

JAN 19 1989

CONSENT AGREEMENT

BETWEEN

MILTON LEVITIN, M.D.

AND

THE STATE MEDICAL BOARD OF OHIO

This Consent Agreement is entered into by and between MILTON LEVITIN, M.D., and the STATE MEDICAL BOARD OF OHIO, a state agency charged with enforcing Chapters 4730. and 4731. of the Ohio Revised Code.

MILTON LEVITIN, M.D., enters into this Agreement being fully aware of his rights, including his right to be advised by counsel and his right to a hearing on the issues considered herein.

This Agreement is entered into on the understanding that the STATE MEDICAL BOARD OF OHIO is empowered by Chapter 4731., Ohio Revised Code, to issue certificates to practice medicine or surgery and to limit, revoke, or 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, Revised Code.

In consideration of the foregoing and in lieu of any further formal proceedings at the present time arising from the October 13, 1988 Notice of Opportunity for Hearing issued to MILTON LEVITIN, M.D., knowingly and voluntarily agrees with the STATE MEDICAL BOARD OF OHIO to the following:

1. The STATE MEDICAL BOARD agrees to dismiss the charges set forth in the October 13, 1988 Notice of Opportunity for Hearing with prejudice.
2. MILTON LEVITIN, M.D., hereby releases the STATE MEDICAL BOARD OF OHIO, its members, employees, agents, representatives and officers jointly and severally from any and all liability arising from the prosecution of the Notice of Opportunity for Hearing of October 13, 1988, which is terminated as of the date of this Consent Agreement, and from any other matters arising or occurring prior to the execution of this Agreement relating to the October 13, 1988, Notice of Opportunity for Hearing of MILTON LEVITIN, M.D.

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

Milton Levitin
MILTON LEVITIN, M.D.

1/11/89
Date

Henry G. Cramblett
HENRY G. CRAMBLETT, M.D.
SECRETARY

1/25/89
Date

Orla E. Collier
ORLA E. COLLIER
ATTORNEY FOR MILTON
LEVITIN, M.D.

1/10/89
Date

John E. Rauch
JOHN E. RAUCH, D.O.
SUPERVISING MEMBER

1/20/89
Date

Rachel L. Belenker
RACHEL L. BELENKER
ASSISTANT ATTORNEY GENERAL

1/25/89
Date

STATE OF OHIO
THE STATE MEDICAL BOARD
77 SOUTH HIGH STREET
17TH FLOOR
COLUMBUS OH 43215

October 13, 1988

Milton Levitin, M.D.
3354 East Broad Street
Columbus, OH 43210

Dear Doctor Levitin:

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

1. In applying for registration of your certificate to practice medicine or surgery for the current registration period, you certified that you had completed during the last registration period (January 1, 1985 through December 31, 1986) the requisite hours of Continuing Medical Education, as required by Section 4731.281, Ohio Revised Code.
2. By letter dated July 22, 1987, you were notified by the State Medical Board that you are required to complete a log listing your Continuing Medical Education, and to provide documentation that you had actually attended 40 hours of Category I credits. On August 13, 1987, you returned a log to the Board listing 43 hours of Category I CME; however, you provided appropriate documentation for only 31 of those hours. On April 18, 1988, and again on June 22, 1988, you were notified of your failure to supply required documentation. On June 27, 1988, in a phone conversation with Ms. Debra Jones of this office you indicated you would call back with further information. Instead, on July 13, 1988, a letter was received by the Board indicating you had contacted the American Academy of Pediatrics and would notify us upon your receipt of a response. On September 22, 1988, a follow-up letter was forwarded to you. You have submitted no further documentation of C.M.E. completed during the 1985-1986 registration period.
3. Your response to the notices as detailed in the above Paragraph (2) established that you did not complete the requisite hours of Continuing Medical Education, and/or that you failed to keep detailed records of C.M.E. taken.

Milton Levitin, M.D.
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The acts and omissions as alleged in the above paragraph (1), individually and/or collectively, constitute "fraud, misrepresentation, or deception in applying for or securing any license or certificate issued by the Board," as that clause is used in Section 4731.22(A), Ohio Revised Code.

Further, such acts as alleged in the above paragraph (1), individually and/or collectively, constitute "publishing a false, fraudulent, deceptive, or misleading statement," as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.

Further, such acts as alleged in the above paragraphs (1), (2), and (3), individually and/or collectively, constitute "violating or attempting to violate directly or indirectly, assisting 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, (Section 4731.22(B)(16), Ohio Revised Code, prior to March 17, 1987) to wit: Section 4731.281, Ohio Revised Code, Rule 4731-10-03, and Rule 4731-10-08, Ohio Administrative Code.

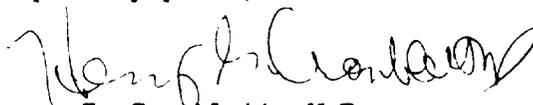
Pursuant to Chapter 119, Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, that request must be received in the offices of the State Medical Board within thirty (30) days of the time of mailing of this notice.

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

In the event that there is no request for such hearing received within thirty (30) days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation.

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Henry G. Cramblett, M.D.
Secretary

HGC:jmb
Encls.

CERTIFIED MAIL #P 746 510 245
RETURN RECEIPT REQUESTED