dependence, mood disorder, depressive disorder, generalized anxiety disorder, and post-traumatic stress disorder. It had also been suggested during treatment that Dr. Chatfield suffered from “probably Type 2” bipolar disorder. Dr. Chatfield’s Prozac prescription was discontinued, and he was prescribed Neurontin in its stead. His BuSpar and Wellbutrin-SR prescriptions were continued. (Ex. 4D at 7, 22).

Dr. Chatfield agreed to enter treatment at The Life Healing Center in Santa Fe, New Mexico immediately following his discharge from Sierra. (Ex. 4D at 8). Dr. Chatfield's condition upon discharge was described as:

Good. Patient appears significantly more healthy as compared to his appearance on admission. Patient expressed much appreciation for this treatment experience, as well as a strong commitment to adhering to his aftercare plans. Patient exhibited an excellent intellectual grasp of the recovery principles shared during the course of treatment, as well as very clear, intelligent, and accurate feedback to other patients frequently in the course of primary group.

(Ex. 4D at 8).

6. Dr. Chatfield was discharged from Sierra on February 8, 2001. He entered inpatient treatment at The Life Healing Center on February 9, 2001, for depression and alcohol dependence. (Ex. 4D at 5; Ex. 4E at 1, 16, 25).

Notes in the treatment records indicate that Dr. Chatfield reported his longest period of sobriety to be "8 months – 1998," which contradicts his previous assertions that he maintained sobriety until August 2000. Also, he reportedly claimed only "2-3" relapses in the previous 2 years, although an account from Sierra appears to indicate that he had admitted to more frequent bouts of binge drinking. (Ex. 4B at 18; Ex. 4D at 44; Ex. 4E at 9, 15).

At The Life Healing Center, Dr. Chatfield was diagnosed with "Bipolar II", alcohol dependence, and post-traumatic stress disorder. He was prescribed Neurontin, Trazodone, BuSpar, and Wellbutrin and discharged on March 9, 2001. He then entered into an Aftercare Plan with The Life Healing Center. (Ex. 4E at 28, 53, 56, 59).

7. A month later, on April 5, 2001, Dr. Chatfield sought treatment at McLaren's emergency room for treatment of depression, alcohol dependence, and "acute exacerbation of bipolar disorder." Dr. Chatfield had stopped taking his medication, and had been consuming up to a fifth of liquor daily. He had lost two jobs since October 2000 because of problems arising from his alcoholism and depression. (Ex. 4C at 4, 9, 14-15, 17, 18, 37).

During inpatient treatment at McLaren, Dr. Chatfield stated that he did not really believe that he had a drinking problem. This contrasts with Dr. Chatfield's attitude during previous hospitalizations, during which he had freely admitted his alcohol dependence, and had appeared to be amenable to treatment. (Ex. 4A at 6; Ex. 4B at 28; Ex. 4C at 18; Ex. 4D at 6).

Dr. Chatfield was discharged on April 9, 2001, "to be followed as an outpatient." His final diagnosis was "Bipolar disorder, manic; alcohol abuse and dependence." He was prescribed Zyprexa, Seroquel, naltrexone, Klonopin, and Topamax. (Ex. 4C at 6).

8. On May 2, 2001, the State of Michigan, Department of Consumer & Industry Services, Bureau of Health Services, Board of Osteopathic Medicine and Surgery, Disciplinary Subcommittee [Michigan Board] filed an Administrative Complaint [Complaint] against Dr. Chatfield. Also on May 2, 2001, the Michigan Board summarily suspended Dr. Chatfield's license because the Complaint demonstrated that "the public health, safety, or welfare require[d] emergency action." (Ex. 4G at 2, 3-7). The Complaint included the following allegations:
  5. In October 1998, Respondent contacted the Michigan Health Professional Recovery Corporation (Contractor) as a possible candidate for a non-disciplinary monitoring agreement. Respondent was referred to the Contractor by Brighton Hospital, Livingston Counseling and Assessment Services where Respondent was undergoing treatment for alcoholism and depression. On February 11, 1999, Respondent entered into a non-disciplinary monitoring agreement with the Contractor, acknowledging his impairment. The agreement required Respondent to abstain from alcohol, controlled substances, and other mood-altering substances.
  6. In or about January 2001, Respondent relapsed into depression and drinking alcohol. Subsequently, Respondent was admitted to Sierra Tucson Clinic, located in Arizona, for long-term treatment of depression and alcoholism. In February 2001, Respondent was transferred from Sierra Tucson to the Life Healing Center, a clinic located in New Mexico, to continue his long-term treatment. On or about March 9, 2001, Respondent was discharged from the Life Healing Center.
  7. By March 19, 2001, Respondent again relapsed into depression and drinking alcohol. Consequently, on March 23, 2001, by certified letters to Respondent, the Contractor requested Respondent to enter into a hospital by March 27, 2001, for treatment of his depression and alcoholism.
  8. On March 27, 2001, Respondent's wife contacted the Contractor and stated that Respondent was not willing to enter into a hospital for treatment. On March 28, 2001, the Contractor closed Respondent's

case and forwarded it to the Department for disposition, due to Respondent's relapses and refusal to seek treatment recommended by the Contractor.

(Ex. 4G at 4-5).

Count 1 of the Complaint alleged that Dr. Chatfield's conduct evidenced a condition which impaired Dr. Chatfield's ability to practice, "in violation of section 16221(a) of the Public Health Code," 1978 PA 368, as amended. Count 2 alleged that Dr. Chatfield's conduct evidenced substance abuse, "in violation of section 16221(b)(ii) of the Public Health Code, supra." Count 3 alleged that Dr. Chatfield suffered from a mental or physical inability that adversely affected his ability to practice in a safe and competent manner, "in violation of section 16221(b)(iii), of the Public Health Code, supra." (Ex. 4G at 5-6).

On August 2, 2001, the Michigan Board issued a Consent Order and Stipulation [Consent Order], in which Dr. Chatfield admitted the allegations in the Complaint and stipulated that the allegations constituted the charged violations of the Michigan Public Health Code. The Consent Order dissolved the May 2, 2001, Order of Summary Suspension as of September 1, 2001, and placed Dr. Chatfield on probation for two years. The probationary terms required Dr. Chatfield to enter into a monitoring agreement with MHPRC, comply with the Michigan Public Health Code, and to pay all costs of compliance. (Ex. 4H).

9. There is no evidence that Dr. Chatfield has relapsed since April 2001, or violated the 2001 Michigan Board Consent Order.
10. Although Dr. Chatfield apparently kept in contact with the Michigan Board through the MHPRC, he has never reported any of his relapses to the State Medical Board of Ohio. (Ex. 5).

### **PROPOSED FINDINGS**

1. On October 28, 1998, Robert H. Chatfield, D.O., admitted himself into Brighton Hospital, a Board-approved treatment provider in Brighton, Michigan, for treatment of alcohol dependence. He was discharged from inpatient treatment on November 7, 1998. His discharge diagnosis was chemical dependence, alcohol withdrawal syndrome, and depression. Dr. Chatfield then entered into an Aftercare Plan with Brighton Hospital, and became involved with the Michigan Health Professionals' Recovery Program [MHPRP].
2. On November 9, 1999, Dr. Chatfield, at the recommendation of his therapist, entered Talbott Recovery Campus, a Board-approved treatment provider in Atlanta, Georgia, for

inpatient treatment of major depression and alcohol dependence. He was diagnosed with alcohol dependence, major depression, and avoidant personality disorder. He was discharged on November 19, 1999.

3. Subsequent treatment records from McLaren Regional Medical Center [McLaren], in Flint, Michigan, show that Dr. Chatfield relapsed on alcohol on October 26, 2000. On October 28, 2000, he sought treatment at McLaren for depression and alcohol dependence. He was discharged from inpatient treatment on October 30, 2000, with diagnoses of major depressive disorder and alcohol withdrawal.
4. On January 10, 2001, Dr. Chatfield entered inpatient treatment at Sierra Tucson [Sierra], a Board-approved treatment provider in Tucson, Arizona, for inpatient treatment of alcohol dependence and depression. Treatment records from Sierra show that Dr. Chatfield had relapsed on alcohol. He was diagnosed with alcohol dependence, mood disorder, depressive disorder, generalized anxiety disorder, and post-traumatic stress disorder. At Sierra's recommendation, Dr. Chatfield entered treatment at The Life Healing Center, in Santa Fe, New Mexico, after his discharge from Sierra on February 8, 2001.
5. On February 9, 2001, Dr. Chatfield entered inpatient treatment at The Life Healing Center for depression and alcohol dependence. He was diagnosed with bipolar disorder, alcohol dependence, and post-traumatic stress disorder. He was discharged on March 9, 2001. He then entered into an Aftercare Plan with The Life Healing Center.
6. Subsequent treatment records from McLaren show that Dr. Chatfield then relapsed again. He also stopped taking his psychiatric medications. On April 5, 2001, Dr. Chatfield entered inpatient treatment at McLaren for depression, alcohol dependence, and acute exacerbation of bipolar disorder. He was discharged on April 9, 2001, with diagnoses of bipolar disorder, manic, as well as alcohol abuse and dependence.<sup>2</sup>
7. On May 2, 2001, the State of Michigan, Department of Consumer & Industry Services, Bureau of Health Services, Board of Osteopathic Medicine and Surgery, Disciplinary Subcommittee [Michigan Board] filed an Administrative Complaint [Complaint] against Dr. Chatfield. Also on May 2, 2001, the Michigan Board summarily suspended Dr. Chatfield's license to practice osteopathic medicine in Michigan because the Complaint demonstrated that "the public health, safety, or welfare require[d] emergency action."

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<sup>2</sup> In the December 10, 2003, Notice of Opportunity for Hearing, the Board alleged that Dr. Chatfield was diagnosed with "major depression, recurrent, with alcohol abuse" during his 2001 inpatient treatment at McLaren. This allegation appears to emanate from a discharge summary of Dr. Chatfield's 2000 inpatient treatment at McLaren. (See Ex. 4C at 87). Proposed Finding 6 accurately reflects McLaren's 2001 diagnoses of Dr. Chatfield. (See Ex. 4C at 4, 6).

On August 2, 2001, the Michigan Board issued a Consent Order and Stipulation [Consent Order], in which Dr. Chatfield admitted the allegations in the Complaint and stipulated that the allegations constituted violations of the Michigan Public Health Code, 1978, PA 368, namely: Michigan Code Section 16221(a) – conduct evidencing a condition which impairs, or may impair, the ability to practice safely and skillfully; Michigan Code Section 16221(b)(ii) – conduct evidencing substance abuse; and Michigan Code Section 16221(b)(iii) – conduct indicating a mental or physical inability which adversely affects the ability to practice safely and competently.

The Consent Order mandated the dissolution of the Order of Summary Suspension on September 1, 2001, and placed Dr. Chatfield on probation, with monitoring, for two years.

8. Dr. Chatfield failed to self-report his relapses to the Board as required by Rule 4731-15-01(A), Ohio Administrative Code.<sup>3</sup>
9. The Order of Summary Suspension, Complaint, and Consent Order issued by the Michigan Board constitutes “[a]ny of the following actions taken by the agency responsible for regulating the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or the limited branches of medicine in another jurisdiction, 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.(B)(22), Ohio Revised Code.
10. Proposed Findings 1 through 7 demonstrate that Dr. Chatfield suffers “[i]mpairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice,” as that clause is used in Section 4731.22(B)(26), Ohio Revised Code.
11. Proposed Findings 1 through 7 demonstrate Dr. Chatfield’s “[i]nability to practice according to acceptable and prevailing standards of care by reason of mental illness or physical illness, including, but not limited to, physical deterioration that adversely affects cognitive, motor, or perceptive skills,” as that clause is used in Section 4731.22(B)(19), Ohio Revised Code.

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<sup>3</sup> In the December 10, 2003, Notice of Opportunity for Hearing, the Board alleged that Dr. Chatfield had violated Rule 4731-15-01(A)(~~5~~), Ohio Administrative Code. (Emphasis added). Subsection 5 of Rule 4731-15-01(A) is not relevant to this case. This was a harmless clerical error, as Rule 4731-15-01(A) is the applicable rule governing Dr. Chatfield’s failure to report his relapses.

12. Dr. Chatfield's failure to report his relapses to the Board constitutes "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code. Specifically, Dr. Chatfield violated Rule 4731-15-01(A), Ohio Administrative Code.<sup>4</sup>

\* \* \* \* \*

Dr. Chatfield's treatment records demonstrate that he has abused alcohol in an effort to alleviate the overwhelming effects of his mental illness. He has a significant history of relapses, which he has failed to report to the Board as required. It also appears that he has been less than forthcoming about those relapses with his treatment providers.

Dr. Chatfield should be allowed to practice in Ohio only if he can prove that he is fit to do so after a period of documented sobriety and mental health, and if he is carefully monitored and restricted to ensure the safety of the public.

### PROPOSED ORDER

It is hereby ORDERED that:

- A. **SUSPENSION OF CERTIFICATE:** The certificate of Robert H. Chatfield, D.O., to practice osteopathic medicine and surgery in the State of Ohio shall be SUSPENDED for an indefinite period of time, but not less than ninety days.
- B. **CONDITIONS FOR REINSTATEMENT OR RESTORATION:** The Board shall not consider reinstatement or restoration of Dr. Chatfield's certificate to practice osteopathic medicine and surgery until all of the following conditions have been met:
  1. **Application for Reinstatement or Restoration:** Dr. Chatfield shall submit an application for reinstatement or restoration, accompanied by appropriate fees, if any.
  2. **Certification of Compliance with the Order of the Michigan Board:** At the time he submits his application for reinstatement or restoration, Dr. Chatfield shall submit to the Board certification from the Michigan Board dated no earlier than sixty days prior to Dr. Chatfield's application for reinstatement or restoration, that Dr. Chatfield has maintained full compliance with the Order of the Michigan Board.

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<sup>4</sup> See Footnote 3, *supra*.

3. **Completion of Inpatient Treatment:** Dr. Chatfield shall complete a minimum of twenty-eight days of inpatient or residential treatment, or a combination thereof, for his chemical dependency. Such inpatient or residential treatment shall be completed without interruption. Further, such inpatient or residential treatment shall be provided in accordance with Rule 4731-16-08(A)(13), Ohio Administrative Code, by a treatment provider approved under Section 4731.25, Ohio Revised Code.

In addition, upon discharge from treatment, Dr. Chatfield shall enter into, and thereafter maintain compliance with, a post-discharge aftercare contract which complies with Rule 4731-16-10, Ohio Administrative Code, with a treatment provider approved under Section 4731.25, Ohio Revised Code, who has access to Dr. Chatfield's treatment records.

4. **Demonstration of Ability to Resume Practice:** Dr. Chatfield shall demonstrate to the satisfaction of the Board that he can resume practice in compliance with acceptable and prevailing standards of care under the provisions of his certificate. Such demonstration shall include but shall not be limited to the following:
  - a. Certification from a treatment provider approved under Section 4731.25 of the Revised Code that Dr. Chatfield has successfully completed any required inpatient treatment.
  - b. Evidence of continuing full compliance with a post-discharge aftercare contract with a treatment provider approved under Section 4731.25 of the Revised Code. Such evidence shall include, but not be limited to, a copy of the signed aftercare contract. The aftercare contract must comply with rule 4731-16-10 of the Administrative Code.
  - c. Evidence of continuing full compliance with this Order.
  - d. Two written reports indicating that Dr. Chatfield's ability to practice has been evaluated for chemical dependency and/or impairment and that he has been found capable of practicing according to acceptable and prevailing standards of care. The evaluations shall have been performed by individuals or providers approved by the Board for making such evaluations. Moreover, the evaluations shall have been performed within sixty days prior to Dr. Chatfield's application for reinstatement or restoration. The reports of evaluation shall describe with particularity the bases for the determination that Dr. Chatfield has been found capable of practicing according to acceptable and prevailing standards of care and shall include any recommended limitations upon his practice.

5. **Psychiatric Assessment:** Prior to submitting his application for reinstatement or restoration, Dr. Chatfield shall submit to the Board for its prior approval the name and curriculum vitae of a psychiatrist of Dr. Chatfield's choice.

Upon approval by the Board, Dr. Chatfield shall obtain from the approved psychiatrist an assessment of Dr. Chatfield's current psychiatric status. The assessment shall take place no more than sixty days prior to the submission of Dr. Chatfield's application for reinstatement, unless otherwise approved by the Board. Prior to the initial assessment, Dr. Chatfield shall furnish the approved psychiatrist copies of the Board's Order, including the Summary of the Evidence, the Findings, and any other documentation from the record which the Board may deem appropriate or helpful to that psychiatrist.

Upon completion of the initial assessment, Dr. Chatfield shall cause a written report to be submitted to the Board from the approved psychiatrist. The written report shall include:

- a. A detailed report of the evaluation of Dr. Chatfield's current psychiatric status and condition;
  - b. A detailed plan of recommended psychiatric treatment, if any, based upon the psychiatrist's informed assessment of Dr. Chatfield's current needs; and
  - c. Any reports upon which the treatment recommendation is based, including reports of physical examination and psychological or other testing.
6. **Psychiatric Reports Evidencing Fitness to Practice; Recommended Limitations:** At the time Dr. Chatfield submits his application for reinstatement or restoration, Dr. Chatfield shall provide the Board with written reports of evaluation by two psychiatrists acceptable to the Board indicating that Dr. Chatfield's ability to practice has been assessed and that he has been found capable of practicing in accordance with acceptable and prevailing standards of care. Such evaluations shall have been performed within sixty days prior to Dr. Chatfield's application for reinstatement or restoration. The reports of evaluation shall describe with particularity the bases for the determination that Dr. Chatfield has been found capable of practicing according to acceptable and prevailing standards of care and shall include any recommended limitations upon his practice.

7. **Additional Evidence of Fitness To Resume Practice:** In the event that Dr. Chatfield has not been engaged in the active practice of osteopathic medicine and surgery for a period in excess of two years prior to application for reinstatement or restoration, the Board may exercise its discretion under Section 4731.222 of the Revised Code to require additional evidence of his fitness to resume practice.
- C. **PROBATIONARY CONDITIONS:** Upon reinstatement or restoration, Dr. Chatfield's certificate shall be subject to the following PROBATIONARY terms, conditions, and limitations for a period of at least five years:
1. **Obey the Law:** Dr. Chatfield shall obey all federal, state, and local laws, and all rules governing the practice of osteopathic medicine and surgery in Ohio.
  2. **Personal Appearances:** Dr. Chatfield shall appear in person for an interview before the full Board or its designated representative during the third month following the month in which Dr. Chatfield's certificate is restored or reinstated. Subsequent personal appearances must occur every three months thereafter, and/or as otherwise requested by the Board. If an appearance is missed or is rescheduled for any reason, ensuing appearances shall be scheduled based on the appearance date as originally scheduled.
  3. **Quarterly Declarations:** Dr. Chatfield shall submit quarterly declarations under penalty of Board disciplinary action and/or criminal prosecution, stating whether there has been compliance with all the conditions of this Order. The first quarterly declaration must be received in the Board's offices on or before the first day of the third month following the month in which Dr. Chatfield's certificate is restored or reinstated. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.
  4. **Evidence of Compliance with the Order of the Michigan Board of Osteopathic Medicine and Surgery:** At the time he submits his quarterly declarations, Dr. Chatfield shall also submit declarations under penalty of Board disciplinary action or criminal prosecution stating whether he has complied with all the terms, conditions, and limitations imposed by the Michigan Board. Moreover, Dr. Chatfield shall cause to be submitted to the Board copies of any reports that he submits to the Michigan Board whenever the Michigan Board requires such submission.
  5. **Abstention from Drugs:** Dr. Chatfield shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of Dr. Chatfield's history of chemical dependency.

6. **Abstinence from Alcohol:** Dr. Chatfield shall abstain completely from the use of alcohol.
7. **Comply with the Terms of Treatment and Aftercare Contract:** Dr. Chatfield shall maintain continued compliance with the terms of the treatment and aftercare contracts entered into with his treatment provider, provided that, where terms of the treatment and aftercare contract conflict with terms of this Order, the terms of this Order shall control.
8. **Drug & Alcohol Screens; Supervising Physician:** Dr. Chatfield shall submit to random urine screenings for drugs and/or alcohol on a weekly basis or as otherwise directed by the Board. Dr. Chatfield shall ensure that all screening reports are forwarded directly to the Board on a quarterly basis. The drug testing panel utilized must be acceptable to the Secretary of the Board.

Within thirty days of the effective date of the restoration or reinstatement of Dr. Chatfield's certificate, or as otherwise determined by the Board, Dr. Chatfield shall submit to the Board for its prior approval the name and curriculum vitae of a supervising physician to whom Dr. Chatfield shall submit the required specimens. In approving an individual to serve in this capacity, the Board will give preference to a physician who practices in the same locale as Dr. Chatfield. Dr. Chatfield and the supervising physician shall ensure that the urine specimens are obtained on a random basis and that the giving of the specimen is witnessed by a reliable person. In addition, the supervising physician shall assure that appropriate control over the specimen is maintained and shall immediately inform the Board of any positive screening results.

Dr. Chatfield shall ensure that the supervising physician provides quarterly reports to the Board, in a format acceptable to the Board as set forth in the materials provided by the Board to the supervising physician, verifying whether all urine screens have been conducted in compliance with this Order, whether all urine screens have been negative, and whether the supervising physician remains willing and able to continue in his or her responsibilities.

In the event that the designated supervising physician becomes unable or unwilling to so serve, Dr. Chatfield must immediately notify the Board in writing, and make arrangements acceptable to the Board for another supervising physician as soon as practicable. Dr. Chatfield shall further ensure that the previously designated supervising physician also notifies the Board directly of his or her inability to continue to serve and the reasons therefore.

All screening reports and supervising physician reports required under this paragraph must be received in the Board's offices no later than the due date for Dr. Chatfield's quarterly declaration. It is Dr. Chatfield's responsibility to ensure that reports are timely submitted.

9. **Submission of Blood or Urine Specimens upon Request:** Dr. Chatfield shall submit blood and urine specimens for analysis without prior notice at such times as the Board may request, at Dr. Chatfield's expense.
10. **Rehabilitation Program:** Dr. Chatfield shall maintain participation in an alcohol and drug rehabilitation program, such as A.A., N.A., C.A., or Caduceus, no less than three times per week, unless otherwise determined by the Board. Substitution of any other specific program must receive prior Board approval. Dr. Chatfield shall submit acceptable documentary evidence of continuing compliance with this program, which must be received in the Board's offices no later than the due date for Dr. Chatfield's quarterly declarations.
11. **Monitoring Physician:** Before engaging in any medical practice, Dr. Chatfield shall submit the name and curriculum vitae of a monitoring physician for prior written approval by the Secretary or Supervising Member of the Board. In approving an individual to serve in this capacity, the Secretary or Supervising Member will give preference to a physician who practices in the same locale as Dr. Chatfield and who is engaged in the same or similar practice specialty.

The monitoring physician shall monitor Dr. Chatfield and his medical practice, and shall review Dr. Chatfield's patient charts. The chart review may be done on a random basis, with the frequency and number of charts reviewed to be determined by the Board.

Further, the monitoring physician shall provide the Board with reports on the monitoring of Dr. Chatfield and his medical practice, and on the review of Dr. Chatfield's patient charts. Dr. Chatfield shall ensure that the reports are forwarded to the Board on a quarterly basis and are received in the Board's offices no later than the due date for Dr. Chatfield's quarterly declaration.

In the event that the designated monitoring physician becomes unable or unwilling to serve in this capacity, Dr. Chatfield must immediately so notify the Board in writing. In addition, Dr. Chatfield shall make arrangements acceptable to the Board for another monitoring physician within thirty days after the previously designated monitoring physician becomes unable or unwilling to serve, unless otherwise determined by the Board. Furthermore, Dr. Chatfield shall ensure that the previously

designated monitoring physician also notifies the Board directly of his or her inability to continue to serve and the reasons therefore.

12. **Contact Impaired Physicians Committee:** Dr. Chatfield shall contact an appropriate impaired physicians committee, approved by the Board, to arrange for assistance in recovery or aftercare.
13. **Continue Psychiatric Treatment:** Dr. Chatfield shall continue to receive psychiatric treatment, if recommended prior to commencing practice in Ohio, with a psychiatrist approved by the Board, at such intervals as are deemed appropriate by the treating psychiatrist, but not less than once per month unless otherwise determined by the Board. The sessions shall be in person and may not be conducted by telephone or other electronic means.  
  
Dr. Chatfield shall continue in psychiatric treatment until such time as the Board determines that no further treatment is necessary. To make this determination, the Board shall require quarterly reports from the approved treating psychiatrist. Dr. Chatfield shall ensure that psychiatric reports are forwarded by his treating psychiatrist to the Board on a quarterly basis, or as otherwise directed by the Board. It is Dr. Chatfield's responsibility to ensure that the quarterly reports are received in the Board's offices no later than the due date for Dr. Chatfield's quarterly declaration.
14. **Absence from Ohio:** In the event that Dr. Chatfield should leave Ohio for three continuous months, or reside or practice outside the State, Dr. Chatfield must notify the Board in writing of the dates of departure and return. Periods of time spent outside Ohio will not apply to the reduction of this period under the Order, unless otherwise determined by the Board in instances where the Board can be assured that probationary monitoring is otherwise being performed.
15. **Violation of Probation; Discretionary Sanction Imposed:** If Dr. Chatfield violates probation in any respect, the Board, after giving him notice and the opportunity to be heard, may institute whatever disciplinary action it deems appropriate, up to and including the permanent revocation of his certificate.
16. **Tolling of Probationary Period while Out of Compliance:** In the event Dr. Chatfield is found by the Secretary of the Board to have failed to comply with any provision of this Order, and is so notified of that deficiency in writing, such period(s) of noncompliance will not apply to the reduction of the probationary period.

- D. **TERMINATION OF PROBATION:** Upon successful completion of probation, as evidenced by a written release from the Board, Dr. Chatfield's certificate will be fully restored.
- E. **RELEASES:** Dr. Chatfield shall provide continuing authorization, through appropriate written consent forms, for disclosure of evaluative reports, summaries, and records, of whatever nature, by any and all parties that provide treatment or evaluation for Dr. Chatfield's psychiatric condition, chemical dependency and/or related conditions, or for purposes of complying with this Order, whether such treatment or evaluations occurred before or after the effective date of this Order. The above-mentioned evaluative reports, summaries, and records are considered medical records for purposes of Section 149.43 of the Ohio Revised Code and are confidential pursuant to statute.

Dr. Chatfield shall also provide the Board written consent permitting any treatment provider from whom Dr. Chatfield obtains treatment to notify the Board in the event he fails to agree to or comply with any recommended treatment or with any treatment or aftercare contract. Failure to provide such consent, or revocation of such consent, shall constitute a violation of this Order.

- F. **REQUIRED REPORTING BY LICENSEE TO EMPLOYERS AND HOSPITALS:** Within thirty days of the effective date of this Order, Dr. Chatfield shall provide a copy of this Order to all employers or entities with which he is under contract to provide health care services or is receiving training; and the Chief of Staff at each hospital where he has privileges or appointments. Further, Dr. Chatfield shall provide a copy of this Order to all employers or entities with which he contracts to provide health care services, or applies for or receives training, and the Chief of Staff at each hospital where he applies for or obtains privileges or appointments. Further, Dr. Chatfield shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.
- G. **REQUIRED REPORTING BY LICENSEE TO OTHER STATE LICENSING AUTHORITIES:** Within thirty days of the effective date of this Order, Dr. Chatfield shall provide a copy of this Order by certified mail, return receipt requested, to the proper licensing authority of any state or jurisdiction in which he currently holds any professional license. Dr. Chatfield shall also provide a copy of this Order by certified mail, return receipt requested, at time of application to the proper licensing authority of any state in which he applies for any professional license or reinstatement or restoration of any professional license. Further, Dr. Chatfield shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.

**EFFECTIVE DATE OF ORDER:** This Order shall become effective immediately upon the mailing of notification of approval by the Board.

A handwritten signature in black ink, appearing to read "Siobhan R. Clovis". The signature is written in a cursive style with a horizontal line underneath the name.

Siobhan R. Clovis, Esq.  
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/](http://www.state.oh.us/med/)

December 10, 2003

Robert H. Chatfield, D.O.  
3319 Eloc Drive  
Swartz Creek, MI 48473

Dear Doctor Chatfield:

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

- (1) On or about October 28, 1998, you entered inpatient treatment at Brighton Hospital, a Board approved treatment provider in Brighton, Michigan, for treatment of alcohol dependence, and you were discharged on or about November 7, 1998. At Brighton Hospital, your diagnoses included chemical dependence, alcohol withdrawal syndrome and depression. Upon discharge, you entered into an Aftercare Plan with the Brighton Hospital and became involved with the Michigan Health Care Recovery Program [MHCRP].
- (2) On or about November 9, 1999, you entered inpatient treatment at Talbott Recovery Campus, a Board approved treatment provider in Atlanta, Georgia, for treatment of major depression and alcohol dependence, and you were discharged on or about November 19, 1999. At Talbott Recovery Campus, your diagnoses included alcohol dependence, major depression and avoidant personality disorder, and, as treatment records indicate, you sought this additional treatment based upon your therapist's recommendation.
- (3) Subsequent treatment records from McLaren Regional Medical Center, in Flint, Michigan, [McLaren] reflect that you relapsed on alcohol on or about October 26, 2000. On or about October 28, 2000, you entered inpatient treatment at McLaren for treatment of depression and alcohol dependence, and you were discharged on or about October 30, 2000. At McLaren, your diagnoses included major depressive disorder with alcohol withdrawal.
- (4) Subsequent treatment records from Sierra Tucson, a Board approved treatment provider in Tucson, Arizona, reflect that you relapsed on alcohol. On or about

*Mailed 12-11-03*

January 10, 2001, you entered inpatient treatment at Sierra Tucson for treatment of depression and alcohol dependence, and you were discharged on or about February 8, 2001. At Sierra Tucson, your diagnoses included alcohol dependence, mood disorder, depressive disorder, generalized anxiety disorder, and post traumatic stress disorder. Upon discharge from Sierra Tucson, you continued treatment at The Life Healing Center, in Santa Fe, New Mexico, based upon the Sierra Tucson treatment team's recommendation, as treatment records indicate.

- (5) On or about February 9, 2001, you entered inpatient treatment at The Life Healing Center for treatment of depression and alcohol dependence, and you were discharged on or about March 9, 2001. At The Life Healing Center, your diagnoses included bipolar disorder, alcohol dependence, and post traumatic stress disorder. Upon discharge, you entered into an Aftercare Plan with the Life Healing Center.
- (6) Subsequent treatment records from McLaren reflect that you relapsed on alcohol and stopped taking your psychiatric medications. On or about April 5, 2001, you entered inpatient treatment at McLaren for treatment of acute exacerbation of bipolar disorder, depression and alcohol dependence and you were discharged on or about April 9, 2001. At McLaren, your diagnoses included major depression, recurrent, with alcohol abuse.
- (7) The State of Michigan, Department of Consumer & Industry Services, Bureau of Health Services, Board of Osteopathic Medicine and Surgery, Disciplinary Subcommittee [Michigan Board] issued an Order of Summary Suspension based upon an Administrative Complaint whereby the Michigan Board found that the public health, safety, or welfare required emergency action and therefore, summarily suspended your license to practice osteopathic medicine in the state of Michigan effective on or about May 2, 2001. Copies of the Order of Summary Suspension and Administrative Complaint are attached hereto and fully incorporated herein.

On or about August 2, 2001, the Michigan Board issued a Consent Order and Stipulation, wherein you stipulated that the facts alleged in the above-mentioned complaint were true and constituted violations of the Public Health Code. The Michigan Board's Consent Order and Stipulation was based on the findings that your conduct constituted a violation of Michigan Code Sections 16221(a), conduct evidencing a condition which impairs, or may impair, the ability to safely and skillfully practice the health profession; 16221(b)(ii), conduct evidencing substance abuse; and 16221(b)(iii), conduct indicating that you suffer from a mental or physical inability reasonably related to and adversely affecting your ability to practice in a safe and competent manner, of the Public Health Code, 1978 PA 368, as amended. In the Michigan Board's Consent Order and Stipulation, the Order of Summary Suspension, dated May 2, 2001, was dissolved effective September 1,

2001, and your license was placed on probation for a period of at least two years with terms including monitoring. A copy of the Consent Order and Stipulation is attached hereto and fully incorporated herein.

- (8) You failed to self-report your relapses to the Board as required under Rule 4731-15-01(A)(5), Ohio Administrative Code.

The Michigan Board's Order of Summary Suspension and Administrative Complaint and the Consent Order and Stipulation, as alleged in paragraph (7) above, individually and/or collectively, constitute "[a]ny of the following actions taken by the agency responsible for regulating the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or the limited branches of medicine in another jurisdiction, 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.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (1) through (7) above, individually and/or collectively, constitute "[i]mpairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice," as that clause is used in Section 4731.22(B)(26), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (1) through (7) above, individually and/or collectively, constitute "[i]nability to practice according to acceptable and prevailing standards of care by reason of mental illness or physical illness, including, but not limited to, physical deterioration that adversely affects cognitive, motor, or perceptive skills," as that clause is used in Section 4731.22(B)(19), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (8) above, individually and/or collectively, constitute "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-15-01(A)(5), Ohio Administrative 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 days of the time of mailing of this notice.

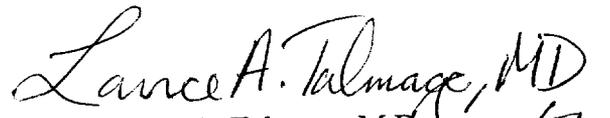
You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at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

  
Lance A. Talmage, M.D. /TAD  
Secretary

LAT/blt  
Enclosures

CERTIFIED MAIL # 7000 0600 0024 5150 6738  
RETURN RECEIPT REQUESTED

STATE OF MICHIGAN  
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES  
BUREAU OF HEALTH SERVICES  
BOARD OF OSTEOPATHIC MEDICINE AND SURGERY  
DISCIPLINARY SUBCOMMITTEE

In the Matter of

ROBERT H. CHATFIELD, D.O.  
License Number: 51-01-007173

File Number: 51-01-0577-00

ORDER OF SUMMARY SUSPENSION

An Administrative Complaint has been filed against the above- named Respondent as provided by the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq; MSA 14.15(1101) et seq, the rules promulgated thereunder, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq; MSA 3.560(101) et seq.

After careful consideration of the documentation filed in said cause and after consultation with the chairperson of the Board of Osteopathic Medicine and Surgery pursuant to section 16233(5) of the Public Health Code, supra, the Department hereby finds that the public health, safety, or welfare requires emergency action. Now therefore,

IT IS HEREBY ORDERED that Respondent's license to practice osteopathic medicine in the state of Michigan shall be SUMMARILY SUSPENDED commencing the date this order is served.

MICHIGAN DEPARTMENT OF  
CONSUMER & INDUSTRY SERVICES

By Thomas C. Lindsay II  
Thomas C. Lindsay II, Director  
Bureau of Health Services

DATED: May 2, 2001

STATE OF MICHIGAN - INGHAM COUNTY  
We certify that the foregoing is a true copy  
of the original on file in the office of the  
Department of Consumer & Industry Services

TRUE COPY

STATE OF MICHIGAN  
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES  
BUREAU OF HEALTH SERVICES  
BOARD OF OSTEOPATHIC MEDICINE AND SURGERY  
DISCIPLINARY SUBCOMMITTEE

In the Matter of

ROBERT H. CHATFIELD, D.O.  
License Number: 51-01-007173

File Number: 51-01-0577-00

ADMINISTRATIVE COMPLAINT

NOW COMES the Michigan Department of Consumer & Industry Services, hereafter Complainant, by Thomas C. Lindsay II, Director, Bureau of Health Services, and files this complaint against Robert H. Chatfield, D.O., hereafter Respondent, alleging upon information and belief as follows:

1. The Michigan Board of Osteopathic Medicine and Surgery, hereafter Board, is an administrative agency established by the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq; MSA 14.15(1101) et seq. Pursuant to section 16226 of the Public Health Code, supra, the Board's Disciplinary Subcommittee is empowered to discipline licensees for violations of the Code.

2. Respondent is currently licensed to practice osteopathic medicine in the state of Michigan and holds a current controlled substance license.

STATE OF MICHIGAN - INGHAM COUNTY  
We certify that the foregoing is a true copy  
of the original on file in the office of the  
Clerk of the Board of Osteopathic Medicine and Surgery  
Ingham County, Michigan

**TRUE COPY**

3. Section 16233(5) of the Public Health Code, supra, as amended, provides, in pertinent part, as follows:

After consultation with the chair of the appropriate board or task force or his or her designee, the department may summarily suspend a license or registration if the public health, safety, or welfare requires emergency action in accordance with section 92 of the administrative procedures act of 1969, being section 24.292 of the Michigan Compiled Laws.

4. Section 7311(6) of the Public Health Code, supra, provides that a controlled substance license is automatically void if a licensee's license to practice is suspended or revoked under Article 15 of the Public Health Code.

5. In October 1998, Respondent contacted the Michigan Health Professional Recovery Corporation (Contractor) as a possible candidate for a non-disciplinary monitoring agreement. Respondent was referred to the Contractor by Brighton Hospital, Livingston Counseling and Assessment Services where Respondent was undergoing treatment for alcoholism and depression. On February 11, 1999, Respondent entered into a non-disciplinary monitoring agreement with the Contractor, acknowledging his impairment. The agreement required Respondent to abstain from alcohol, controlled substances, and other mood-altering substances.

6. In or about January 2001, Respondent relapsed into depression and drinking alcohol. Subsequently, Respondent was admitted to Sierra Tucson Clinic, located

STATE OF MICHIGAN - INGHAM COUNTY  
We certify that the foregoing is a true copy  
of the original on file in the office of the  
Department of Consumer and Industry

in Arizona, for long-term treatment of depression and alcoholism. In February 2001, Respondent was transferred from Sierra Tucson to the Life Healing Center, a clinic located in New Mexico, to continue his long-term treatment. On or about March 9, 2001, Respondent was discharged from the Life Healing Center.

7. By March 19, 2001, Respondent again relapsed into depression and drinking alcohol. Consequently, on March 20 and 23, 2001, by certified letters to Respondent, the Contractor requested Respondent to enter into a hospital by March 27, 2001, for treatment of his depression and alcoholism.

8. On March 27, 2001, Respondent's wife contacted the Contractor and stated that Respondent was not willing to enter into a hospital for treatment. On March 28, 2001, the Contractor closed Respondent's case and forwarded it to the Department for disposition, due to Respondent's relapses and refusal to seek treatment recommended by the Contractor.

### COUNT I

Respondent's conduct, as set forth above, evidences a condition which impairs, or may impair, the ability to safely and skillfully practice the health profession, in violation of section 16221(a) of the Public Health Code, supra.

STATE OF MICHIGAN - INGHAM COUNTY  
We certify that the foregoing is a true copy  
of the original on file in the office of the  
Department of Health and Human Services,  
Bureau of Health Services

COUNT II

Respondent's conduct, as set forth above, evidences substance abuse, in violation of section 16221(b)(ii) of the Public Health Code, supra.

COUNT III

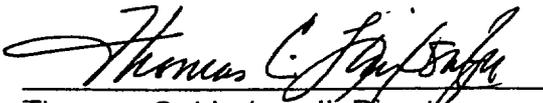
Respondent's conduct, as set forth above, indicates that Respondent suffers from a mental or physical inability reasonably related to and adversely affecting Respondent's ability to practice in a safe and competent manner, in violation of section 16221(b)(iii) of the Public Health Code, supra.

WHEREFORE, Complainant requests that a hearing be scheduled pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq; MSA 3.560(101) et seq; the Public Health Code, and the rules promulgated thereunder.

FURTHER, pending a hearing and final determination in the within cause, and pursuant to section 16233(5) of the Public Health Code, supra, Complainant states that the public health, safety and welfare requires emergency action and Respondent's license to practice osteopathic medicine should accordingly be summarily suspended.

RESPONDENT IS HEREBY NOTIFIED that, pursuant to section 16231(7) of the Public Health Code, supra, Respondent has 30 days from the date of receipt of this complaint to submit a written response to the allegations contained herein. The written response shall be submitted to Complainant, Thomas C. Lindsay II, Director, Bureau of Health Services, Department of Consumer & Industry Services, P.O. Box 30670, Lansing, MI 48909.

RESPONDENT IS FURTHER NOTIFIED that, pursuant to section 16231(8) of the Public Health Code, supra, Respondent's failure to submit a written response within 30 days, as noted above, shall be treated as an admission of the allegations contained herein and shall result in transmittal of this complaint directly to the Disciplinary Subcommittee for imposition of an appropriate sanction.

  
Thomas C. Lindsay II, Director  
Bureau of Health Services

DATED: *May 2, 2001*

This is the last and final page of an Administrative Complaint in the matter of Robert H. Chatfield, D.O., File Number 51-01-0577-00, before the Disciplinary Subcommittee of the Michigan Board of Osteopathic Medicine and Surgery, consisting of five pages, this page included.

JEC

STATE OF MICHIGAN - INGHAM COUNTY  
We certify that the foregoing is a true copy  
of the original on file in the office of the  
Department of Consumer and Industry  
**TRUE COPY**

STATE OF MICHIGAN  
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES  
BUREAU OF HEALTH SERVICES  
BOARD OF OSTEOPATHIC MEDICINE AND SURGERY  
DISCIPLINARY SUBCOMMITTEE

In the Matter of

ROBERT H. CHATFIELD, D.O.

File Number: 51-01-0577-00

License Number: 51-01-007173

CONSENT ORDER AND STIPULATION

CONSENT ORDER

An Administrative Complaint was issued on May 2, 2001, charging Robert H. Chatfield, D.O., hereafter Respondent, with having violated sections 16221(a), 16221(b)(ii), and 16221(b)(iii) of the Public Health Code, 1978 PA 368, as amended.

Based upon the Administrative Complaint and after consultation with the Chairperson of the Michigan Board of Osteopathic Medicine and Surgery, the Department summarily suspended Respondent's license to practice osteopathic medicine by order dated May 2, 2001.

Respondent has admitted, by Stipulation submitted herewith, that the facts alleged in the Complaint are true and constitute violations of the Public Health Code.

The Disciplinary Subcommittee of the Michigan Board of Osteopathic Medicine and Surgery has reviewed the Stipulation and ~~based upon the matters asserted~~

therein, agrees that the public interest is best served by resolution of the outstanding Complaint. Now therefore,

IT IS HEREBY FOUND that the allegations of fact and law set forth in the Complaint are true and constitute violations of sections 16221(a), 16221(b)(ii), and 16221(b)(iii) of the Public Health Code, supra.

Accordingly,

IT IS HEREBY ORDERED that the Order of Summary Suspension, dated May 2, 2001, shall be DISSOLVED, as of the effective date of this Consent Order.

IT IS FURTHER ORDERED that for the aforesaid violations of the Public Health Code, Respondent shall be placed on PROBATION for a period of two years, commencing on the effective date of this order. The terms of probation shall be as follows:

1. MONITORING AGREEMENT. Within 60 days from the effective date of this order, Respondent shall enter into a disciplinary, non-confidential monitoring agreement with the Michigan Health Professional Recovery Corporation (Contractor); telephone number: 800-453-3784.

When formulating the terms of the monitoring agreement, the Contractor shall consider the treatment recommendations of Respondent's psychiatrist, James Rhyee, M.D., and Respondent's therapist, Jan Griffin, M.S.W., A.C.S.W., C.A.C.I.,

pursuant to letters to the Contractor from Dr. Rhyee and Ms. Griffin, dated in June 2001. Copies of the letters are attached.

If it is confirmed by the Contractor that Respondent has failed to comply with the terms of the monitoring agreement, the Contractor shall immediately notify the Department's designee in writing of the confirmed noncompliance.

All information and documentation acquired by the Contractor in developing and implementing the monitoring agreement required herein shall be made available to the Department upon request to establish Respondent's compliance or noncompliance with the monitoring agreement and this Order.

Upon Respondent's successful completion of the monitoring agreement, the Contractor shall promptly notify the Department in writing.

2. COMPLIANCE WITH THE PUBLIC HEALTH CODE. Respondent shall comply with all applicable provisions of the Michigan Public Health Code and rules promulgated thereunder.
  
3. COSTS. Respondent shall be solely responsible for payment of all costs incurred in complying with the terms of this order.

IT IS FURTHER ORDERED that Respondent shall be automatically discharged from probation at the end of the probationary period, PROVIDED Respondent has complied with the terms of this order.

IT IS FURTHER ORDERED that in the event Respondent violates any provision of this order, and if such violation is deemed to constitute an independent

violation of the Public Health Code or the rules promulgated thereunder, the Disciplinary Subcommittee may proceed to take disciplinary action pursuant to 1996 AACRS, R 338.1632 and section 16221(g) of the Public Health Code, supra.

IT IS FURTHER ORDERED that this order shall be effective 30 days from the date signed by the Disciplinary Subcommittee, as set forth below.

Dated: 8/2/01

MICHIGAN BOARD OF OSTEOPATHIC  
MEDICINE AND SURGERY

By: Mabel K. Helton  
Chairperson, Disciplinary Subcommittee

#### STIPULATION

1. The allegations of fact contained in the Administrative Complaint dated May 2, 2001, are true and constitute violations of sections 16221(a), 16221(b)(ii), and 16221(b)(iii) of the Public Health Code, supra.

2. Respondent understands and intends that by signing this Stipulation Respondent is waiving the right, pursuant to the Public Health Code, the rules promulgated thereunder, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq; MSA 3.560(101) et seq, to require Complainant to prove the charges set forth in the Administrative Complaint by presentation of evidence and legal authority,

and to appear with an attorney and such witnesses as Respondent may desire to present a defense to the charges.

3. Factors considered in the formulation of the within Consent Order were as follows:

During negotiations to settle this matter, Respondent submitted evidence to the Department indicating that he has continued regular treatment for alcoholism and depression after his case was closed by the Contractor in March 2001. Respondent also expressed his desire to enter into and comply with a monitoring agreement with the Contractor.

4. Respondent understands that if the duration of the monitoring agreement extends beyond the probationary period set forth in this Order, the probationary period shall continue until Petitioner has successfully complied with all treatment requirements.

5. Respondent hereby authorizes the individuals and entities required to report pursuant to the foregoing Consent Order, to release to the Bureau of Health Services and/or the Department of Attorney General any and all information that may have been obtained or made, necessary for full compliance with the foregoing Consent Order and to assure protection of the public health, safety and welfare.

6. Kathleen Thrall, a member of the Board who supports this proposal, and Complainant's representative are both free to discuss this matter with the Disciplinary

Subcommittee and recommend acceptance of the resolution set forth in the foregoing Consent Order.

7. The foregoing Consent Order is approved as to form and substance by Respondent and Complainant and may be entered as the final order of the Disciplinary Subcommittee in this case.

8. The foregoing is conditioned upon acceptance by the Disciplinary Subcommittee, Respondent and Complainant expressly reserving the right to further proceedings without prejudice should the Consent Order be rejected.

AGREED TO BY:

AGREED TO BY:

*Thomas C. Lindsay II*

Thomas C. Lindsay II, Director  
Bureau of Health Services  
Complainant

*Robert H. Chatfield*

Robert H. Chatfield, D.O.  
Respondent

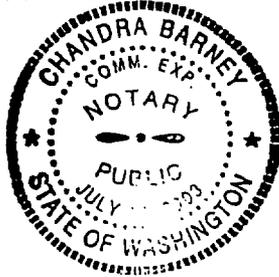
Dated: July 23, 2001

Dated: 07-20-01

WASHINGTON )  
State of ~~Michigan~~ )  
County of KING ) ss

On the 20<sup>th</sup> day of July, 2001, before me a Notary Public in and for said county, appeared Robert H. Chatfield, D.O., who, upon oath, stated that he has read the foregoing Consent Order and Stipulation by his subscribed, that he knows the

contents thereof to be true, and that the signing of said Consent Order and Stipulation is his free act and deed.



*Chandra Barney*

Notary Public, KING County  
State of ~~Michigan~~ WASHINGTON  
My Commission expires 07/16/03

This is the last and final page of a Consent Order and Stipulation in the matter of Robert H. Chatfield, D.O., File Number 51-01-0577-00, before the Disciplinary Subcommittee of the Michigan Board of Osteopathic Medicine and Surgery, consisting of seven pages, this page included.

Attachments

JEC

James T.S. Rhyee, M.D.

[Redacted]

June 25, 2001

MHPRC

RE: Robert Chatfield, D.O.

[Redacted]

To Whom It May Concern:

Robert Chatfield, 53, has been under my care since April 5, 2001.

This document is intended to validate the fact that Dr. Robert Chatfield's current outlined recovery program, as described in greater detail below, has my full endorsement. This program was jointly drafted by Dr. Chatfield's therapist, Jan Griffin, and myself.

In my professional opinion, this program is reasonably designed to address Dr. Chatfield's medical/psychological conditions, focusing (to a significant extent, albeit not exclusively) on his bipolar disorder, and includes dealing with among other things, childhood trauma issues and his prior alcohol abuse. The recovery regimen that we have established under which Dr. Chatfield has commenced operating includes appropriate and comprehensive support group interaction. Dr. Chatfield currently is documenting attendance at all meetings and therapy session which he plans to share with MHPRC on a monthly basis.

Dr. Chatfield discussed with me his intent to re-enter the MHPRC Recovery Program and, in connection therewith, has expressed to me his strong preference to maintain in effect this program with as minimal modifications as possible while contracted with MHPRC. Insofar as this program has been specifically tailored to Dr. Chatfield's needs, I recommend utilizing this program as the basis for his MHPRC obligations. Dr. Chatfield also would prefer foregoing any drug testing which he finds expensive and somewhat humiliating, and I tend to support his viewpoint on this as well. I have chosen to prescribe Naltrexone and Dr. Chatfield with my approval, has opted on his own to include Antabuse. Both these medications are being strictly monitored by his wife and documented on a daily log sheet, along with all his other medications.

Further, I understand that Dr. Chatfield's sole addiction has been alcohol without any other history of substance abuse.

As noted above, I will continue to see Dr. Chatfield in my office on a three to four week basis as his attending psychiatrist. To the extent that any changes should be made (which I do not anticipate), I would expeditiously relate such recommendations to MHPRC.

Sincerely,

  
James T. S. Rhyee, M.D.  
JR/cin

STATE OF MICHIGAN - INGHAM COUNTY  
We certify that the foregoing is a true copy  
of the original on file in the office of the  
Department of Consumer and Industry

SOLUTIONS, SUPPORT & EXPERTISE

Phone: [REDACTED] Fax: [REDACTED]

DATE: June 26, 2001

MEMO TO: [REDACTED] Psychologist  
MHPRC

RE: Robert Chatfield, D.O.

FROM: Jan Griffin, MSW, ACSW, CACI

29

I'm writing this memo in support of Dr. Robert Chatfield reentering MHPRC for a maximum two year program due to his previous official participation with MHPRC for 23 months and over 2 years in a Professional Recovery Program. In addition, there appears to be more acceptance and knowledge on his part in regard to his alcoholic nature and mental health issues. Dr. Chatfield attended Sierra Tucson between 1-10 and 2-7-01 followed by a transfer to the Life Healing Center in Santa Fe from 2-8 to 3-10-01. Upon returning home, Dr. Chatfield relapsed and obtained treatment through McLaren Psychiatric Hospital from 3-31 through 4-2-01 where he met Dr. James Rhyee his present psychiatrist. Dr. Chatfield states that he is gaining insight into his alcohol relapses indicating that they result from his manic episodes. For the past 6 weeks he has been able to sleep approximately 8 hours a night which is a marked improvement. He is now taking 50mg of Lamictal for mood stabilization, 450mg Trileptal two times a day, Naltrexone in the morning, 50mg Seroquel and 2mg Klonopin at night. Dr. Chatfield's wife Ginger is monitoring his Naltrexone and Antabuse with documentation on a daily basis.

Dr. Chatfield plans to attend Emotion's Anonymous on Saturdays at 10:00a.m., the Depression-Manic Depression National Association meeting from 7 to 8:30 p.m. on the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays of the month, on the 2<sup>nd</sup> and 4<sup>th</sup> Tues he will attend the National Alliance for the Mentally Ill and whenever a 5<sup>th</sup> Tues occurs he will attend another Emotion's Anonymous meeting. He plans to meet with me weekly for individual and/or family therapy and to see Dr. Rhyee every 3 to 4 weeks. He plans to take a Yoga class weekly and to meditate 20 minutes a day. He is committed to attending 2 AA per week and his home group will be in Rankin. He has obtained two sponsors, i.e., Mike D. is a professional in recovery and Eugene will be his sponsor from Emotion's Anonymous. Dr. Chatfield has agreed to obtain urine drug analyses to confirm his sobriety and progress at this time appears positive.

If you have any questions or if I can be of further service, please feel free to call 810 655-4331.

Cc: Carey Kalmowitz, Atty

STATE OF MICHIGAN - INGHAM COUNTY  
We certify that the foregoing is a true copy  
of the original on file in the office of the  
Department of Consumer and Industr