

State Medical Board of Ohio

30 E. Broad Street, 3rd Floor, Columbus, OH 43215-6127

(614) 466-3934
med.ohio.gov

April 1, 2013

Case number: 13-CRF-018

Adam P. Hall, D.O.
2673 Sawmill Green Drive
Powell, Ohio 43065

Dear Doctor Hall:

Enclosed please find certified copies of the Entry of Order, the Notice of Summary Suspension and Opportunity for Hearing, and the Motion by the State Medical Board of Ohio made at a conference call on April 1, 2013, scheduled pursuant to Section 4731.22(G), Ohio Revised Code, adopting the Order of Summary Suspension and issuing the Notice of Summary Suspension and Opportunity for Hearing.

You are advised that continued practice after receipt of this Order shall be considered practicing without a certificate, in violation of Section 4731.43, Ohio Revised Code.

Pursuant to Chapter 119, Ohio Revised Code, you are hereby advised that you are entitled to a hearing on the matters set forth in the Notice of Summary Suspension and Opportunity for Hearing. If you wish to request such hearing, that request must be made in writing and be received in the offices of the State Medical Board within thirty days of the time of mailing of this notice. Further information concerning such hearing is contained within the Notice of Summary Suspension and Opportunity for Hearing.

THE STATE MEDICAL BOARD OF OHIO


J. Craig Strafford, M.D., M.P.H.
Secretary

JCS/MAP/pev
Enclosures

Mailed 4-2-13

CERTIFICATION

I hereby certify that the attached copies of the Entry of Order of the State Medical Board of Ohio and the Motion by the State Medical Board, in a conference call on April 1, 2013, scheduled pursuant to Section 4731.22(G), Ohio Revised Code, to Adopt the Order of Summary Suspension and to Issue the Notice of Summary Suspension and Opportunity for Hearing, constitute true and complete copies of the Motion and Order in the Matter of Adam P. Hall, D.O., Case number: 13-CRF- 018 as they appear in the Journal of the State Medical Board of Ohio.

This certification is made under the authority of the State Medical Board of Ohio and in its behalf.

J. Craig Strafford MD, MPH.
J. Craig Strafford, M.D., M.P.H., Secretary 

(SEAL)

April 1, 2013
Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF :
ADAM P. HALL, D.O. :
CASE NUMBER: 13-CRF- 018 :

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio the 1st day of April 2013.

Pursuant to Section 4731.22(G), Ohio Revised Code, and upon recommendation of J. Craig Strafford, M.D., M.P.H., Secretary, and Mark A. Bechtel, M.D., Supervising Member; and

Pursuant to their determination, based upon their review of the information supporting the allegations as set forth in the Notice of Summary Suspension and Opportunity for Hearing, that there is clear and convincing evidence that Adam P. Hall, D.O., has violated Sections 4731.22(B)(5), 4731.22(B)(10), 4731.22(B)(15), and 4731.22(B)(20), Ohio Revised Code, as alleged in the Notice of Summary Suspension and Opportunity for Hearing that is enclosed herewith and fully incorporated herein; and,

Pursuant to their further determination, based upon their review of the information supporting the allegations as set forth in the Notice of Summary Suspension and Opportunity for Hearing, that Dr. Hall's continued practice presents a danger of immediate and serious harm to the public;

The following Order is hereby entered on the Journal of the State Medical Board of Ohio for the 1st day of April 2013:

It is hereby ORDERED that the certificate of Adam P. Hall, D.O., to practice osteopathic medicine and surgery in the State of Ohio be summarily suspended.

It is hereby ORDERED that Dr. Hall shall immediately cease the practice of osteopathic medicine and surgery in Ohio and immediately refer all active patients to other appropriate physicians.

This Order shall become effective immediately.

J. Craig Strafford, MD, MPH
J. Craig Strafford, M.D., M.P.H.
Secretary

(SEAL)

April 1, 2013

State Medical Board of Ohio

30 E. Broad Street, 3rd Floor, Columbus, OH 43215-6127

(614) 466-3934
med.ohio.gov

EXCERPT FROM TELECONFERENCE OF APRIL 1, 2013

CONFERENCE CALL OF APRIL 1, 2013 TO CONSIDER THE SUMMARY SUSPENSION OF A CERTIFICATE

ADAM PATRICK HALL, D.O. – ORDER OF SUMMARY SUSPENSION AND NOTICE OF OPPORTUNITY FOR HEARING

.....

Dr. Madia moved to enter an Order of Summary Suspension in the matter of Adam Patrick Hall, D.O., in accordance with Section 4731.22(G), Ohio Revised Code, and to issue the Notice of Summary Suspension and Opportunity for Hearing to Dr. Hall. Dr. Mahajan seconded the motion. A vote was taken:

ROLL CALL:	Dr. Strafford	- abstain
	Dr. Bechtel	- abstain
	Dr. Talmage	- abstain
	Dr. Madia	- aye
	Mr. Gonidakis	- aye
	Dr. Ramprasad	- aye
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Mahajan	- aye
	Dr. Steinbergh	- aye

The motion carried.

Dr. Strafford authorized the staff to execute his signature or affix his electronic signature to the Order of Summary Suspension, Notice of Opportunity for Hearing, certification and cover letter in the matter of Adam Patrick Hall, D.O, in his absence.

State Medical Board of Ohio

30 E. Broad Street, 3rd Floor, Columbus, OH 43215-6127

(614) 466-3934
med.ohio.gov

NOTICE OF SUMMARY SUSPENSION AND OPPORTUNITY FOR HEARING

April 1, 2013

Case number: 13-CRF-018

Adam P. Hall, D.O.
2673 Sawmill Green Drive
Powell, Ohio 43065

Dear Doctor Hall:

The Secretary and the Supervising Member of the State Medical Board of Ohio [Board] have determined that there is clear and convincing evidence that you have violated Sections 4731.22(B)(5), 4731.22(B)(10), 4731.22(B)(15), and 4731.22(B)(20), Ohio Revised Code, and have further determined that your continued practice presents a danger of immediate and serious harm to the public, as set forth in paragraphs (1) and (2), below.

Therefore, pursuant to Section 4731.22(G), Ohio Revised Code, and upon recommendation of J. Craig Strafford, M.D., M.P.H., Secretary, and Mark A. Bechtel, M.D., Supervising Member, you are hereby notified that, as set forth in the attached Entry of Order, your certificate to practice osteopathic medicine and surgery in the State of Ohio is summarily suspended. Accordingly, at this time, you are no longer authorized to practice osteopathic medicine and surgery in Ohio.

Furthermore, in accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the 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 you or place you on probation for one or more of the following reasons:

- (1) During or about mid-March 2013, as part of an investigation concerning your treatment and prescribing activities, representatives of law enforcement executed a search warrant for patient records at your practice location in Ironton, Ohio, and conducted interviews of various individuals.

One of your employees, Kevin Bowers, is a convicted felon and a former physician whose certificate to practice osteopathic medicine and surgery in Ohio was suspended on or about December 13, 2008, when he entered into the Step I Consent Agreement

between Kevin Wayne Bowers, D.O., and the State Medical Board of Ohio, and whose said certificate was later revoked on or about July 14, 2010. Your office manager informed investigators Kevin Bowers independently examines patients, and that Kevin Bowers issues prescriptions by using a signature stamp of your name and/or by filling out blank prescription slips you had pre-signed. Your office manager further stated that you worked at the Ironton location only three to four days each month, and that you would routinely stamp and/or pre-sign blank prescription slips for office staff to subsequently complete at a later date in order to provide patients with drugs, including controlled substances, prior to your return the following month.

In the routine course of your practice, you undertook the care of Patients 1 through 9, as identified on the attached Patient Key. (The patient Key is confidential and to be withheld from public disclosure.) You were outside of the United States from September 15, 2008, through September 24, 2008, when you traveled to Rome, Italy; and from March 28, 2012, through April 1, 2012, when you traveled to Zurich, Switzerland. However, medical records for Patients 1 through 9 reflect progress notes of examinations/evaluations on dates of service when you were out of the country, and prescribing records show that prescriptions bearing your purported signature were issued for dangerous drugs and controlled substances during those time periods.

- (2) On or about March 14, 2007, you entered into the Step II Consent Agreement between Adam Patrick Hall, D.O., and the State Medical Board of Ohio. Paragraph 1 of that agreement required you to obey all federal, state, and local laws, and all rules governing the practice of osteopathic medicine in Ohio during your probation with the Board. Paragraph 2 of that agreement required you to submit quarterly declarations under penalty of Board disciplinary action and/or criminal prosecution, stating whether you had been in compliance with all conditions of the agreement. On or about March 14, 2012, the Board released you from the terms of probation.

You submitted quarterly Declarations of Compliance to the Board falsely declaring that you had been in full compliance with the probationary terms imposed upon you by the Board for the Declarations applicable to the time periods of September 15, 2008, through September 24, 2008, and March 28, 2012, through April 1, 2012. In fact, you were not in full compliance during those time periods, as described in paragraph (1) above.

Your acts, conduct, and/or omissions as alleged in paragraph (1) above, individually and/or collectively, constitute “[c]ommission of an act that constitutes a felony in this state, regardless of the jurisdiction in which the act was committed,” as that clause is used in Section 4731.22(B)(10), Ohio Revised Code, to wit: Trafficking in Drugs, Section 2925.03, Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (1) above, individually and/or collectively, constitute “[c]ommission of an act that constitutes a felony in this state, regardless of the jurisdiction in which the act was committed,” as that clause is used in Section

Summary Suspension & Opportunity for Hearing

Adam P. Hall, D.O.

Page 3

4731.22(B)(10), Ohio Revised Code, to wit: Illegal Processing of Drug Documents, Section 2925.23, Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (1) 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: Practicing Osteopathy Without Certificate, Section 4731.43, Ohio Revised Code. Pursuant to Penalty, Section 4731.99, Ohio Revised Code, violation of Section 4731.43, Ohio Revised Code, constitutes a felony of the fifth degree on a first offense and a felony of the fourth degree on each subsequent offense. Accordingly, your acts, conduct, and/or omissions as alleged in paragraph (1) above, individually and/or collectively, also constitute “[c]ommission of an act that constitutes a felony in this state, regardless of the jurisdiction in which the act was committed,” as that clause is used in Section 4731.22(B)(10), Ohio Revised Code, to wit: Complicity to Practicing Osteopathy Without Certificate, in violation of Sections 2923.03 and 4731.43, Ohio Revised Code.

Further, your acts, conduct, and/or omissions that occurred after March 14, 2007, and before March 14, 2012, as alleged in paragraphs (1) and (2) above, individually and/or collectively, constitute “[v]iolation of the conditions of limitation placed by the board upon a certificate to practice,” as that clause is used in Section 4731.22(B)(15), Ohio Revised Code.”

Further, your acts, conduct, and/or omissions that occurred after March 14, 2007, and before March 14, 2012, as alleged in paragraphs (1) and (2) above, individually and/or collectively, constitute “[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;” as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, and Chapter 4731., Ohio Revised Code, you are hereby advised that you are entitled to a hearing concerning these matters. 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.

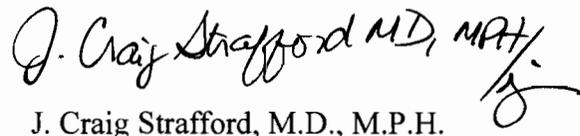
In the event that there is no request for such hearing received within thirty days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, permanently revoke, suspend, refuse to

register or reinstate your certificate to osteopathic practice medicine and surgery or to reprimand you 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,

A handwritten signature in black ink that reads "J. Craig Stafford MD, MPH" with a stylized flourish at the end.

J. Craig Stafford, M.D., M.P.H.
Secretary

JCS/MAP /pev
Enclosures

CERTIFIED MAIL #91 7199 9991 7031 2768 2837
RETURN RECEIPT REQUESTED

DUPLICATE BY PERSONAL SERVICE

cc: Randall Lambert, Esq.
215 South Fourth Street
P.O. Box 725
Ironton, OH 45638

CERTIFIED MAIL #91 7199 9991 7031 2768 2820
RETURN RECEIPT REQUESTED

**IN THE MATTER OF
ADAM PATRICK HALL, D.O.**

13-CRF-018

**APRIL 1, 2013, NOTICE SUMAMRY
SUSPENSION AND OF OPPORTUNITY
FOR HEARING - PATIENT KEY**

**SEALED TO
PROTECT PATIENT
CONFIDENTIALITY AND
MAINTAINED IN CASE
RECORD FILE.**

**STEP II
CONSENT AGREEMENT
BETWEEN
ADAM PATRICK HALL, D.O.
AND
THE STATE MEDICAL BOARD OF OHIO**

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

Dr. Hall 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 violation of Section 4731.22(B)(19), Ohio Revised Code, “[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,” 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)(19) and (B)(26), Ohio Revised Code, as set forth in Paragraphs E through F of the September 13, 2006 Step I Consent Agreement Between Adam Patrick Hall, D.O., and the State Medical Board of Ohio [September 2006 Step I Consent Agreement], a copy of which is attached hereto and fully incorporated herein, as well as in Paragraphs E through H 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.

OHIO STATE MEDICAL BOARD

MAR 06 2007

RECEIVED

- C. Dr. Hall is applying for reinstatement of his license to practice osteopathic medicine and surgery in the state of Ohio, which was indefinitely suspended pursuant to terms of the above-referenced September 2006 Step I Consent Agreement.
- D. Dr. Hall states that he is also licensed to practice osteopathic medicine and surgery in the states of Missouri and Kansas.
- E. Dr. Hall admits that he initially entered inpatient treatment for cortical steroid abuse, at the Woods at Parkside [Parkside], a Board-approved treatment provider in Columbus, Ohio, on or about July 31, 2006, that he transitioned to out-patient treatment on or about August 28, 2006, and that he was subsequently discharged, treatment complete, on or about September 5, 2006. Dr. Hall further admits that in addition to his abuse of corticosteroids, in the past he also self-medicated with Elavil and Ultram, and excessively consumed alcohol to the point of having blackout events. Dr. Hall further admits that during his treatment at Parkside, he received an additional diagnosis of Bipolar Disorder for which he was prescribed medication.
- F. Dr. Hall 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 October 18, 2006, to October 18, 2008; and with the terms of his advocacy contract with the Ohio Physician Health Program [OPHP], which is effective from on or about December 11, 2006, to December 11, 2011.
- G. Dr. Hall states and the Board acknowledges receipt of information to support 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. Hall'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 Bipolar Disorder weekly for a minimum of six months.

Dr. Hall states and the Board acknowledges receipt of information to support that Harry Nguyen, M.D., Medical Director of Parkside, provided a written report indicating that Dr. Hall'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 Bipolar Disorder.

Dr. Hall states, and the Board acknowledges receipt of information to support that Victoria Sanelli, M.D., a psychiatrist who was approved by the Board to provide an assessment of Dr. Hall, evaluated Dr. Hall and submitted a report to the Board on or about December 19, 2006, in which she stated that Dr. Hall's diagnoses include

steroid dependence in early sustained remission, and that although Dr. Hall has been recently diagnosed with possible Bipolar Disorder, it was Dr. Sanelli's opinion as an addiction psychiatrist that it is extremely difficult to assign an Axis I diagnosis to someone who has been recently involved in substance abuse. Dr. Hall further states, and the Board acknowledges receipt of information to support, that Dr. Sanelli further opined that Dr. Hall has a Mood Disorder, which may be depressed mood or Bipolar Disorder, and that Dr. Hall's ability to practice osteopathic medicine and surgery has been assessed, and he is capable of practicing according to acceptable and prevailing standards of care, so long as certain treatment and monitoring requirements are in place.

- H. Dr. Hall states and the Board acknowledges receipt of information to support that Dr. Hall has substantially 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 September 2006 Step I Consent Agreement between Dr. Hall 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. Hall to practice osteopathic medicine and surgery in the State of Ohio shall be reinstated, and Dr. Hall knowingly and voluntarily agrees with the Board to the following PROBATIONARY terms, conditions and limitations:

1. Dr. Hall shall obey all federal, state, and local laws, and all rules governing the practice of osteopathic medicine in Ohio.
2. Dr. Hall 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 September 2006 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. Hall 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 September 2006 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.

OHIO STATE MEDICAL BOARD

MAR 06 2007

RECEIVED

4. Dr. Hall 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. Hall 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. Hall 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. Hall's personal appearance before the Board or its designated representative, or as otherwise directed by the Board. Further, Dr. Hall shall make his patient records with regard to such prescribing available for review by an agent of the Board upon request.
7. Dr. Hall shall not, without prior Board approval, administer, personally furnish, or possess (except as allowed under Paragraph 8 below) any controlled substances as defined by state or federal law. In the event that the Board agrees at a future date to modify this Consent Agreement to allow Dr. Hall to administer or personally furnish controlled substances, Dr. Hall shall keep a log of all controlled substances prescribed, administered or personally furnished. Such log shall be submitted in the format approved by the Board thirty days prior to Dr. Hall's personal appearance before the Board or its designated representative, or as otherwise directed by the Board. Further, Dr. Hall shall make his patient records with regard to such prescribing, administering, or personally furnishing available for review by an agent of the Board upon request.

Sobriety

8. Dr. Hall 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. Hall's history of chemical dependency and psychiatric diagnoses.
9. Dr. Hall shall abstain completely from the use of alcohol.

OHIO STATE MEDICAL BOARD

MAR 06 2007

RECEIVED

Drug and Alcohol Screens/Supervising Physician

10. Dr. Hall shall submit to random urine screenings for drugs and alcohol on a weekly basis or as otherwise directed by the Board. Dr. Hall 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. Hall shall abstain from consumption of poppy seeds or any other food or liquid that may produce false results in a toxicology screen.

Dr. Hall and the Board agree that the person or entity previously approved by the Board to serve as Dr. Hall's supervising physician pursuant to the September 2006 Step I Consent Agreement is hereby approved to continue as Dr. Hall's designated supervising physician under this Consent Agreement, unless within thirty days of the effective date of this Consent Agreement, Dr. Hall submits to the Board for its prior approval the name and curriculum vitae of an alternative supervising physician to whom Dr. Hall 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. Hall. Dr. Hall 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.

The Board expressly reserves the right to disapprove any person or entity proposed to serve as Dr. Hall's designated supervising physician, or to withdraw approval of any person or entity previously approved to serve as Dr. Hall'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. Hall 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. Hall must immediately notify the Board in writing, and make arrangements acceptable to the Board for another supervising physician as soon as practicable. Dr. Hall shall further ensure that the previously designated supervising

OHIO STATE BOARD OF MEDICAL EXAMINERS

MAR 06 2007

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. Hall's quarterly declaration. It is Dr. Hall's responsibility to ensure that reports are timely submitted.

11. The Board retains the right to require, and Dr. Hall agrees to submit, blood or urine specimens for screenings for drugs and alcohol, for analysis of medications that may be prescribed for Dr. Hall, or for any other purpose, at Dr. Hall's expense upon the Board's request and without prior notice. Dr. Hall'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.

Monitoring Physician

12. Before engaging in any medical practice, Dr. Hall 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. Hall and who is engaged in the same or similar practice specialty.

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

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

OHIO STATE MEDICAL BOARD

MAR 06 2007

STATE OF OHIO

Psychiatric Treatment

13. Dr. Hall and the Board agree that the person previously approved by the Board to serve as Dr. Hall's treating psychiatrist pursuant to the September 2006 Step I Consent Agreement is hereby approved to continue as Dr. Hall's designated treating psychiatrist under this Consent Agreement, unless within thirty days of the effective date of this Consent Agreement, Dr. Hall submits to the Board for its prior approval the name and curriculum vitae of an alternative psychiatrist of his choice. Upon approval by the Board, Dr. Hall shall undergo and continue psychiatric treatment, including individual psychotherapy, weekly for six months, after which the frequency of the psychiatric treatment is to be determined by his Board-approved treating psychiatrist or as otherwise directed by the Board. Dr. Hall shall comply with his psychiatric treatment plan, including taking medications as prescribed and/or ordered for his psychiatric disorder. Dr. Hall 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. Hall's current treatment plan and any changes that have been made to the treatment plan since the prior report; Dr. Hall's compliance with his treatment plan; Dr. Hall's mental status; Dr. Hall's progress in treatment; and results of any laboratory studies that have been conducted since the prior report. Dr. Hall 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. Hall is unable to practice due to his psychiatric disorder. It is Dr. Hall's responsibility to ensure that quarterly reports are received in the Board's offices no later than the due date for Dr. Hall's quarterly declaration.

The psychotherapy required as part of Dr. Hall's psychiatric treatment pursuant to this paragraph may be delegated by Dr. Hall's treating psychiatrist to an appropriately licensed mental health professional approved in advance by the Board, so long as Dr. Hall's treating psychiatrist oversees/supervises such psychotherapy; includes information concerning Dr. Hall's participation and progress in psychotherapy in his or her quarterly reports; and continues to meet personally with Dr. Hall at least once every three months. Should the psychotherapy required pursuant to this provision be delegated to a licensed mental health professional, Dr. Hall shall ensure that psychotherapy reports are forwarded by his treating licensed mental health professional to the Board on a quarterly basis, or as otherwise directed by the Board. The psychotherapy reports shall contain information describing Dr. Hall's current treatment plan and any changes that have been made to the treatment plan since the prior report; Dr. Hall's compliance with his treatment plan; Dr. Hall's mental status; Dr. Hall's progress in treatment; and results of any laboratory studies that have been conducted since the prior report. Dr. Hall shall ensure that his treating licensed mental health professional immediately notifies the Board of his failure to comply with his psychotherapy treatment plan and/or any determination that Dr. Hall is unable to practice due to his psychiatric disorder. These psychotherapy reports shall

APPROVED BY THE BOARD

MAR 06 2007

RECEIVED

be in addition to the reports submitted by Dr. Hall's treating psychiatrist. It is Dr. Hall's responsibility to ensure that all quarterly reports are received in the Board's offices no later than the due date for Dr. Hall's quarterly declaration.

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

Rehabilitation Program

14. Dr. Hall 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. Hall 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. Hall's quarterly declarations.

Aftercare

15. Dr. Hall shall maintain continued compliance with the terms of the Agreement (advocacy contract) with the OPHP or, if approved in advance by the Board, another physician's health program, provided that, where terms of the advocacy contracts conflict with terms of this Consent Agreement, the terms of this Consent Agreement shall control.
16. Dr. Hall 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.

Course on Personal/Professional Ethics

17. Before the end of the first year of probation, or as otherwise approved by the Board, Dr. Hall shall provide acceptable documentation of successful completion of a course or courses dealing with personal and professional ethics. The exact number of hours and the specific content of the course or courses shall be subject to the prior approval of the Board or its designee. Any courses taken in compliance with this provision shall be in addition to the Continuing Medical Education requirements for licensure

OHIO STATE BOARD

MAR 06 2007

for the Continuing Medical Education acquisition period(s) in which they are completed. In addition, at the time Dr. Hall submits the documentation of successful completion of the course or courses dealing with personal and professional ethics, he shall also submit to the Board a written report describing the course, setting forth what he learned from the course, and identifying with specificity how he will apply what he has learned to his practice of osteopathic medicine in the future.

Releases

18. Dr. Hall 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. Hall's chemical dependency, Bipolar Disorder, 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. Hall 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.

Required Reporting by Licensee

19. Within thirty days of the effective date of this Consent Agreement, Dr. Hall 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. Hall 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.
20. Within thirty days of the effective date of this Consent Agreement, Dr. Hall 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. Hall 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. Hall shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.

OHIO STATE MEDICAL BOARD

MAR 06 2007

RECEIVED

21. Dr. Hall shall provide a copy of this Consent Agreement to all persons and entities that provide Dr. Hall chemical dependency and/or psychiatric treatment or monitoring.

FAILURE TO COMPLY

If, in the discretion of the Secretary and Supervising Member of the Board, Dr. Hall 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. Hall has violated any term, condition or limitation of this Consent Agreement, Dr. Hall 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. Hall shall not request termination of this Consent Agreement for a minimum of five years. In addition, Dr. Hall 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. Hall 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. Hall 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. Hall 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.

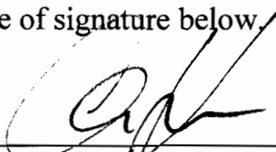
OHIO STATE SCHOOL BOARD

MAR 06 2007

ADAM PATRICK HALL, D.O.

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.



ADAM PATRICK HALL, D.O.



LANCE A. TALMAGE, M.D.
Secretary

3-5-2007

DATE

3-14-07

DATE



RAYMOND J. ALBERT
Supervising Member

3/14/07

DATE



MARCIE PASTRICK
Enforcement Attorney

March 6, 2007

DATE

OHIO STATE MEDICAL BOARD

MAR 06 2007

RECEIVED

**STEP I
CONSENT AGREEMENT
BETWEEN
ADAM P. HALL, D.O.,
AND
THE STATE MEDICAL BOARD OF OHIO**

OHIO STATE MEDICAL BOARD

AUG 30 2006

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

Dr. Hall 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 violation of Section 4731.22(B)(19), Ohio Revised Code, “[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,” 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)(19) and (B)(26), Ohio Revised Code, as set forth in Paragraphs E and F 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. Hall is licensed to practice osteopathic medicine and surgery in the State of Ohio, License # 34.008707, and is subject to probationary terms, conditions and limitations pursuant to the December 14, 2005 Board Order based upon his violation of Sections 4731.22(B)(5), Ohio Revised Code.
- D. Dr. Hall states that he is also licensed to practice osteopathic medicine and surgery in the states of Missouri and Kansas.

- E. Dr. Hall admits that the Board ordered him to submit to a three-day examination at The Woods at Parkside [Parkside], a Board-approved treatment provider in Columbus, Ohio, on or about July 31, 2006, based upon his self-report that he was terminated from his anesthesia residency program with Doctors Hospital in Columbus, Ohio, because he diverted for self-use Celestone, a corticosteroid, that he prescribed for a patient; and that he had diverted Kenalog, another corticosteroid, in the past. Dr. Hall further admits that during this examination, he was diagnosed with substance abuse and Bipolar Disorder with mixed anxiety and that he entered Parkside for further treatment, including 28-day residential treatment.
- F. Dr. Hall further admits that due to his substance abuse he currently is impaired in his ability to practice osteopathic medicine and surgery 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 and an inability 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, due to his Bipolar Disorder with mixed anxiety.

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. Hall knowingly and voluntarily agrees with the Board to the following terms, conditions and limitations:

SUSPENSION OF CERTIFICATE

1. The certificate of Dr. Hall to practice medicine and surgery in the State of Ohio shall be **SUSPENDED** for an indefinite period of time.

Sobriety

2. Dr. Hall 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. Hall's history of chemical dependency.
3. Dr. Hall shall abstain completely from the use of alcohol.

OHIO STATE MEDICAL BOARD

AUG 30 2006

Releases; Quarterly Declarations and Appearances

4. Dr. Hall 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. Hall'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. Hall 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. Hall 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. Hall 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.

OHIO STATE MEDICAL BOARD

Drug & Alcohol Screens; Supervising Physician

AUG 30 2006

7. Dr. Hall shall submit to random urine screenings for drugs and alcohol on a weekly basis or as otherwise directed by the Board. Dr. Hall 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. Hall 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. Hall shall submit to the Board for its prior approval the name of a supervising physician to whom Dr. Hall 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. Hall. Dr. Hall 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 steroids is done on a random basis to include at least one out of every four urine specimens.

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

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

Rehabilitation Program

9. Within thirty days of the effective date of this Consent Agreement, Dr. Hall 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. Hall 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. Hall's quarterly declarations.

OHIO STATE MEDICAL BOARD

Psychiatric Treatment

AUG 30 2006

10. Within thirty days of the effective date of this Consent Agreement, Dr. Hall 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. Hall shall undergo and continue psychiatric treatment monthly or as otherwise directed by the Board. Dr. Hall shall comply with his psychiatric treatment plan, including taking medications as prescribed and/or ordered for his psychiatric disorder. Dr. Hall 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. Hall's current treatment plan and any changes that have been made to the treatment plan since the prior report; Dr. Hall's compliance with his treatment plan; Dr. Hall's mental status; Dr. Hall's progress in treatment; and results of any laboratory studies that have been conducted since the prior report. Dr. Hall 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. Hall is unable to practice due to his psychiatric disorder. It is Dr. Hall's responsibility to ensure that quarterly reports are received in the Board's offices no later than the due date for Dr. Hall's quarterly declaration.

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

OHIO STATE MEDICAL BOARD

CONDITIONS FOR REINSTATEMENT

AUG 30 2006

11. The Board shall not consider reinstatement of Dr. Hall's certificate to practice osteopathic medicine and surgery until all of the following conditions are met:
 - a. Dr. Hall shall submit an application for reinstatement, accompanied by appropriate fees, if any.
 - b. Dr. Hall 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. Hall has successfully completed any required inpatient treatment.
 - 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.

AUG 30 2006

- iv. Three written reports indicating that Dr. Hall's ability to practice has been assessed and that he has been found capable of practicing according to acceptable and prevailing standards of care.

Two 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. Hall. Prior to the assessments, Dr. Hall shall provide the evaluators with copies of patient records from any evaluations and/or treatment that he 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. Hall, and any conditions, restrictions, or limitations that should be imposed on Dr. Hall's practice. The reports shall also describe the basis for the evaluator's determinations.

One written report shall be made by a psychiatrist, approved in advance by the Board, who shall conduct a psychiatric examination of Dr. Hall. Prior to the examination, Dr. Hall shall provide the psychiatrist with copies of patient records from any evaluations and/or treatment that he has received, and a copy of this Consent Agreement. The report from the evaluating psychiatrist shall include the psychiatrist's diagnoses and conclusions; any recommendations for care, counseling, and treatment for the psychiatric diagnoses; any conditions, restrictions, or limitations that should be imposed on Dr. Hall's practice; and the basis for the psychiatrist'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. Hall shall enter into a written consent agreement including probationary terms, conditions and limitations as determined by the Board or, if the Board and Dr. Hall are unable to agree on the terms of a written Consent Agreement, then Dr. Hall 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. Hall'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. Hall 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. Hall has maintained sobriety.

12. In the event that Dr. Hall 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. Hall's fitness to resume practice.

REQUIRED REPORTING BY LICENSEE

13. Within thirty days of the effective date of this Consent Agreement, Dr. Hall 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. Hall 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. Within thirty days of the effective date of this Consent Agreement, Dr. Hall 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. Hall 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. Hall shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.
15. Dr. Hall shall provide a copy of this Consent Agreement to all persons and entities that provide Dr. Hall 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. Hall 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.

OHIO STATE MEDICAL BOARD
AUG 30 2006

AUG 30 2006

ACKNOWLEDGMENTS/LIABILITY RELEASE

Dr. Hall 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.

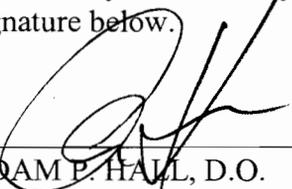
Any action initiated by the Board based on alleged violations of this Consent Agreement shall comply with the Administrative Procedure Act, Chapter 119., Ohio Revised Code.

Dr. Hall 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. Hall 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.



ADAM P. HALL, D.O.

8-30-06

DATE

KBYERS

KEVIN BYERS, ESQ.
Attorney for Dr. Hall

8/30/06

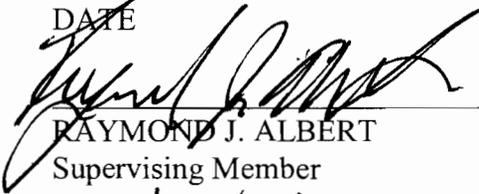
DATE



LANCE A. TALMAGE, M.D.
Secretary

9-13-06

DATE



RAYMOND J. ALBERT
Supervising Member

9/13/06

DATE



MARCIE PASTRICK
Enforcement Attorney

August 30, 2006

DATE

BEFORE THE STATE MEDICAL BOARD

IN THE MATTER OF :
 :
ADAM P. HALL, D.O. :

ENTRY NUNC PRO TUNC

On November 17, 2005, Hearing Examiner Sharon W. Murphy issued a Report and Recommendation in the matter of Adam P. Hall, D.O. That Report and Recommendation stated in Paragraph I.A. that the Board based its proposed action on an allegation that Dr. Hall had provided false information in his application for licensure in the state of Ohio.

Upon further review, it has been determined that the Notice of Opportunity for Hearing issued by the Board on April 13, 2005, did not allege that Dr. Hall had provided false information to the State Medical Board in his application for licensure in the state of Ohio.

WHEREFORE, it is hereby ORDERED that Paragraph I.A. of the Report and Recommendation in the matter of Adam P. Hall, D.O., be and hereby is CORRECTED to read as follows:

By letter dated April 13, 2005, the State Medical Board of Ohio [Board] notified Adam P. Hall, D.O., that it had proposed to deny his application for licensure or to take disciplinary action against his certificate to practice osteopathic medicine and surgery in Ohio. The Board based its proposed action on an allegation that Dr. Hall had provided false information to his Missouri residency director concerning an incident that occurred on or about May 30, 2003, and had failed to demonstrate the good moral character necessary for licensure in Ohio.

The Board further alleged that Dr. Hall's conduct constitutes "[m]aking a false, fraudulent, deceptive, or misleading statement in the solicitation of for advertising for patients; in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatry, 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,' as that clause is used in Section 4731.22(B)(5), Ohio Revised Code." Moreover, the Board alleged that Dr. Hall had failed to furnish satisfactory proof of good moral character as required by Sections 4731.29 and 4731.08, Ohio Revised Code.

Accordingly, the Board advised Dr. Hall of his right to request a hearing in this matter. (State's Exhibit 1A)

So Ordered this 8th day of February, 2006.

(SEAL)

A handwritten signature in black ink, appearing to read "Lance A. Talmage, M.D.", written over a horizontal line.

Lance A. Talmage, M.D.
Secretary



State Medical Board of Ohio

December 14, 2005

Adam P. Hall, D.O.
110 W. Henderson Road
Columbus, OH 43214

Dear Doctor Hall:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of Sharon W. Murphy, Esq., Hearing Examiner, State Medical Board of Ohio; and an excerpt of draft Minutes of the State Medical Board, meeting in regular session on December 14, 2005, including motions approving and confirming the Report and Recommendation as the Findings and Order of the State Medical Board of Ohio.

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 an original Notice of Appeal with the State Medical Board of Ohio and a copy of the Notice of Appeal with 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, Ohio Revised Code.

THE STATE MEDICAL BOARD OF OHIO

Lance A. Talmage, M.D.
Secretary

LAT:jam
Enclosures

CERTIFIED MAIL NO. 7003 0500 0002 4333 9517
RETURN RECEIPT REQUESTED

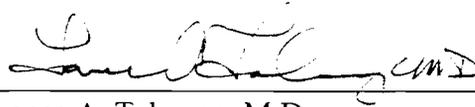
Cc: Kevin P. Byers, Esq.
CERTIFIED MAIL NO. 7003 0500 0002 4333 9531
RETURN RECEIPT REQUESTED

Mailed 12-14-05

CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; Report and Recommendation of Sharon W. Murphy, State Medical Board Attorney Hearing Examiner; and excerpt of draft Minutes of the State Medical Board, meeting in regular session on December 14, 2005, including motions approving and confirming the Findings of Fact, Conclusions and Proposed Order of the Hearing Examiner as the Findings and Order of the State Medical Board of Ohio; constitute a true and complete copy of the Findings and Order of the State Medical Board in the matter of Adam P. Hall, D.O., as it appears in the Journal of the State Medical Board of Ohio.

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



Lance A. Talmage, M.D.
Secretary

(SEAL)

December 14, 2005
Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

*

*

ADAM P. HALL, D.O.

*

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio on December 14, 2005.

Upon the Report and Recommendation of Sharon W. Murphy, State Medical Board Attorney Hearing Examiner, designated in this Matter pursuant to R.C. 4731.23, a true copy of which Report and Recommendation is attached hereto and incorporated herein, and upon the approval and confirmation by vote of the Board on the above date, the following Order is hereby entered on the Journal of the State Medical Board of Ohio for the above date.

It is hereby ORDERED that:

- A. **GRANTING OF CERTIFICATE:** The application of Adam P. Hall, D.O., for a certificate to practice osteopathic medicine and surgery in the State of Ohio is GRANTED, provided that he otherwise meets all statutory and regulatory requirements. If so, the certificate shall be issued on the effective date of this Order.
- B. **SUSPENSION OF CERTIFICATE:** Immediately upon issuance of Dr. Hall's certificate to practice osteopathic medicine and surgery in the State of Ohio, that certificate shall be SUSPENDED for thirty days. The thirty days of suspension shall include the day that the certificate is issued.
- C. **PROBATIONARY CONDITIONS:** Upon reinstatement, Dr. Hall's certificate shall be subject to the following PROBATIONARY terms, conditions, and limitations for a period of at least two years:

1. **Obey the Law**: Dr. Hall shall obey all federal, state, and local laws, and all rules governing the practice of osteopathic medicine and surgery in the state of Ohio.
2. **Quarterly Declarations**: Dr. Hall 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 the first day of the third month following the month in which this Order becomes effective, 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.
3. **Appearances**: Dr. Hall shall appear in person for quarterly interviews before the Board or its designated representative during the third month following the effective date of this Order. 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. **Course on Personal/Professional Ethics**: Before the end of the first year of probation, or as otherwise approved by the Board, Dr. Hall shall provide acceptable documentation of successful completion of a course or courses dealing with personal and professional ethics. The exact number of hours and the specific content of the course or courses shall be subject to the prior approval of the Board or its designee. Any courses taken in compliance with this provision shall be in addition to the Continuing Medical Education requirements for relicensure for the Continuing Medical Education acquisition period(s) in which they are completed.
5. **Absence from Ohio**: Dr. Hall 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.
6. **Violation of Probation; Discretionary Sanction Imposed**: If Dr. Hall 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.

- D. **TERMINATION OF PROBATION:** Upon successful completion of probation, as evidenced by a written release from the Board, Dr. Hall's certificate will be fully restored.
- E. **REQUIRED REPORTING BY LICENSEE TO EMPLOYERS AND HOSPITALS:** Within thirty days of the effective date of this Order, Dr. Hall 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. Hall 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.
- F. **REQUIRED REPORTING BY LICENSEE TO OTHER STATE LICENSING AUTHORITIES:** Within thirty days of the effective date of this Order, Dr. Hall 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. Hall 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. Hall 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 thirty days after mailing of notification of approval by the Board.

(SEAL)



Lance A. Talmage, M.D.
Secretary

December 14, 2005

Date

2005 NOV 17 A 11: 00

**REPORT AND RECOMMENDATION
IN THE MATTER OF ADAM P. HALL, D.O.**

The Matter of Adam P. Hall, D.O., was heard by Sharon W. Murphy, Esq., Hearing Examiner for the State Medical Board of Ohio, on August 24, 2005.

INTRODUCTION

I. Basis for Hearing

- A. By letter dated April 13, 2005, the State Medical Board of Ohio [Board] notified Adam P. Hall, D.O., that it had proposed to deny his application for licensure or to take disciplinary action against his certificate to practice osteopathic medicine and surgery in Ohio. The Board based its proposed action on allegations that Dr. Hall had provided false information in his application for licensure and had failed to demonstrate the good moral character necessary for licensure in Ohio.

The Board further alleged that Dr. Hall's conduct constitutes "[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, podiatry, 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,' as that clause is used in Section 4731.22(B)(5), Ohio Revised Code." Moreover, the Board alleged that Dr. Hall had failed to furnish satisfactory proof of good moral character as required by Sections 4731.29 and 4731.08, Ohio Revised Code.

Accordingly, the Board advised Dr. Hall of his right to request a hearing in this matter. (State's Exhibit 1A)

- B. On April 25, 2005, the Board received a written hearing request submitted by Dr. Hall. (State's Exhibit 1B)

II. Appearances

- A. On behalf of the State of Ohio: Jim Petro, Attorney General, by Tara L. Berrien, Assistant Attorney General.
- B. On behalf of the Respondent: Kevin P. Byers, Esq.

EVIDENCE EXAMINED

I. Testimony Heard

Adam P. Hall, D.O.

II. Exhibits Examined

A. Presented by the State

1. State's Exhibits 1A through 1Q: Procedural exhibits.
2. State's Exhibit 2: Certified copies of documents regarding Dr. Hall maintained by the Medical Center of Independence, Independence, Missouri.
3. State's Exhibit 3: Affidavit of G.M. Johnston, D.O., pertaining to Dr. Hall.
4. State's Exhibit 5: Certified copies of documents regarding Dr. Hall maintained by the Board.

B. Presented by the Respondent

Respondent's Exhibits A through C: Letters written in support of Dr. Hall by attending physicians associated with the Anesthesiology Department at Doctor's West Hospital, Columbus, Ohio.

PROFFERED MATERIALS

At hearing, Counsel for the State moved to admit State's Exhibit 4, a transcript of a deposition of Dr. Hall taken by the Board. Counsel for the Respondent objected, as the transcript had not been used for impeachment or for any other purpose. The Hearing Examiner sustained the objection, but agreed to proffer the transcript on behalf of the State. (See Hearing Transcript at 33)

SUMMARY OF THE EVIDENCE

All exhibits and transcripts of testimony, even if not specifically mentioned, were thoroughly reviewed and considered by the Hearing Examiner prior to preparing this Report and Recommendation.

1. In June 2000, Adam P. Hall, D.O., received a degree in osteopathic medicine from the Des Moines University Osteopathic Medical College in Des Moines, Iowa. In June 2001, Dr. Hall completed a rotating internship at Peninsula Hospital in Far Rockaway, New York.

In August 2002, he completed fourteen months of a residency program in anesthesiology at the Riverside County Regional Medical Center in Riverside, California. (Hearing Transcript [Tr.] at 7-8; State's Exhibit [St. Ex.] 2 at 37, 40, 44; St. Ex. 5 at 6, 26)

In a September 2002 letter addressed only to "Dear Sir or Madam," Dr. Hall advised that he was applying for an open family practice residency position "to begin immediately." Dr. Hall further advised that he had been forced to leave his anesthesiology residency program because, "to progress to a PGY3 status, one must be licensed in California." Dr. Hall stated that he had not passed Step 3 of the COMLEX, which was a requirement for his licensure in California. Therefore, he could not obtain a license and he was terminated from his residency program. (St. Ex. 2 at 42)

From January 1 to June 9, 2003, Dr. Hall was a resident in the University of Health Sciences Family Medicine Residency Program at the Medical Center of Independence [MCI] in Independence, Missouri. (St. Ex. 2 at 5a; St. Ex. 5 at 6)

Dr. Hall reported that, from June 2003 through June 2004, he had served as an emergency department physician at three hospitals in Missouri. (St. Ex. 5 at 6-9) Nevertheless, Dr. Hall also testified that, in February 2004, he had entered the anesthesiology residency program at Doctor's Hospital West in Columbus, Ohio. (Tr. at 8)

Dr. Hall is currently licensed to practice osteopathic medicine and surgery in Missouri. He also holds a license to practice in Kansas, but that license is not current. Dr. Hall testified that he is not licensed in Ohio but has been permitted to participate in the residency program because he has submitted an application for licensure that is currently pending. (Tr. at 9; St. Ex. 5 at 4)

2. On or about June 2, 2003, G.M. Johnston, D.O., then Acting Director of Medical Education at MCI, received a report that a resident had not covered the night shift while on duty at MCI on May 30, 2003. The following day, Dr. Johnston discovered that Dr. Hall had been scheduled to be the resident on call on the night of May 30, 2003. Nevertheless, the house officer advised Dr. Johnson that he had not seen Dr. Hall at any time that night. Moreover, emergency department staff reported that they had paged Dr. Hall several times with the resident beeper, but Dr. Hall had not answered any of the pages. (St. Ex. 2 at 2; St. Ex. 3)

On or about June 4, 2003, Dr. Hall met with the Associate Program Director of the Family Medicine Residency Program and Chair of the Department of Medicine, and the Acting Family Practice Program Director of MCI. After the meeting, it was decided that Dr. Hall should be terminated from the residency program due to "grievous dereliction of duty and subsequent imminent risk to quality patient care." Dr. Hall was advised of this decision in a letter dated June 4, 2003, which Dr. Hall signed in acknowledgment of receipt. (St. Ex. 2 at 2, 11; St. Ex. 3)

Dr. Hall appealed his dismissal. In a June 4, 2003, letter to “Dr. Johnston or Chief Executive Officer,” Dr. Hall wrote, in part, as follows:

I am appealing because there was no dereliction of duty based on alleged failure to respond to a call. While on-call Friday, May 30, 2003, I kept my pager on and with me at all times while scheduled and followed all other applicable on-call procedures. I did not receive any page when scheduled on May 30th. I believe that the alleged failure to respond to the call was due to communication failures over which I had no control. Moreover, the alleged failure to respond was an isolated, and not a repeat, occurrence. To my knowledge, I have no reprimands in my file. I do not think I should be punished, especially with so severe of punishment as dismissal which will adversely impact, if not ruin, my career, where the failure to respond was through no fault of my own.

(St. Ex. 2 at 9)

On or about June 5, 2003, Dr. Johnston met with Dr. Hall. In an affidavit, Dr. Johnston provided details regarding Dr. Hall’s report of the events of May 30, 2003, as follows:

He was on duty from 7:00 p.m. to 7:00 a.m. He had both the house beeper and his own beeper, and because he received no pages, the house beeper must not have been working. He had been in the library in the Medical Professional Building, and while there, he did not hear any pages on the overhead or the intercom system. He said that in the library he used a computer and read several journals. During our conversation, I asked Dr. Hall three times if he had used the computer while he was on duty and to each question he answered yes. However, before this meeting, I was informed by the library staff that the computers had remained inactive, without any entry of usage, during the time in question.

(St. Ex. 3)

On or about June 6, 2003, Dr. Johnston met with Dr. Hall, at which time Dr. Hall offered a second version of the events of May 30, 2003. In the affidavit, Dr. Johnston provided details regarding Dr. Hall’s second report of the events of May 30, 2003, as follows:

He took cold medicine and slept the entire night at his house. When he awoke, he did not call the hospital or the house officer. He stated that he [had] lied about being on duty. He stated that he did not report to work that shift nor had he been in the library. He admitted to using very poor judgment and being dishonest.

(St. Ex. 3)

On June 9, 2003, Dr. Hall met with a residency program committee to present a statement concerning the events of May 30, 2003. After Dr. Hall's statement, Dr. Johnston reported to the committee what Dr. Hall had conveyed to him in the above-mentioned meetings of June 5 and 6, 2003. After further consideration, the residency program committee decided to uphold the termination. (St. Ex. 2 at 4-5, 17-20; St. Ex. 3)

3. On January 29, 2004, Dr. Hall submitted an "Application for Certificate – Medicine or Osteopathic Medicine" to the Board. (St. Ex. 5 at 3) In the application, Dr. Hall answered "Yes" to the following question:

Have you ever resigned from, withdrawn from, or have you ever been warned by, censured by, disciplined by, been put on probation by, been requested to withdraw from, dismissed from, been refused renewal of a contract by, or expelled from, a medical school, clinical clerkship, externship, preceptorship, residency, or graduate medical education program?

(St. Ex. 5 at 11)

4. At hearing, Dr. Hall testified that he had had used very poor judgment in deciding to remain at home on May 30, 2003, rather than to advise someone that he had been feeling ill. Dr. Hall testified that he now understands the importance of communication when you are part of a team. He added that, after the first mistake in failing to get coverage before he left the hospital, he had only made things worse by trying to conceal his conduct. (Tr. at 26-32)

Dr. Hall further testified that he had written the June 4, 2003, letter to "Dr. Johnston or Chief Executive Officer for" in an attempt to "minimize damage." Dr. Hall explained:

I had just been terminated and I was trying to write a letter to reverse the termination and to try and recover my job, or get the termination changed to a resignation. So I wrote a letter that stated that I had been available, which was not true * * * To clarify a little bit, there were -- this letter is not where the false statement began. The false statement would be later. This was basically stating that I had been available and I had a pager. I did have my home pager and was at home at the time, which never went off. But that was not sufficient; they wanted me to have a hospital pager.

(Tr. at 14-16)

Dr. Hall further acknowledged that he had met with Dr. Johnston on June 5, 2003, and had told Dr. Johnston that he had spent the night of May 30, 2005, in the library with a house pager and a personal pager. Dr. Hall also acknowledged that those stories had been false, and that he had purposely told this lie to Dr. Johnston in an attempt to avoid termination from the residency program. (Tr. at 16-18)

Nevertheless, Dr. Hall testified that he had met with Dr. Johnston again on June 6, 2003. Regarding that meeting, Dr. Hall testified that, at that time, he admitted that he had been at home that evening and that he had made false statements in an attempt to minimize the damage. He had made false statements previously. Dr. Hall added that he had spoken also with the residency program committee and admitted that he had lied repeatedly to Dr. Johnston. Dr. Hall testified that he had decided to stop lying because “things were getting out of control” and he did not want it to get worse. He stated the lying was not in his character and he had recognized that all of the negative consequences had been brought about by his own actions. (Tr. at 18-21) Finally, Dr. Hall stated that he had realized:

All that I have had done so far is ruined my own reputation and ruined my own credibility. And the best thing I could do at that point was to just tell the truth and see where it would lead, because I had already been terminated in the action and the road I was going down was just going to lead to a worse outcome.

(Tr. at 21)

Dr. Hall concluded that he has learned some valuable lessons as a result of the events at MCI. He stated as follows:

I have learned that honesty is the best policy. And I am definitely very remorseful for what I have done, and in reflection, I wish I had never done it. It was youthful and stupid and something that I would never do again. And it’s definitely taught me to be honest and open with people and to accept, be it bitter, be it sweet; whatever happens, you have to live with the truth, so I have applied that to my life and I have made sure that everybody I have worked with since has known about my past indiscretions.

(Tr. at 25)

5. Dr. Hall testified that, at the time of hearing, he had been participating in the residency at Doctor’s Hospital West for eighteen months. Dr. Hall further testified that, when he applied for a position in that program, he had fully advised the residency program directors of the events that had occurred at MCI. (Tr. at 22-24)
6. Dr. Hall submitted enthusiastic letters of recommendation written by his attending physicians at Doctor’s Hospital West/Ohio Health. Authors of these letters include: Anthony D. Zucco, D.O., Program Director of the Department of Anesthesia; Bhaskar K.V. Reddy, M.D., MBA, Division Chair, Department of Anesthesiology; and Jon Furbee, D.O., Senior Attending Anesthesiologist. (Respondent’s Exhibits A through C)

Dr. Zucco noted that, over the past eighteen months, Dr. Hall had proven that “he has the potential to be a good anesthesiologist. Good from the standpoint of being a skilled physician, a caring physician, a hardworking physician, and a physician who is more

mature and sure about himself than the one he was two year ago.” (Resp. Ex. A)
Dr. Reddy wrote that Dr. Hall “has a full understanding of the ethical, moral, and legal duties as applicable to medical practice.” (Resp. Ex. B) Finally, Dr. Furbee wrote that Dr. Hall “is a valuable asset to the medical community, and I am happy to give him my wholehearted endorsement.” (Resp. Ex. C)

FINDINGS OF FACT

1. On January 29, 2004, Dr. Hall submitted to the Board an “Application for Certificate–Medicine or Osteopathic Medicine.” Dr. Hall’s application for licensure is currently pending.
2. From January 1 to June 9, 2003, Dr. Hall was a resident at the University of Health Sciences Family Medicine Residency Program at the Medical Center of Independence [MCI] in Independence, Missouri. On the night of May 30, 2003, Dr. Hall was scheduled to be the resident on call. Nevertheless, Dr. Hall went home, took cold medicine, and slept through the night. Although the emergency department staff paged him several times, Dr. Hall did not respond to the pages.

On June 3, 2003, G. M. Johnston, D.O., then Acting Director of Medical Education, discovered that the hospital staff had not seen Dr. Hall at any time during the night of May 30, 2003, and that Dr. Hall had not responded to the pages by the emergency department staff. On June 4, 2003, Dr. Hall met with the Family Medicine Department Chair and the Acting Family Practice Program Director at MCI. After the meeting, a determination was made to terminate Dr. Hall from the residency program for “grievous dereliction of duty and subsequent imminent risk to quality patient care.”

Shortly thereafter, upon questioning by Dr. Johnston, Dr. Hall falsely reported that he had been on duty that night, that he had had both the hospital beeper and his personal beeper, that he had received no pages, and that the hospital beeper must not have been working properly. Dr. Hall further reported that that he had been in the hospital library, that he had not heard any pages, and that he had used a computer and read several journals while in the library. During the conversation, Dr. Johnston asked Dr. Hall three times if Dr. Hall had used the computer while he was on duty and each time Dr. Hall answered yes. However, before this meeting, Dr. Johnston had been informed by the library staff that the computers had remained inactive, without any entry of usage, during the time in question.

On June 6, 2003, Dr. Johnston again met with Dr. Hall, at which time Dr. Hall offered a second accounting of the events of the night of May 30, 2003. Dr. Hall’s statement included the following: Dr. Hall had taken cold medicine and had slept the entire night at his home, he had lied about being on duty, and he had not reported to work that shift nor had he been in the library. Further, Dr. Hall admitted that he had used very poor judgment and had been dishonest.

On June 9, 2003, the residency program committee decided to uphold Dr. Hall's termination from the residency program.

CONCLUSIONS OF LAW

1. The conduct of Adam P. Hall, D.O., as set forth in Findings of Fact 2, constitutes "[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," as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.
2. The conduct of Dr. Hall, as set forth in Findings of Fact 2, is not sufficient to demonstrate a current failure to furnish satisfactory proof of good moral character as required by Sections 4731.29 and 4731.08, Ohio Revised Code.

* * * * *

Dr. Hall issued a series of deceitful and self-serving misstatements during the course of his practice. Such conduct would justify permanent denial of his certificate to practice in this state. Nevertheless, Dr. Hall admitted his misconduct and deceit within a short time of their occurrence. Moreover, Dr. Hall was forthcoming in his application for licensure in Ohio. Therefore, the evidence suggests that Dr. Hall has learned from his mistakes and will be more cautious and forthcoming in the future.

PROPOSED ORDER

It is hereby ORDERED that:

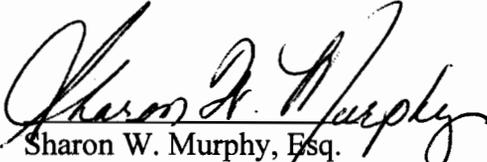
- A. **GRANTING OF CERTIFICATE:** The application of Adam P. Hall, D.O., for a certificate to practice osteopathic medicine and surgery in the State of Ohio is GRANTED, provided that he otherwise meets all statutory and regulatory requirements. If so, the certificate shall be issued on the effective date of this Order.
- B. **SUSPENSION OF CERTIFICATE:** Immediately upon issuance of Dr. Hall's certificate to practice osteopathic medicine and surgery in the State of Ohio, that certificate shall be SUSPENDED for thirty days. The thirty days of suspension shall include the day that the certificate is issued.

C. **PROBATIONARY CONDITIONS:** Upon reinstatement, Dr. Hall's certificate shall be subject to the following PROBATIONARY terms, conditions, and limitations for a period of at least two years:

1. **Obey the Law:** Dr. Hall shall obey all federal, state, and local laws, and all rules governing the practice of osteopathic medicine and surgery in the state of Ohio.
2. **Quarterly Declarations:** Dr. Hall 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 the first day of the third month following the month in which this Order becomes effective, 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.
3. **Appearances:** Dr. Hall shall appear in person for quarterly interviews before the Board or its designated representative during the third month following the effective date of this Order. 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. **Course on Personal/Professional Ethics:** Before the end of the first year of probation, or as otherwise approved by the Board, Dr. Hall shall provide acceptable documentation of successful completion of a course or courses dealing with personal and professional ethics. The exact number of hours and the specific content of the course or courses shall be subject to the prior approval of the Board or its designee. Any courses taken in compliance with this provision shall be in addition to the Continuing Medical Education requirements for relicensure for the Continuing Medical Education acquisition period(s) in which they are completed.
5. **Absence from Ohio:** Dr. Hall 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.
6. **Violation of Probation; Discretionary Sanction Imposed:** If Dr. Hall 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.

- D. **TERMINATION OF PROBATION:** Upon successful completion of probation, as evidenced by a written release from the Board, Dr. Hall's certificate will be fully restored.
- E. **REQUIRED REPORTING BY LICENSEE TO EMPLOYERS AND HOSPITALS:** Within thirty days of the effective date of this Order, Dr. Hall 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. Hall 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.
- F. **REQUIRED REPORTING BY LICENSEE TO OTHER STATE LICENSING AUTHORITIES:** Within thirty days of the effective date of this Order, Dr. Hall 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. Hall 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. Hall 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 thirty days after mailing of notification of approval by the Board.


Sharon W. Murphy, Esq.
Hearing Examiner



State Medical Board of Ohio

7700 Eastman Drive • Columbus, OH 43229-1177 • 614-464-0244 • Website: www.smb.state.oh.us

EXCERPT FROM THE DRAFT MINUTES OF DECEMBER 14, 2005

REPORTS AND RECOMMENDATIONS

Dr. Davidson announced that the Board would now consider the findings and orders appearing on the Board's agenda. She asked whether each member of the Board had received, read, and considered the hearing records, the proposed findings, conclusions, and orders, and any objections filed in the matters of: Binh Quoc Doan, M.D.; Adam P. Hall, D.O.; James L. Kegler, M.D.; John Michael Lonergan, M.D.; Richard Daniel Price, M.D.; Craig L. Rich, M.D.; Charles Christian Rickey, P.A.; Steven John Shor, M.D.; and Robert Martin Stang, D.O. A roll call was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmage	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Kumar	- aye
	Mr. Browning	- aye
	Ms. Sloan	- aye
	Dr. Robbins	- aye
	Dr. Saxena	- aye
	Dr. Steinbergh	- aye
	Dr. Davidson	- aye

Dr. Davidson asked whether each member of the Board understands that the disciplinary guidelines do not limit any sanction to be imposed, and that the range of sanctions available in each matter runs from dismissal to permanent revocation. A roll call was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmage	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Kumar	- aye
	Mr. Browning	- aye
	Ms. Sloan	- aye
	Dr. Robbins	- aye
	Dr. Saxena	- aye
	Dr. Steinbergh	- aye
	Dr. Davidson	- aye

Dr. Davidson noted that, in accordance with the provision in Section 4731.22(F)(2), Revised Code, specifying that no member of the Board who supervises the investigation of a case shall participate in further adjudication of the case, the Secretary and Supervising Member must abstain from further participation in the adjudication of these matters. In the matters before the Board today, Dr. Talmage served as Secretary and Mr. Albert served as Supervising Member.

Dr. Davidson stated that, if there were no objections, the Chair would dispense with the reading of the proposed findings of fact, conclusions and orders in the above matters. No objections were voiced by Board members present.

The original Reports and Recommendations shall be maintained in the exhibits section of this Journal.

.....
ADAM P. HALL, D.O.
.....

DR. STEINBERGH MOVED TO APPROVE AND CONFIRM MS. MURPHY'S PROPOSED FINDINGS OF FACT, CONCLUSIONS, AND ORDER IN THE MATTER OF ADAM P. HALL, D.O. DR. ROBBINS SECONDED THE MOTION.
.....

A vote was taken on Dr. Steinbergh's motion to approve and confirm:

Vote:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Talmage	- abstain
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Kumar	- aye
	Mr. Browning	- aye
	Ms. Sloan	- abstained
	Dr. Robbins	- aye
	Dr. Saxena	- aye
	Dr. Steinbergh	- aye
	Dr. Davidson	- aye

The motion carried.



State Medical Board of Ohio

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

April 13, 2005

Adam P. Hall, D.O.
110 W. Henderson Road
Columbus, Ohio 43214

Dear Doctor Hall:

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 you or place you on probation for one or more of the following reasons:

- (1) On or about January 29, 2004, you submitted an Application for Certificate – Medicine or Osteopathic Medicine to the Board. Your License Application currently is pending.
- (2) From in or about January 1 to June 9, 2003, in Independence, Missouri, you were a resident in the University of Health Sciences Family Medicine Residency Program [residency program] at the Medical Center of Independence [MCI].

On or about June 2, 2003, G. M. Johnston, D.O., who at that time was the Acting Director of Medical Education, received a report that a resident had not covered the night shift while on duty at MCI. On or about June 3, 2003, Dr. Johnston discovered that the hospital staff had not seen you the entire night of May 30, 2003, despite that you were scheduled to be the resident on-call and that the emergency room paged you several times, which you failed to answer.

On or about June 4, 2003, you met with the Family Medicine Department Chair and the Acting Family Practice Program Director of the residency program. After the meeting, they decided to terminate you from the residency program for grievous dereliction of duty and subsequent imminent risk to quality patient care.

On or about June 5, 2003, upon your appeal, Dr. Johnston met with you, at which time your explanation of the events included the following: you were on duty from 7:00 p.m. to 7:00 a.m.; you had both the house beeper and your own beeper, and because you received no pages, the house beeper must not have been working;

MAILED 4-14-05

you had been in the library in the Medical Professional Building, and while there, you did not hear any pages on the overhead or the intercom system; and you used the computer and read several journals while in the library. During the conversation, Dr. Johnston asked you three times if you had used the computer while you were on duty and to each question you answered yes. However, before this meeting, Dr. Johnston was informed by the library staff that the computers had remained inactive, without any entry of usage, during the time in question.

On or about June 6, 2003, Dr. Johnston again met with you, at which time you offered a second accounting of the events of the night of May 30, 2003. Your statement included the following: you took cold medicine and slept the entire night at your house; when you awoke, you did not call the hospital or the house officer; you lied about being on duty; and you did not report to work that shift nor had you been in the library. Further, you admitted to using very poor judgment and being dishonest.

On or about June 9, 2003, you met with a residency program committee that included the Family Medicine Department Chair, the Family Practice Program Director, and two Associate Program Directors to present a statement concerning the events of May 30, 2003. After your statement, Dr. Johnston reported to the committee what you had conveyed to him in the above-mentioned meetings of June 5 and 6, 2003. After further consideration, the committee decided to uphold the termination.

Your acts, conduct, and/or omissions as alleged in paragraph (2) above, individually and/or collectively, constitute “[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, podiatry, 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,” as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (2) above, individually and/or collectively, constitute a failure to furnish satisfactory proof of good moral character as required by Sections 4731.29 and 4731.08, Ohio Revised 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

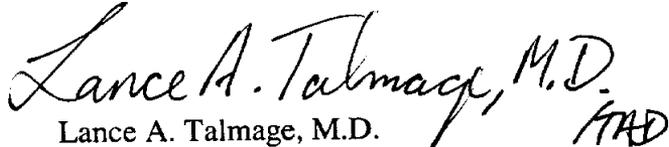
to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

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 you 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.
Secretary

LAT/blt
Enclosures

CERTIFIED MAIL # 7000 0600 0024 5142 9198
RETURN RECEIPT REQUESTED