

STEP II
CONSENT AGREEMENT
BETWEEN
PAUL CLAASSEN, D.O.,
AND
THE STATE MEDICAL BOARD OF OHIO

This Consent Agreement is entered into by and between Paul Claassen, D.O., [Dr. Claassen], and the State Medical Board of Ohio [Board], a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

Dr. Claassen enters into this Consent Agreement being fully informed of his rights under Chapter 119., Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudicative hearing on the issues considered herein.

BASIS FOR ACTION

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

- A. The Board is empowered by Section 4731.22, Ohio Revised Code, to limit, revoke, suspend a certificate, refuse to register or reinstate an applicant, or reprimand or place on probation the holder of a certificate for violations of Section 4731.22(B)(5), Ohio Revised Code, “[m]aking a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or a limited branch of medicine; or in securing or attempting to secure any certificate to practice or certificate of registration issued by the board,” and/or Section 4731.22(B)(9), Ohio Revised Code, “[a] plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony,” and/or Section 4731.22(B)(26), Ohio Revised Code, “impairment 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.”
- B. The Board enters into this Consent Agreement in lieu of formal proceedings based upon the violation of Sections 4731.22(B)(5), (B)(9) and (B)(26), Ohio Revised Code, as set forth in Paragraphs E through H of the November 9, 2005 Step I Consent Agreement Between Paul Claassen, D.O., and the State Medical Board of Ohio [November 2005 Step I Consent Agreement], a copy of which is attached hereto and fully incorporated herein, as well as in paragraphs E through G below. The Board expressly reserves the right to institute formal proceedings based upon any other violations of Chapter 4731. of the Revised Code, whether occurring before or after the effective date of this Consent Agreement.

- C. Dr. Claassen is applying for reinstatement of his license to practice osteopathic medicine and surgery in the State of Ohio, license number 34.002889, which was suspended for an indefinite period of time, but not less than 90 days, pursuant to terms of the above-referenced November 2005 Step I Consent Agreement.
- D. Dr. Claassen states that he is not licensed to practice osteopathic medicine and surgery in any other State or jurisdiction.
- E. Dr. Claassen admits that he entered inpatient treatment for diagnoses including alcohol dependence and major depression moderate recurrent, at the Woods at Parkside [Parkside], a Board-approved treatment provider in Columbus, Ohio, on or about November 7, 2005, and that he was discharged treatment complete on or about December 16, 2005. Dr. Claassen states and the Board acknowledges receipt of information to support that he has remained compliant with the terms of his aftercare contract with Parkside, which is effective from on or about November 8, 2005, to November 8, 2007.
- F. Dr. Claassen states and the Board acknowledges that David Goldberg, D.O., Medical Director of Greene Hall, a Board-approved treatment provider in Xenia, Ohio, provided a written report indicating that Dr. Claassen's ability to practice has been assessed and that he has been found capable of practicing osteopathic medicine and surgery according to acceptable and prevailing standards of care, as long as certain treatment and monitoring requirements are in place, including that he receives psychiatric counseling for his diagnosis of depression and that the random urine screen testing intermittently include ethyl glucuronide analysis. Dr. Claassen states and the Board acknowledges that Edna Jones, M.D., Medical Director of Parkside, provided a written report indicating that Dr. Claassen's ability to practice has been assessed and that he has been found capable of practicing osteopathic medicine and surgery according to acceptable and prevailing standards of care, as long as certain treatment and monitoring requirements are in place.
- G. Dr. Claassen states and the Board acknowledges receipt of information to support that Dr. Claassen has fulfilled the conditions for reinstatement of his certificate to practice osteopathic medicine and surgery in the State of Ohio, as established in the above-referenced November 2005 Step I Consent Agreement between Dr. Claassen and the Board.

AGREED CONDITIONS

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, the certificate of Dr. Claassen to practice osteopathic medicine and surgery in the State of Ohio shall be REINSTATED, and Dr. Claassen knowingly

and voluntarily agrees with the Board to the following PROBATIONARY terms, conditions and limitations:

1. Dr. Claassen shall obey all federal, state, and local laws, and all rules governing the practice of osteopathic medicine in Ohio and all terms of probation imposed by the Court in criminal case number Case # 33D02-0412-FD-0303.
2. Dr. Claassen 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 Consent Agreement. The first quarterly declaration must be received in the Board's offices on the date his quarterly declaration would have been due pursuant to his November 2005 Step I Consent Agreement with the Board. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.
3. Dr. Claassen shall appear in person for an interview before the full Board or its designated representative. The first such appearance shall take place on the date his appearance would have been scheduled pursuant to his November 2005 Step I Consent Agreement with the Board. 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.
4. Dr. Claassen shall obtain permission from the Board for departures or absences from Ohio. Such periods of absence shall not reduce the probationary term, unless otherwise determined by motion of the Board for absences of three months or longer, or by the Secretary or the Supervising Member of the Board for absences of less than three months, in instances where the Board can be assured that probationary monitoring is otherwise being performed.
5. In the event Dr. Claassen is found by the Secretary of the Board to have failed to comply with any provision of this Consent Agreement, and is so notified of that deficiency in writing, such period(s) of noncompliance will not apply to the reduction of the probationary period under this Consent Agreement.

MONITORING OF REHABILITATION AND TREATMENT

Drug Associated Restrictions

6. Dr. Claassen shall keep a log of all controlled substances prescribed. Such log shall be submitted, in the format approved by the Board, thirty days prior to Dr. Claassen's personal appearance before the Board or its designated representative, or as otherwise directed by the Board. Further, Dr. Claassen shall make his patient records with regard to such prescribing available for review by an agent of the Board upon request.

Sobriety

7. Dr. Claassen shall abstain completely from the personal use or possession of drugs, except those prescribed, dispensed or administered to him by another so authorized by law who has full knowledge of Dr. Claassen's history of chemical dependency.
8. Dr. Claassen shall abstain completely from the use of alcohol.

Drug and Alcohol Screens/Supervising Physician

9. Dr. Claassen shall submit to random urine screenings for drugs and alcohol on a weekly basis or as otherwise directed by the Board. Dr. Claassen 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.

Dr. Claassen shall abstain from consumption of poppy seeds or any other food or liquid that may produce false results in a toxicology screen.

Dr. Claassen and the Board agree that the person or entity previously approved by the Board to serve as Dr. Claassen's supervising physician pursuant to the November 2005 Step I Consent Agreement is hereby approved to continue as Dr. Claassen's designated supervising physician under this Consent Agreement, unless within thirty days of the effective date of this Consent Agreement, Dr. Claassen submits to the Board for its prior approval the name and curriculum vitae of an alternative supervising physician to whom Dr. Claassen shall submit the required urine 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. Claassen. Dr. Claassen 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. Further, the supervising physician shall ensure that additional testing of urine specimens for ethyl glucuronide is done on a random basis to include at least two out of every six urine specimens.

The Board expressly reserves the right to disapprove any person or entity proposed to serve as Dr. Claassen's designated supervising physician, or to withdraw approval of any person or entity previously approved to serve as Dr. Claassen's designated supervising physician, in the event that the Secretary and Supervising Member of the Board determine that any such supervising physician has demonstrated a lack of cooperation in providing information to the Board or for any other reason.

Dr. Claassen 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 Consent Agreement, 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. Claassen must immediately notify the Board in writing, and make arrangements acceptable to the Board for another supervising physician as soon as practicable. Dr. Claassen 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. Claassen's quarterly declaration. It is Dr. Claassen's responsibility to ensure that reports are timely submitted.

10. The Board retains the right to require, and Dr. Claassen agrees to submit, blood or urine specimens for analysis at Dr. Claassen's expense upon the Board's request and without prior notice. Dr. Claassen's refusal to submit a blood or urine specimen upon request of the Board shall result in a minimum of one year of actual license suspension.

Psychiatric Treatment

11. Within thirty days of the effective date of this Consent Agreement, Dr. Claassen shall submit to the Board for its prior approval the name and qualifications of a psychiatrist of his choice. Upon approval by the Board, Dr. Claassen shall undergo and continue psychiatric treatment monthly or as otherwise directed by the Board. Dr. Claassen shall comply with his psychiatric treatment plan, including taking medications as prescribed and/or ordered for his psychiatric disorder. Dr. Claassen 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. The psychiatric reports shall contain information describing Dr. Claassen's current treatment plan and any changes that have been made to the treatment plan since the prior report; Dr. Claassen's compliance with his treatment plan; Dr. Claassen's mental status; Dr. Claassen's progress in treatment; and results of any laboratory studies that have been conducted since the prior report. Dr. Claassen shall ensure that his treating psychiatrist immediately notifies the Board of his failure to comply with his psychiatric treatment plan and/or any determination that Dr. Claassen is unable to practice due to his psychiatric disorder. It is Dr. Claassen's responsibility to ensure that quarterly reports

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

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

Monitoring Physician

12. Before engaging in any medical practice, Dr. Claassen 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 and Supervising Member will give preference to a physician who practices in the same locale as Dr. Claassen and who is engaged in the same or similar practice specialty.

The monitoring physician shall monitor Dr. Claassen and his medical practice, and shall review Dr. Claassen'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. Claassen and his medical practice, and on the review of Dr. Claassen's patient charts. Dr. Claassen 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. Claassen's quarterly declaration.

In the event that the designated monitoring physician becomes unable or unwilling to serve in this capacity, Dr. Claassen must immediately so notify the Board in writing. In addition, Dr. Claassen 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. Claassen 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.

Rehabilitation Program

13. Dr. Claassen 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. Substitution of any other specific program must receive prior Board approval.

Dr. Claassen 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. Claassen's quarterly declarations.

Aftercare

14. Dr. Claassen shall contact an appropriate impaired physicians committee, approved by the Board, to arrange for assistance in recovery or aftercare.
15. Dr. Claassen shall maintain continued compliance with the terms of the aftercare contract entered into with his treatment provider, provided that, where terms of the aftercare contract conflict with terms of this Consent Agreement, the terms of this Consent Agreement shall control.

Releases

16. Dr. Claassen shall provide continuing authorization, through appropriate written consent forms, for disclosure by his treatment provider to the Board, to treating and monitoring physicians, and to others involved in the monitoring process, of information necessary for them to fulfill their respective duties and obligations.

Required Reporting by Licensee

17. Within thirty days of the effective date of this Consent Agreement, Dr. Claassen shall provide a copy of this Consent Agreement 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. Claassen shall provide a copy of this Consent Agreement 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.
18. Within thirty days of the effective date of this Consent Agreement, Dr. Claassen shall provide a copy of this Consent Agreement 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. Claassen further agrees to provide a copy of this Consent Agreement 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 for reinstatement of any professional license. Further, Dr. Claassen shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.

19. Dr. Claassen shall provide a copy of this Consent Agreement to all persons and entities that provide Dr. Claassen chemical dependency treatment or monitoring.

FAILURE TO COMPLY

If, in the discretion of the Secretary and Supervising Member of the Board, Dr. Claassen appears to have violated or breached any term or condition of this Consent Agreement, the Board reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including, but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this Consent Agreement.

If the Secretary and Supervising Member of the Board determine that there is clear and convincing evidence that Dr. Claassen has violated any term, condition or limitation of this Consent Agreement, Dr. Claassen agrees that the violation, as alleged, also constitutes clear and convincing evidence that his continued practice presents a danger of immediate and serious harm to the public for purposes of initiating a summary suspension pursuant to Section 4731.22(G), Ohio Revised Code.

DURATION/MODIFICATION OF TERMS

Dr. Claassen shall not request termination of this Consent Agreement for a minimum of five years. In addition, Dr. Claassen shall not request modification to the probationary terms, limitations, and conditions contained herein for at least one year. Otherwise, the above-described terms, limitations and conditions may be amended or terminated in writing at any time upon the agreement of both parties.

ACKNOWLEDGMENTS/LIABILITY RELEASE

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

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

Dr. Claassen hereby releases the Board, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

This Consent Agreement 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. Dr. Claassen acknowledges that his social security number will be used if this information is so reported and agrees to provide his social security number to the Board for such purposes.

EFFECTIVE DATE

It is expressly understood that this Consent Agreement 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.

Paul Claassen D.O.
PAUL CLAASSEN, D.O.

Lance A. Talmage M.D.
LANCE A. TALMAGE, M.D.
Secretary

July 3, 2006
DATE

7-12-06
DATE

Raymond J. Albert
RAYMOND J. ALBERT
Supervising Member

7/12/06
DATE

Marcie Pastrick
MARCIE PASTRICK
Enforcement Attorney

July 6, 2006
DATE

**STEP I
CONSENT AGREEMENT
BETWEEN
PAUL CLAASSEN, D.O.
AND
THE STATE MEDICAL BOARD OF OHIO**

This Consent Agreement is entered into by and between Paul Claassen, D.O. and the State Medical Board of Ohio [Board], a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

Dr. Claassen enters into this Consent Agreement being fully informed of his rights under Chapter 119., Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudicative hearing on the issues considered herein.

BASIS FOR ACTION

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

- A. The Board is empowered by Section 4731.22, Ohio Revised Code, to limit, revoke, suspend a certificate, refuse to register or reinstate an applicant, or reprimand or place on probation the holder of a certificate for violations of Section 4731.22(B)(5), Ohio Revised Code, "[m]aking a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or a limited branch of medicine; or in securing or attempting to secure any certificate to practice or certificate of registration issued by the board," and/or Section 4731.22(B)(9), Ohio Revised Code, "[a] plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony," and/or Section 4731.22(B)(26), Ohio Revised Code, "impairment 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."
- B. The Board enters into this Consent Agreement in lieu of formal proceedings based upon the violation of Sections 4731.22(B)(5), (B)(9) and (B)(26), Ohio Revised Code, as set forth in Paragraphs E through H below, and expressly reserves the right to institute formal proceedings based upon any other violations of Chapter 4731. of the Revised Code, whether occurring before or after the effective date of this Agreement.
- C. Dr. Claassen is licensed to practice osteopathic medicine and surgery in the State of Ohio, License #34-002889.

STEP I CONSENT AGREEMENT**PAUL CLAASSEN, D.O.****PAGE 2**

- D. Dr. Claassen states that he is not licensed to practice osteopathic medicine and surgery in any other State or jurisdiction.
- E. Dr. Claassen admits that in Indiana in or about May 2003, he was charged with and subsequently found guilty of Operating a Vehicle While Intoxicated, a misdemeanor, and when he was arrested, he had a blood alcohol content of 0.15. Dr. Claassen further admits that in Indiana on or about December 2, 2004, he was charged with and subsequently, in or about June 2005, found guilty of Operating a Vehicle While Intoxicated, a felony, and when he was arrested, he had a blood alcohol content of 0.39. Dr. Claassen further admits that on or about October 24, 2005, he was arrested for Operating a Vehicle While Under the Influence after he failed a field sobriety test and had a blood alcohol content of 0.194.
- F. Dr. Claassen further admits that despite having been found guilty of a misdemeanor since signing his last application for renewal of his certificate, when he completed his application for renewal of his certificate to practice osteopathic medicine or surgery on or about March 23, 2005, he answered "No" to Question 1, which asks "At any time since signing your last application for renewal of your certificate, have you been found guilty of, or pled guilty or no contest to, or received treatment or intervention in lieu of conviction of, a misdemeanor or felony?"
- G. Dr. Claassen further admits that on or about October 28, 2005, he reported to the Board's Compliance Officer his above-mentioned alcohol-related arrests and convictions, his compulsion with alcohol, and his failure to report his misdemeanor on his renewal application. Dr. Claassen further admits that he reported at that time that he was entering The Woods at Parkside [Parkside], a Board-approved treatment provider in Columbus, Ohio, for a three-day evaluation to commence on or about November 7, 2005. Dr. Claassen further admits that on or about November 8, 2005, he was diagnosed as alcohol dependent and has remained at Parkside for further treatment, including 28-day residential treatment.
- H. Dr. Claassen further admits that he is currently impaired in his ability to practice osteopathic medicine and surgery according to acceptable and prevailing standards of care is impaired because of habitual or excessive use or abuse of alcohol.

AGREED CONDITIONS

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, Dr. Claassen knowingly and voluntarily agrees with the Board to the following terms, conditions and limitations:

SUSPENSION OF CERTIFICATE

1. The certificate of Dr. Claassen to practice osteopathic medicine and surgery in the State of Ohio shall be **SUSPENDED** for an indefinite period of time, but not less than 90 days.

STEP I CONSENT AGREEMENT

PAUL CLAASSEN, D.O.

PAGE 3

Sobriety

2. Dr. Claassen shall abstain completely from the personal use or possession of drugs, except those prescribed, dispensed or administered to him by another so authorized by law who has full knowledge of Dr. Claassen's history of chemical dependency.
3. Dr. Claassen shall abstain completely from the use of alcohol.

Releases; Quarterly Declarations and Appearances

4. Dr. Claassen shall provide 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. Claassen's chemical dependency or related conditions, or for purposes of complying with this Consent Agreement, whether such treatment or evaluation occurred before or after the effective date of this Consent Agreement. 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. Claassen further agrees to provide the Board written consent permitting any treatment provider from whom he obtains treatment to notify the Board in the event he fails to agree to or comply with any treatment contract or aftercare contract. Failure to provide such consent, or revocation of such consent, shall constitute a violation of this Consent Agreement.
5. Dr. Claassen 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 Consent Agreement. The first quarterly declaration must be received in the Board's offices on the first day of the third month following the month in which this Consent Agreement becomes effective, provided that if the effective date is on or after the sixteenth day of the month, the first quarterly declaration must be received in the Board's offices on the first day of the fourth month following. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.
6. Dr. Claassen shall appear in person for an interview before the full Board or its designated representative during the third month following the effective date of this Consent Agreement. 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.

Drug & Alcohol Screens; Supervising Physician

STEP I CONSENT AGREEMENT

PAUL CLAASSEN, D.O.

PAGE 4

7. Dr. Claassen shall submit to random urine screenings for drugs and alcohol on a weekly basis or as otherwise directed by the Board. Dr. Claassen 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.

Dr. Claassen shall abstain from consumption of poppy seeds or any other food or liquid that may produce false results in a toxicology screen.

Within thirty days of the effective date of this Consent Agreement, Dr. Claassen shall submit to the Board for its prior approval the name of a supervising physician to whom Dr. Claassen shall submit the required urine 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. Claassen. Dr. Claassen 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. Claassen 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 Consent Agreement, 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. Claassen must immediately notify the Board in writing, and make arrangements acceptable to the Board for another supervising physician as soon as practicable. Dr. Claassen 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. Claassen's quarterly declaration. It is Dr. Claassen's responsibility to ensure that reports are timely submitted.

8. The Board retains the right to require, and Dr. Claassen agrees to submit, blood or urine specimens for analysis at Dr. Claassen's expense upon the Board's request and without prior notice.

Rehabilitation Program

**STEP I CONSENT AGREEMENT
PAUL CLAASSEN, D.O.
PAGE 5**

9. Within thirty days of the effective date of this Consent Agreement, Dr. Claassen shall undertake and 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. Substitution of any other specific program must receive prior Board approval.

Dr. Claassen 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. Claassen's quarterly declarations.

CONDITIONS FOR REINSTATEMENT

10. The Board shall not consider reinstatement of Dr. Claassen's certificate to practice osteopathic medicine and surgery until all of the following conditions are met:
- a. Dr. Claassen shall submit an application for reinstatement, accompanied by appropriate fees, if any.
 - b. Dr. Claassen 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:
 - i. Certification from a treatment provider approved under Section 4731.25 of the Revised Code that Dr. Claassen has successfully completed any required inpatient treatment, including at least 28 days of inpatient or residential treatment for chemical dependence, as set forth in Rules 4731-16-02(B)(4)(a) and 4731-16-08(A)(13), Ohio Administrative Code, completed consecutively.
 - ii. 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.
 - iii. Evidence of continuing full compliance with this Consent Agreement.
 - iv. Two written reports indicating that Dr. Claassen's ability to practice has been assessed and that he has been found capable of practicing according to acceptable and prevailing standards of care. The reports shall be made by physicians knowledgeable in the area of addictionology and who are either affiliated with a current Board-approved treatment provider or otherwise have been approved in advance by the Board to provide an assessment of Dr. Claassen. Prior to the assessments, Dr. Claassen shall provide the evaluators with copies of patient records from any evaluations and/or treatment that he

STEP I CONSENT AGREEMENT**PAUL CLAASSEN, D.O.****PAGE 6**

has received, and a copy of this Consent Agreement. The reports from the evaluators shall include any recommendations for treatment, monitoring, or supervision of Dr. Claassen, and any conditions, restrictions, or limitations that should be imposed on Dr. Claassen's practice. The reports shall also describe the basis for the evaluator's determinations.

All reports required pursuant to this paragraph shall be based upon examinations occurring within the three months immediately preceding any application for reinstatement.

- c. Dr. Claassen shall enter into a written consent agreement including probationary terms, conditions and limitations as determined by the Board or, if the Board and Dr. Claassen are unable to agree on the terms of a written Consent Agreement, then Dr. Claassen further agrees to abide by any terms, conditions and limitations imposed by Board Order after a hearing conducted pursuant to Chapter 119. of the Ohio Revised Code.

Further, upon reinstatement of Dr. Claassen's certificate to practice osteopathic medicine and surgery in this state, the Board shall require continued monitoring which shall include, but not be limited to, compliance with the written consent agreement entered into before reinstatement or with conditions imposed by Board Order after a hearing conducted pursuant to Chapter 119. of the Revised Code. Moreover, upon termination of the consent agreement or Board Order, Dr. Claassen shall submit to the Board for at least two years annual progress reports made under penalty of Board disciplinary action or criminal prosecution stating whether Dr. Claassen has maintained sobriety.

11. In the event that Dr. Claassen 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, the Board may exercise its discretion under Section 4731.222, Ohio Revised Code, to require additional evidence of Dr. Claassen's fitness to resume practice.

REQUIRED REPORTING BY LICENSEE

12. Within thirty days of the effective date of this Consent Agreement, Dr. Claassen shall provide a copy of this Consent Agreement 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. Claassen further agrees to provide a copy of this Consent Agreement 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 of any professional license. Further, Dr. Claassen shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.

STEP I CONSENT AGREEMENT
PAUL CLAASSEN, D.O.
PAGE 7

- 13. Within thirty days of the effective date of this Consent Agreement, Dr. Claassen shall provide a copy of this Consent Agreement 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. Claassen shall provide a copy of this Consent Agreement 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.
- 14. Dr. Claassen shall provide a copy of this Consent Agreement to all persons and entities that provide Dr. Claassen chemical dependency treatment or monitoring.

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

FAILURE TO COMPLY

If, in the discretion of the Secretary and Supervising Member of the Board, Dr. Claassen appears to have violated or breached any term or condition of this Consent Agreement, the Board reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this Consent Agreement.

ACKNOWLEDGMENTS/LIABILITY RELEASE

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

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

Dr. Claassen hereby releases the Board, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

This Consent Agreement 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. Dr. Claassen acknowledges that his social security number will be used if this information is so reported and agrees to provide his social security number to the Board for such purposes.

EFFECTIVE DATE

STEP I CONSENT AGREEMENT
PAUL CLAASSEN, D.O.
PAGE 8

It is expressly understood that this Consent Agreement 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.

Paul Claassen

PAUL CLAASSEN, D.O.

Lance A. Talmage

LANCE A. TALMAGE, M.D.
Secretary

11/9/05

DATE

11-9-05

DATE

Raymond J. Albert

RAYMOND J. ALBERT
Supervising Member

Marcie Pastrick

MARCIE PASTRICK
Enforcement Attorney

Nov. 9, 2005

DATE