STATE MEDICAL BOARD
OF OHIO

STATE OF OHIO
THE STATE MEDICAL BOARD

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SURRENDER OF CERTIFICATE TO PRACTICE MEDICINE AND SURGERY

I, Richard W. Walker, M.D., am aware of my rights to representation by counsel, the right of being formally charged and having a formal adjudicative hearing, and do hereby freely execute this document and choose to take the actions described herein.

I, Richard W. Walker, M.D., do hereby voluntarily, knowingly, and intelligently surrender my certificate to practice medicine and surgery, No. 35-019772, to the State Medical Board of Ohio, thereby relinquishing all rights to practice medicine and surgery in Ohio.

This surrender shall be effective upon acceptance of this Surrender of Certificate to Practice Medicine and Surgery by the Secretary and Supervising Member of the State Medical Board of Ohio.

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

I agree that I shall be ineligible for, and shall not apply for, reinstatement of certificate to practice medicine and surgery No. 35-019772, or issuance of any other certificate pursuant to Chapters 4730., 4731., 4760. or 4762., Ohio Revised Code, on or after the date of signing this Surrender of Certificate to Practice Medicine and Surgery. Any such attempted reapplication shall be considered null and void and shall not be processed by the Board.

I, Richard W. Walker, M.D., hereby release the Ohio Board, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

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

I, Richard W. Walker, M.D., agree to provide my social security number to the Ohio Board and hereby authorize the Ohio Board to utilize that number in conjunction with that reporting.

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I, Richard W. Walker, M.D., stipulate and agree that I am taking the action described herein in lieu of formal disciplinary action pursuant to Section 4731.22(B)(22), Ohio Revised Code, to wit: Wyoming Board of Medicine Consent Decree dated August 11, 2003 [a five page document, the fifth page of which is blank], a copy of which is attached hereto and incorporated herein.

Signed this 03 (Third) day of November 2003.

Richard W. Walker, M.D.

Witness

Witness

Sworn to and subscribed before me this 3rd day of Nov. 2003.

LINDA M. FULGHAM-NOTARY PUBLIC
COUNTY OF SWEETWATER
STATE OF WYOMING
MY COMMISSION EXPIRES JULY 21, 2007

Notary Public

SEAL **(This form must be either witnessed OR notarized)**

Accepted by the State Medical Board of Ohio:

Lance A. Talmage, M.D.
SECRETARY

RAYMOND J. ALBERT
SUPERVISING MEMBER

11-13-03
DATE

12/9/03
DATE

Enclosure

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BEFORE THE
WYOMING BOARD OF MEDICINE

JANE ROBINETT, D.O., and SUSAN SCOTT MULLEN,	)	
Petitioners,	)	
vs.	)	Docket No. 03-38
RICHARD WALKER, M.D.	)	
Respondent.	)	

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CONSENT DECREE

COME NOW, Petitioners and Richard Walker, M.D. who stipulate and agree as follows:

WITNESSETH:

WHEREAS, the Board is the sole and exclusive regulatory agency of the State of Wyoming regarding the practice of medicine and surgery; and

WHEREAS, Respondent, Richard Walker, M.D., is the holder of Wyoming Physician's License Number 2998A; and

WHEREAS, the Board received information regarding the Respondent being arrested for driving while under the influence of alcohol in Rock Springs, Wyoming; and

WHEREAS, based upon that information, the President and Secretary appointed Petitioners to this case and they filed a Complaint before the Board; and

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WHEREAS, voluntary surrender of a license is authorized pursuant to W.S. § 33-26-404(a); and

WHEREAS, after having considered these circumstances, Petitioners have determined that resolution by a Consent Decree under the terms and conditions set forth herein is appropriate; and

WHEREAS, upon the execution of this Consent Decree by Respondent and Petitioners, Petitioners shall recommend the approval of this Consent Decree to the President and Secretary of the Board that an Order of Approval be entered,

NOW, THEREFORE, in lieu of proceeding to a contested case hearing in this disciplinary case at which the Petitioners would seek sanctions against the Respondent's physician's license, Respondent and Petitioners hereby agree and consent as follows:

1. Respondent admits that the Board is a duly authorized administrative agency of the State of Wyoming with the appropriate statutory authority to regulate the practice of medicine and surgery in the State of Wyoming; that this Consent Decree and the filing of such document are in accordance with the requirements of law; that the Board is lawfully constituted to consider this matter to include consideration of this Consent Decree; that Respondent does not challenge the constitutionality of the Wyoming Medical Practice Act, W.S. § 33-26-101 *et seq.*, that the Board, in acting in this matter, is not acting beyond the jurisdiction conferred to it by any provision of law and, under the provisions of the Board's duly adopted Rules of Practice and Procedure for Disciplinary Complaints Against Physicians

(Chapter 4), specifically Section 4(h) thereof, the Board has authority to enter into this Consent Decree.

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2. Respondent, by signing this Consent Decree, does not admit that he violated any provision of the Wyoming Medical Practice Act, and that the Consent Decree is entered into for the purpose of settling a disputed claim by Petitioners.

3. The parties agree that this Consent Decree may not be used as evidence in any future proceeding except as to enforcement of this Consent Decree.

4. In lieu of the investigative material being presented to the Board in compliance with the Wyoming Administrative Procedure Act and the Wyoming Medical Practice Act as evidence in a formal adjudicative hearing, Respondent, by his signature attached to this Consent Decree, hereby agrees to the following terms and conditions stated herein:

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a. Respondent agrees to voluntarily surrender his license to practice medicine in the State of Wyoming by returning his license (wall and wallet size) to the Board office on or before August 4, 2003.

b. Respondent agrees that he will not practice medicine in the State of Wyoming.

5. Nothing in this Consent Decree shall be construed to deny the Board jurisdiction to investigate alleged violations of the Medical Practice Act or complaints received by the Board which are unknown at this time or are not covered under the conditions of this Consent Decree or past or subsequent acts which are unknown to the Board.

6. This Consent Decree constitutes a final order pursuant to W.S. § 33-26-408(c) and shall be reported to the Federation of State Medical Boards' data bank, National Practitioner Data Bank and the Healthcare Integrity and Protection

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Data Bank (HIPDB) data bank pursuant to 42USC § 11101 and at 45CFR 60 et seq. Copies of the Consent Decree shall also be disseminated pursuant to Section 3, of Chapter 6 of the Board Rules.

7. Respondent acknowledges that he has been offered the opportunity to confer with his own counsel regarding this Consent Decree; that he understands each of the terms hereof and that he is entering into this Consent Decree freely and voluntarily.

8. This Consent Decree constitutes the entire agreement between the Board and Respondent; there are no other agreements or understandings between them which are not set forth herein and this Consent Decree may not be modified or amended except by a writing executed by all parties hereto.

IN WITNESS WHEREOF, the parties have executed this Consent Decree on the dates shown.

RICHARD WALKER, M.D. RESPONDENT	8/8/03 DATE
RICHARD W. BECKWITH ATTORNEY FOR RESPONDENT	8/6/03 DATE
JANE ROBINETT, D.O. PETITIONER	8/8/03 DATE
SUSAN SCOTT MULLEN PETITIONER	8/11 2003 DATE
GAY WOODHOUSE ATTORNEY FOR PETITIONERS	7/11/03 DATE