

**STATE OF OHIO  
THE STATE MEDICAL BOARD**

**SURRENDER OF CERTIFICATE  
TO PRACTICE OSTEOPATHIC MEDICINE AND SURGERY**

I, Jeffrey A. Buckau, 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, Jeffrey A. Buckau, D.O., do hereby voluntarily, knowingly, and intelligently surrender my certificate to practice osteopathic medicine and surgery, No. 34-006350, to the State Medical Board of Ohio, thereby relinquishing all rights to practice osteopathic medicine and surgery in Ohio. This surrender shall be effective upon acceptance of this Surrender of Certificate to Practice Osteopathic Medicine and Surgery by the Secretary and Supervising Member of the State Medical Board of Ohio.

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

I agree that I shall be ineligible for, and shall not apply for, reinstatement of certificate to practice osteopathic medicine and surgery No. 34-006350, or issuance of any other certificate pursuant to Chapters 4730., 4731., 4760. or 4762., Ohio Revised Code, 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.

This Surrender of Certificate to Practice Osteopathic Medicine and Surgery supersedes, and serves as a resolution of all obligations arising from, the July 14, 2000, State Medical Board of Ohio Consent Agreement, a copy of which is attached hereto and incorporated herein. Further, I stipulate and agree that I am taking the action described herein in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(22) to wit: North Dakota Board of Medical Examiners Order Accepting Voluntary Surrender of License dated July 27, 2001, a copy of which is attached hereto and incorporated herein.

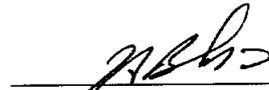
I, Jeffrey A. Buckau, D.O., hereby release the Board, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

Jeffery A. Buckau, D.O.  
Surrender of Certificate to Practice Osteopathic Medicine and Surgery  
Page 2

This document shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code, and may be reported to appropriate organizations, data banks, and governmental bodies.

I, Jeffrey A. Buckau, D.O., agree to provide my social security number to the Board and hereby authorize the Board to utilize that number in conjunction with that reporting.

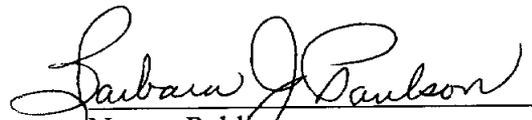
Signed this 12 day of AUG 2002.

  
\_\_\_\_\_  
Signature of Physician

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

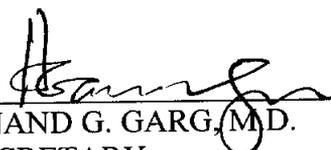
Sworn to and subscribed before me this 12<sup>th</sup> day of August 2002.

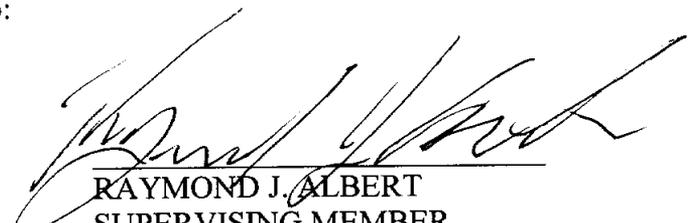
  
\_\_\_\_\_  
Notary Public

My Commission Expires  
JANUARY 5, 2003

**SEAI. (This form must be either witnessed OR notarized)**

Accepted by the State Medical Board of Ohio:

  
\_\_\_\_\_  
ANAND G. GARG, M.D.  
SECRETARY

  
\_\_\_\_\_  
RAYMOND J. ALBERT  
SUPERVISING MEMBER

08/30/02  
\_\_\_\_\_  
DATE

8/30/02  
\_\_\_\_\_  
DATE

BEFORE THE BOARD OF MEDICAL  
STATE OF NORTH DAKOTA

IN RE JEFFREY A. BUCKAU, D.O.                    )  
  )  
  )       ORDER ACCEPTING VOLUNTARY  
  )               SURRENDER OF LICENSE  
  )

WHEREAS on November 22, 1996, the North Dakota Board of Medical Examiners issued License No. 7610 to Jeffrey A. Buckau, D.O., and;

WHEREAS by his letter dated March 12, 2001, Jeffrey A. Buckau, D.O., has tendered the voluntary surrender of his license to practice medicine in North Dakota, and;

WHEREAS during its meeting on July 27, 2001, the North Dakota Board of Medical Examiners considered Dr. Buckau's request that he be allowed to voluntarily surrender his license, and;

WHEREAS the Board of Medical Examiners has agreed to allow Jeffrey A. Buckau, D.O., to voluntarily surrender his license to practice medicine in North Dakota;

NOW THEREFORE it is hereby the order of the Board that the voluntary surrender of License No. 7610 tendered by Jeffrey A. Buckau, D.O., is hereby accepted, effective July 27, 2001.

Dated this 27<sup>th</sup> day of July, 2001.

Wallace Radtke, M.D.  
WALLACE E. RADTKE, M.D.  
Chairman

BOARD OF MEDICAL EXAMINERS )  
STATE OF NORTH DAKOTA ) AFFIDAVIT OF MAILING  
)  
)

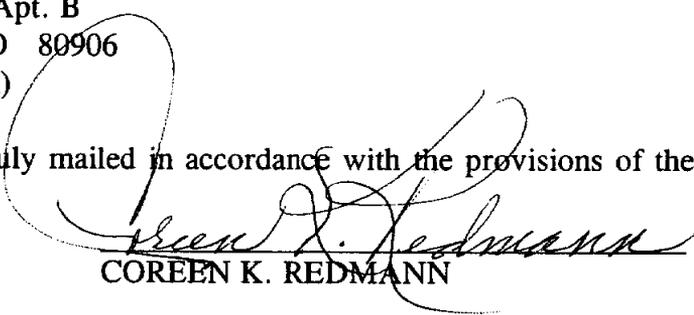
Coreen K. Redmann being first duly sworn, on oath, deposes and says: That she is a citizen of the United States, over the age of 18, and that on the 15<sup>th</sup> day of August, 2001, this affiant personally mailed the following:

**ORDER ACCEPTING VOLUNTARY SURRENDER OF LICENSE dated 7-27-2001**

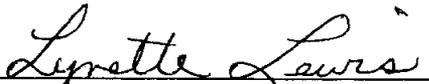
by placing a true copy in a postage paid envelope addressed to the person(s) named below, at the address(s) stated below, and by depositing said envelope with the United States Postal Service at Bismarck, North Dakota to:

Jeffrey A. Buckau, D.O.  
110 Watch Hill Dr., Apt. B  
Colorado Springs, CO 80906  
(sent by certified mail)

and that the above document was duly mailed in accordance with the provisions of the North Dakota Rules of Civil Procedure.

  
COREEN K. REDMANN

Subscribed and sworn to before me this 15<sup>th</sup> day of August, 2001.

  
Notary Public  
Burleigh County, North Dakota  
My Commission Expires:

LYNETTE LEWIS  
Notary Public, STATE OF NORTH DAKOTA  
My Commission Expires FEBRUARY 16, 2005

**CONSENT AGREEMENT  
BETWEEN  
JEFFREY A. BUCKAU, D.O.  
AND  
THE STATE MEDICAL BOARD OF OHIO**

This Consent Agreement is entered into by and between JEFFREY A. BUCKAU, D.O., and THE STATE MEDICAL BOARD OF OHIO, a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

DOCTOR BUCKAU voluntarily 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.

This Consent Agreement contains the entire Consent Agreement between the parties, there being no other Consent Agreement of any kind, verbal or otherwise, which varies the terms of this Consent Agreement.

**BASIS FOR ACTION**

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

- A. THE STATE MEDICAL BOARD OF OHIO is empowered by Section 4731.22(B), 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 any of the enumerated violations.
- B. THE STATE MEDICAL BOARD OF OHIO enters into this Consent Agreement in lieu of further formal proceedings based upon the violations of Section 4731.22, Ohio Revised Code, set forth in the Notice of Opportunity for Hearing issued by the BOARD on April 5, 2000, attached hereto as Exhibit A and incorporated herein by this reference. The BOARD expressly reserves the right to institute additional formal proceedings based upon any other violations of Chapter 4731 of the Ohio Revised Code whether occurring before or after the effective date of this Consent Agreement.
- C. DOCTOR BUCKAU'S license to practice medicine and surgery in the State of Ohio lapsed on September 30, 1998 for failure to pay renewal fees.

**Consent Agreement**

**Jeffrey A. Buckau, D.O.**

**Page 2**

- D. DOCTOR BUCKAU ADMITS the factual and legal allegations set forth in the Notice of Opportunity for Hearing issued by the STATE MEDICAL BOARD OF OHIO on April 5, 2000, attached hereto as Exhibit A and incorporated herein by reference.

**AGREED CONDITIONS**

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any further formal proceedings at this time, DOCTOR BUCKAU knowingly and voluntarily agrees with THE STATE MEDICAL BOARD OF OHIO, (hereinafter BOARD), to the following terms, conditions and limitations:

**I. REPRIMAND OF LICENSEE**

JEFFREY A BUCKAU, D.O. is hereby REPRIMANDED.

**II. PROBATIONARY CONDITIONS**

DOCTOR BUCKAU'S certificate shall be subject to the following PROBATIONARY terms, conditions, and limitations for an indefinite period of time, but not less than two (2) years:

- A. DOCTOR BUCKAU shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio.
- B. DOCTOR BUCKAU shall submit quarterly declarations under penalty of BOARD disciplinary action 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 of DR. BUCKAU'S reinstatement, provided that if the effective date is on or after the 16th 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.
- C. In the event DOCTOR BUCKAU 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 periods of noncompliance will not apply to the reduction of the probationary period under this Consent Agreement.



*Consent Agreement*  
*Jeffrey A. Buckau, D.O.*  
*Page 4*

**MODIFICATION OF TERMS**

DOCTOR BUCKAU shall not request modification to the probationary terms, limitations and conditions contained herein for at least one (1) 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.

Periods of time during which DOCTOR BUCKAU'S certificate to practice medicine and surgery is inactive due to nonpayment of renewal fees will not apply to the reduction of the probationary time periods set forth in this Consent Agreement, unless otherwise determined by motion of the BOARD in instances where the BOARD can be assured that the purposes of the probationary monitoring will be fulfilled.

**ACKNOWLEDGMENTS/LIABILITY RELEASE**

DOCTOR BUCKAU 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.

DOCTOR BUCKAU hereby releases the STATE MEDICAL BOARD OF OHIO, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

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.

**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.

Consent Agreement  
Jeffrey A. Buckau, D.O.  
Page 5

*[Signature]*  
DOCTOR BUCKAU

*12:00 pm CST*  
*6/19/00*  
DATE

DR. BUCKAU'S ATTORNEY

DATE

*[Signature]*, M.D. / *TDW*  
ANAND G. GARG, M.D.  
Secretary *Tele call*  
*9:40 AM*  
*7-14-00*

*7/14/00*  
DATE

*[Signature]* *7/12/00*  
RAYMOND J. ALBERT  
Supervising Member

*7/12/00*  
DATE

*[Signature]*  
HANZ R. WASSERBURGER  
Assistant Attorney General

*7/12/00*  
DATE

**CONSENT AGREEMENT  
BETWEEN  
JEFFREY A. BUCKAU, D.O.  
AND  
THE STATE MEDICAL BOARD OF OHIO**

This Consent Agreement is entered into by and between JEFFREY A. BUCKAU, D.O., and THE STATE MEDICAL BOARD OF OHIO, a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

DOCTOR BUCKAU voluntarily 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.

This Consent Agreement contains the entire Consent Agreement between the parties, there being no other Consent Agreement of any kind, verbal or otherwise, which varies the terms of this Consent Agreement.

**BASIS FOR ACTION**

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

- A. THE STATE MEDICAL BOARD OF OHIO is empowered by Section 4731.22(B), 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 any of the enumerated violations.
- B. THE STATE MEDICAL BOARD OF OHIO enters into this Consent Agreement in lieu of further formal proceedings based upon the violations of Section 4731.22, Ohio Revised Code, set forth in the Notice of Opportunity for Hearing issued by the BOARD on April 5, 2000, attached hereto as Exhibit A and incorporated herein by this reference. The BOARD expressly reserves the right to institute additional formal proceedings based upon any other violations of Chapter 4731 of the Ohio Revised Code whether occurring before or after the effective date of this Consent Agreement.
- C. DOCTOR BUCKAU'S license to practice medicine and surgery in the State of Ohio lapsed on September 30, 1998 for failure to pay renewal fees.

**Consent Agreement**  
**Jeffrey A. Buckau, D.O.**  
**Page 2**

- D. DOCTOR BUCKAU ADMITS the factual and legal allegations set forth in the Notice of Opportunity for Hearing issued by the STATE MEDICAL BOARD OF OHIO on April 5, 2000, attached hereto as Exhibit A and incorporated herein by reference.

**AGREED CONDITIONS**

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any further formal proceedings at this time, DOCTOR BUCKAU knowingly and voluntarily agrees with THE STATE MEDICAL BOARD OF OHIO, (hereinafter BOARD), to the following terms, conditions and limitations:

**I. REPRIMAND OF LICENSEE**

JEFFREY A BUCKAU, D.O. is hereby REPRIMANDED.

**II. PROBATIONARY CONDITIONS**

DOCTOR BUCKAU'S certificate shall be subject to the following PROBATIONARY terms, conditions, and limitations for an indefinite period of time, but not less than two (2) years:

- A. DOCTOR BUCKAU shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio.
- B. DOCTOR BUCKAU shall submit quarterly declarations under penalty of BOARD disciplinary action 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 of DR. BUCKAU'S reinstatement, provided that if the effective date is on or after the 16th 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.
- C. In the event DOCTOR BUCKAU 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 periods of noncompliance will not apply to the reduction of the probationary period under this Consent Agreement.

***Consent Agreement******Jeffrey A. Buckau, D.O.******Page 3***

- D. DOCTOR BUCKAU shall fully comply with all conditions of the North Dakota Board of Medical Examiners' November 19, 1999 Order, as well as immediately inform THE STATE MEDICAL BOARD OF OHIO of any changes in licensure status with the North Dakota Board. Additionally, DOCTOR BUCKAU shall promptly submit copies of all documents submitted to the North Dakota Board regarding the North Dakota Board action to the STATE MEDICAL BOARD OF OHIO.

**III. REQUIRED REPORTING BY LICENSEE**

- A. Within thirty (30) days of the effective date of this Consent Agreement, DOCTOR BUCKAU 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, DOCTOR BUCKAU 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.
- B. Within thirty (30) days of the effective date of this Consent Agreement, DOCTOR BUCKAU 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. DOCTOR BUCKAU 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, DOCTOR BUCKAU shall provide this BOARD with a copy of the return receipt as proof of notification within thirty (30) days of receiving that return receipt.

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

*Consent Agreement*  
*Jeffrey A. Buckau, D.O.*  
*Page 4*

### **MODIFICATION OF TERMS**

DOCTOR BUCKAU shall not request modification to the probationary terms, limitations and conditions contained herein for at least one (1) 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.

Periods of time during which DOCTOR BUCKAU'S certificate to practice medicine and surgery is inactive due to nonpayment of renewal fees will not apply to the reduction of the probationary time periods set forth in this Consent Agreement, unless otherwise determined by motion of the BOARD in instances where the BOARD can be assured that the purposes of the probationary monitoring will be fulfilled.

### **ACKNOWLEDGMENTS/LIABILITY RELEASE**

DOCTOR BUCKAU 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.

DOCTOR BUCKAU hereby releases the STATE MEDICAL BOARD OF OHIO, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

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.

### **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.





# State Medical Board of Ohio

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

April 5, 2000

Jeffrey A. Buckau, D.O.  
402 6th Street NW  
Bowman, North Dakota 58623

Dear Doctor Buckau:

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

- (1) On or about November 19, 1999, the North Dakota State Board of Medical Examiners (hereinafter the "North Dakota Board") entered an Order which placed your license on probation for a period of two (2) years subject to the terms and conditions specified in the Stipulation which you signed on October 27, 1999.

In the Stipulation, you agreed that the facts alleged by the North Dakota Board Commission on Medical Competency in the Complaint dated July 29, 1999, were true. You agreed that you engaged in advertising for the practice of medicine in an untrue or deceptive manner by advertising to the public that you were considered "board eligible" in Family Practice, when you were not. The terms and conditions of the above Stipulation included that you reimburse the Board for all fees and expenses including all attorney fees and costs, not to exceed \$500.00.

A copy of the North Dakota Board Order, Stipulation and Complaint are attached hereto and fully incorporated herein.

The North Dakota Board Order and Stipulation as alleged in paragraph (1) above constitute "[a]ny of the following actions taken by the state agency responsible for regulating the practice of medicine and surgery, osteopathic medicine and surgery, podiatry, or the limited branches of medicine in another state, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand;" as that language is used in Section 4731.22(B)(22), Ohio Revised Code.

*Mailed 4-6-00*

Jeffrey A. Buckau, D.O.

Page 2

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

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

In the event that there is no request for such hearing received within thirty (30) days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, permanently revoke, suspend, refuse to register or reinstate your certificate to practice 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, effective March 9, 1999, provides that "[w]hen the board refuses to grant a certificate to an applicant, revokes an individual's certificate to practice, refuses to register an applicant, or refuses to reinstate an individual's certificate to practice, the board may specify that its action is permanent. An individual subject to a permanent action taken by the board is forever thereafter ineligible to hold a certificate to practice and the board shall not accept an application for reinstatement of the certificate or for issuance of a new certificate."

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Anand G. Garg, M.D.  
Secretary

AGG/jag  
Enclosures

CERTIFIED MAIL # Z 281 981 867  
RETURN RECEIPT REQUESTED

BEFORE THE BOARD OF MEDICAL EXAMINERS  
STATE OF NORTH DAKOTA

Commission on Medical  
Competency,  
Complainant,  
vs.  
Jeffrey A. Buckau, D.O.  
Respondent.

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ORDER

Based upon the Stipulation dated October 29, 1999, it is the Order of the North Dakota State Board of Medical Examiners that License No. 7610 previously issued to Jeffrey A. Buckau, D.O., is hereby placed on probation for a period of two (2) years subject to the terms and conditions specified in the Stipulation dated October 29, 1999, and the same shall be incorporated herein in its entirety and shall constitute the further Order of this Board.

Dated this 19<sup>th</sup> day of November, 1999.

NORTH DAKOTA STATE BOARD  
OF MEDICAL EXAMINERS

By: Thomas W. Kempf, M.D.  
THOMAS W. KEMPF, M.D.  
Vice Chairman

BEFORE THE BOARD OF MEDICAL EXAMINERS  
STATE OF NORTH DAKOTA

Commission on Medical  
Competency,

Complainant,

vs.

Jeffrey A. Buckau, D.O.

Respondent.

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ORDER

Based upon the Stipulation dated October 29, 1999, it is the Order of the North Dakota State Board of Medical Examiners that License No. 7610 previously issued to Jeffrey A. Buckau, D.O., is hereby placed on probation for a period of two (2) years subject to the terms and conditions specified in the Stipulation dated October 29, 1999, and the same shall be incorporated herein in its entirety and shall constitute the further Order of this Board.

Dated this 19<sup>th</sup> day of November, 1999.

NORTH DAKOTA STATE BOARD  
OF MEDICAL EXAMINERS

By: Thomas W Kempf M.D.  
THOMAS W. KEMPF, M.D.  
Vice Chairman

BEFORE THE BOARD OF MEDICAL EXAMINERS

STATE OF NORTH DAKOTA

Commission on Medical Competency,  
Complainant,  
vs.  
Jeffrey A. Buckau, D.O.,  
Respondent.

STIPULATION

WHEREAS, the North Dakota State Board of Medical Examiners issued a Complaint seeking to revoke Respondent's license to practice medicine in the State of North Dakota pursuant to N.D.C.C. § 43-17-31 (11); and

WHEREAS, Respondent agrees that the facts alleged in the Complaint of the Commission on Medical Competency dated July 29, 1999 are true and are grounds for disciplinary action by the North Dakota Board of Medical Examiners and that the terms of this Stipulation are appropriate;

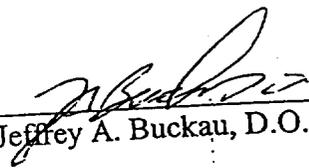
THEREFORE, IT IS HEREBY agreed by and between the parties to this action and the North Dakota State Board of Medical Examiners (hereinafter "the Board"):

1. Respondent hereby waives any procedural irregularity herein and his right to hearing on the Complaint now pending in this action;
2. The Board will enter an order placing the Respondent's license to practice medicine in the State of North Dakota on probation for a period of two (2) years. During the period of probation, the Respondent shall comply with the following terms and conditions:

- A. During the period of this agreement, Respondent shall have no further violations of the medical practices act and shall answer any questions and disclose information thereon as requested by the Board or its authorized agents.
  - B. In the event Respondent should change his current address to reside or practice at any other place, he shall promptly notify the Board in writing of the new location as well as the dates of departure and return.
  - C. Respondent shall reimburse the Board for all fees and expenses resulting from this agreement. This includes all attorney fees and costs through the final disposition of this case. The Board will notify Respondent of any such costs within a reasonable time after the execution of the Order and Respondent shall make payment within thirty (30) days from said notification. Such fees and expenses shall not exceed \$500.00.
3. If Respondent shall fail, neglect, or refuse to fully comply with any of the terms, provisions, or conditions herein, the license of Respondent to practice medicine in the State of North Dakota shall be revoked and the stay referred to herein revoked in accordance with law.
4. In the event the Board, in its discretion, does not approve this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any disciplinary action by either party hereto except that Respondent agrees that should the Board reject this Stipulation, and if this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any records relating hereto.

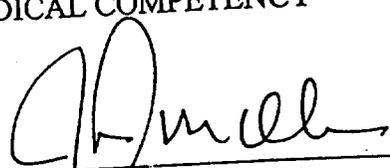
5. That this agreement for the disposition of the above-entitled contested case is a matter of public record and the obligations of the Board with respect thereto shall be governed by the laws of North Dakota and current Board policy.
6. That all parties hereto recognize that Board representatives who have engaged in discussions relative to an agreed disposition of this matter can only make recommendations to the North Dakota State Board of Medical Examiners, which recommendation can in no way be considered as binding upon the full membership of the Board who would ultimately decide the pending contested case, and this agreement is subject to acceptance by the full membership of the Board.
7. That Respondent understands that he has the right and has been afforded the opportunity to have this agreement reviewed by his attorneys, and that in the event he chooses to execute this document without taking the opportunity to avail himself of this right, such failure shall be deemed to be a waiver of such right.
8. Respondent specifically waives any claim that any disclosures made to the full membership of the Board for the purposes of the consideration of this agreement have prejudiced his rights to a fair and impartial hearing in the event this agreement is not accepted by the full Board and if further proceedings ensue.
9. Respondent further agrees that there have been no inducements, threats or promises made in order to obtain his entry into this agreement.
10. That the parties further agree that all statements contained herein are based upon the facts known to the Board on the date of execution of this agreement.

Dated this 27 day of October, 1999.

  
\_\_\_\_\_  
Jeffrey A. Buckau, D.O.

Dated this 29<sup>th</sup> day of October, 1999.

NORTH DAKOTA COMMISSION ON  
MEDICAL COMPETENCY

By:   
\_\_\_\_\_

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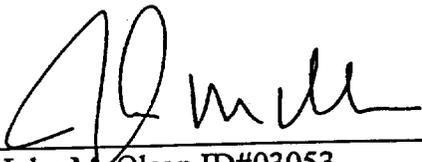


WHEREFORE, Complainant respectfully requests:

That the license of Respondent, Jeffrey A. Buckau, D.O., authorizing him to practice medicine in the state of North Dakota be revoked, or that other appropriate action be taken, by reason of Respondent's advertising for the practice of medicine in an untrue or deceptive manner, pursuant to the provisions of N.D.C.C. § 43-17-30.1.

Dated at Bismarck, North Dakota, 29<sup>A</sup> day of July, 1999.

COMMISSION ON MEDICAL COMPETENCY

By: 

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