

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF \_\_\_\_\_ :

HOWARD E. FAGAN, M.D. :

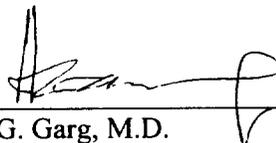
**ENTRY OF ORDER**

On December 17, 1997, Howard E. Fagan, M.D., executed a Voluntary Surrender of his Certificate to practice medicine and surgery with a consent to revocation, which document is attached hereto and fully incorporated herein.

In consideration of the foregoing and of Dr. Fagan's express waiver of the provision of Section 4731.22(B), Ohio Revised Code, requiring that six (6) Board members vote to revoke said certificate, it is hereby ORDERED that Certificate No. 35021404 authorizing Howard E. Fagan, M.D. to practice medicine and surgery be permanently REVOKED, effective December 17, 1997.

This Order is hereby entered upon the Journal of the State Medical Board of Ohio for the seventeenth day of December, 1997, and the original thereof shall be kept with said Journal.

(seal)

  
\_\_\_\_\_  
Anand G. Garg, M.D.  
Secretary

\_\_\_\_\_  
Date 1/14/98

**STATE OF OHIO  
THE STATE MEDICAL BOARD**

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

I, HOWARD E. FAGAN, M.D., do hereby voluntarily, knowingly, intelligently, and with advice of legal counsel surrender my certificate to practice medicine and surgery, License No. 35-021404, to the State Medical Board of Ohio, thereby relinquishing all rights to practice medicine and surgery in Ohio.

I understand that as a result of the surrender herein that 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, License No. 35-021404, or issuance of any other certificate pursuant to Chapters 4730. or 4731., 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 hereby authorize the State Medical Board of Ohio to enter upon its Journal an Order permanently revoking my certificate to practice medicine and surgery, License No. 35-021404, in conjunction with which I expressly waive the provision of Section 4731.22(B), Ohio Revised Code, requiring that six (6) Board Members vote to revoke said certificate, and further expressly and forever waive all rights as set forth in Chapter 119., Ohio Revised Code, including but not limited to my right to counsel, right to a hearing, right to present evidence, right to cross-examine witnesses, and right to appeal the Order of the Board revoking my certificate to practice medicine and surgery.

I, HOWARD E. FAGAN, M.D., hereby release the State Medical Board of Ohio, its members, employees, agents and officers, jointly and severally, from any and all liability arising from the within matter.

This document shall be construed 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.

I stipulate and agree that I am taking the action described herein fully appreciating my rights to formal disciplinary proceedings pursuant to Section 4731.22, Ohio Revised Code (as in effect prior to July 28, 1975), for alleged unprofessional conduct.

Signed this 17 day of December, 1997.

Harold S. Ferguson MD  
Signature of Physician

Gary H. Goldwasser  
Witness

\_\_\_\_\_  
Witness

Sworn to and subscribed before me this 17<sup>th</sup> day of December, 1997.

Gary H. Goldwasser  
Notary Public  
GARY H. GOLDWASSER, Attorney At Law  
Notary Public - State of Ohio  
My commission has no expiration date.  
Section 147.03 R. C.

SEAL

(This form must be either witnessed OR notarized)

Accepted by the State Medical Board of Ohio:

Anand G. Garg  
ANAND G. GARG, M.D.  
SECRETARY

Raymond J. Albert  
RAYMOND J. ALBERT  
SUPERVISING MEMBER