

**CONSENT AGREEMENT  
BETWEEN  
PAUL H. KLINGENBERG, M.D.  
AND  
THE STATE MEDICAL BOARD OF OHIO**

THIS CONSENT AGREEMENT is entered into by and between **PAUL H. KLINGENBERG, M.D.** and **THE STATE MEDICAL BOARD OF OHIO**, a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

**PAUL H. KLINGENBERG, M.D.** enters into this Agreement being fully informed of his rights under Chapter 119., Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudicative hearing on the issues considered herein.

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

- A. **THE STATE MEDICAL BOARD OF OHIO** is empowered by Section 4731.22(B)(6), 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 a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established.
- B. **THE STATE MEDICAL BOARD OF OHIO** enters into this Consent Agreement in lieu of formal proceedings based upon the possible violation of Section 4731.22(B)(6), Ohio Revised Code, 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. **DOCTOR KLINGENBERG** has filed an application for restoration of his license to practice medicine and surgery in the State of Ohio, which expired on December 31, 1976.
- D. On or about July 16, 1987, **DOCTOR KLINGENBERG** entered into an Agreed Order with the Commonwealth of Kentucky State Board of Medical Licensure, not to engage in the practice of medicine in the Commonwealth of Kentucky, without prior consent and approval of the Kentucky Board of Medical Licensure (a copy of which is attached hereto and fully incorporated herein). Such agreement was entered into in lieu of further investigation into allegations that **DOCTOR KLINGENBERG'S** practice had several qualitative deficiencies, based upon information received from the Kentucky Peer Review Organization (Peerview).
- E. On or about September 28, 1990, the Commonwealth of Kentucky State Board of Medical Licensure issued, an Order Denying (**DOCTOR KLINGENBERG'S**) Request to Again Practice Medicine in the Commonwealth of Kentucky (a copy of which is attached hereto and fully incorporated herein). Such Order was issued after **DOCTOR KLINGENBERG** requested that he be allowed to participate in a program entitled Doctors To Your

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**Door and to perform locum tecums work in the State of Kentucky.**

**WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, PAUL H. KLINGENBERG, M.D. knowingly and voluntarily agrees with THE STATE MEDICAL BOARD OF OHIO, (hereinafter BOARD), to the following probationary terms, conditions and limitations:**

- 1. In accordance with Section 4731.222, Ohio Revised Code, DOCTOR KLINGENBERG shall take and satisfactorily pass the SPEX Examination prior to having his license restored in the State of Ohio;**
- 2. DOCTOR KLINGENBERG shall submit a plan for completing Continuing Medical Education (CME) requirements not fulfilled during the period since the expiration of his Ohio license, to the BOARD for approval prior to having his license restored in the State of Ohio;**
- 3. Upon completion of items 1. and 2. to the BOARD'S satisfaction, DOCTOR KLINGENBERG shall have his license restored in the State of Ohio, subject to the remaining terms, limitations, and conditions of this Consent Agreement;**
- 4. Upon restoration of DOCTOR KLINGENBERG'S license in Ohio, DOCTOR KLINGENBERG shall not be permitted to perform surgical procedures and his practice shall be permanently limited to the field of administrative medicine, with the exception that he shall be permitted to record patient histories and perform physical examinations;**
- 5. DOCTOR KLINGENBERG shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio;**
- 6. DOCTOR KLINGENBERG shall submit quarterly declarations under penalty of perjury stating whether there has been compliance with all the conditions of this Consent Agreement;**
- 7. DOCTOR KLINGENBERG shall appear in person for interviews before the full BOARD or its designated representative at three month intervals, or as otherwise directed by the BOARD;**
- 8. DOCTOR KLINGENBERG shall be ineligible to hold, and shall not apply for, registration with the United States Drug Enforcement Administration to prescribe, dispense or administer controlled substances without prior BOARD approval;**
- 9. DOCTOR KLINGENBERG shall not prescribe, administer, dispense, order, write orders for, give verbal orders for, or possess any controlled substances as defined by State or Federal law, except those prescribed, administered or dispensed to him by another so authorized by law;**

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10. DOCTOR KLINGENBERG shall NOT be permitted to order, write orders for, give verbal orders for, dispense or administer controlled substances as defined by State or Federal law under the D.E.A. registration of the hospital or institution in which he is employed and/or has privileges;
11. DOCTOR KLINGENBERG shall obtain the approval of the BOARD for any medical practice or employment related to the health care fields. The BOARD shall consider, among other factors, the protection of the public, prior to approval or disapproval of the proposed employment;
12. DOCTOR KLINGENBERG shall provide all employers and the Chief of Staff at each hospital where he has, applies for, or obtains privileges with a copy of this Consent Agreement.

The above described terms, limitations and conditions may be amended or terminated in writing at any time upon the agreement of both parties. However, this Agreement shall otherwise remain in force indefinitely.

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

DOCTOR KLINGENBERG acknowledges that he has had an opportunity to ask questions concerning the terms of this Agreement and that all questions asked have been answered in a satisfactory manner.

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

DOCTOR KLINGENBERG hereby releases THE STATE MEDICAL BOARD OF OHIO, its Members, Employees, Agents, Officers and Representatives jointly and severally from any and all liability arising from the within matter.

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

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Further, this information may be reported to appropriate organizations, data banks and governmental bodies.

Paul H. Klingenberg  
PAUL H. KLINGENBERG, M.D.

01/24/92  
DATE

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

2/11/92  
DATE

Timothy S. Jost  
TIMOTHY S. JOST, ESQ.  
Supervising Member

2/11/92  
DATE

Odella Lampkin  
ODELLA LAMPKIN, ESQ.  
Assistant Attorney General

2/10/92  
DATE

STATE OF CALIFORNIA  
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FILED OF RECORD  
K. S. B. M. L.  
9-30-87

COMMONWEALTH OF KENTUCKY  
STATE BOARD OF MEDICAL LICENSURE

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF  
KENTUCKY HELD BY PAUL H. KLINGENBERG, M.D. (LICENSE # 12298)

AGREED ORDER

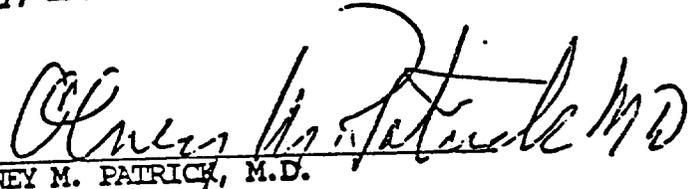
Comes now the Kentucky Board of Medical Licensure and Paul H. Klingenberg, M.D., both being sufficiently advised, and hereby enter into the following Agreed Order:

1. Dr. Klingenberg shall not, effective this date, engage in the practice of medicine in the Commonwealth of Kentucky as defined by KRS 311.550(10), without the prior consent and approval of the Kentucky Board of Medical Licensure.

Should Dr. Klingenberg violate this Agreed Order, the Board may suspend his license to practice pursuant to KRS 311.592.

So AGREED this 16th day of July, 1987.

FOR THE BOARD:

  
OLNEY M. PATRICK, M.D.  
Chairman  
Board Inquiry Panel (B)

  
DAVID W. CARBY  
General Counsel

STATE BOARD OF MEDICAL LICENSURE  
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FOR DR. KLINGENBERG:

*Paul H. Klingenberg M.D.*  
PAUL H. KLINGENBERG, M.D.

*Frank V. Benton, III*

FRANK V. BENTON, III  
Counsel for Dr. Klingenberg

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COMMONWEALTH OF KENTUCKY  
STATE BOARD OF MEDICAL LICENSURE  
CASE NO. 402

FILED OF RECORD

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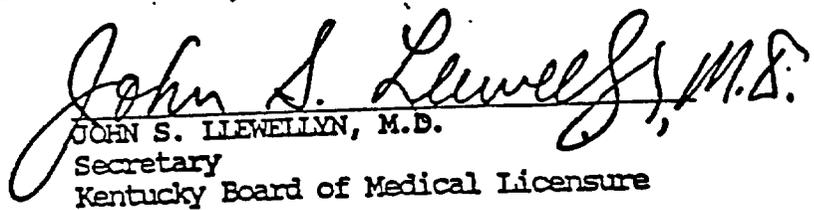
IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF  
KENTUCKY HELD BY PAUL H. KLINGENBERG, M.D.

ORDER DENYING REQUEST TO AGAIN PRACTICE  
MEDICINE IN THE COMMONWEALTH OF KENTUCKY

The Kentucky Board of Medical Licensure, at its meeting on September 20, 1990, reviewed a letter from Paul H. Klingenberg, M.D., dated September 4, 1990, requesting the consent and approval of the Board to again practice medicine in the Commonwealth of Kentucky. Specifically, Dr. Klingenberg requested consent to work for Doctors to Your Door (Edgewood, Kentucky) and to perform locum tenens work in Kentucky. It should be noted that Dr. Klingenberg entered into an Agreed Order with this Board on September 30, 1987, agreeing to never again practice medicine in the Commonwealth of Kentucky "without the prior consent and approval of the Kentucky Board of Medical Licensure."

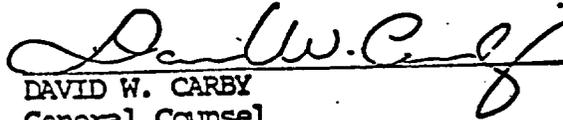
The Board, having considered the request of Dr. Klingenberg, and otherwise being sufficiently advised, hereby DENIES said request. As such, the Agreed Order dated September 30, 1987, shall remain in full force and effect, and Dr. Klingenberg shall not engage in the practice of medicine in the Commonwealth of Kentucky as defined by KRS 311.550(10).

So ORDERED this 28<sup>th</sup> day of September, 1990.

  
JOHN S. LLEWELLYN, M.D.  
Secretary  
Kentucky Board of Medical Licensure

CERTIFICATE

This is to certify that the original of the foregoing Order Denying Request to Again Practice Medicine in the Commonwealth of Kentucky was hand-delivered to Mr. C. William Schmidt, Executive Director for the Kentucky Board of Medical Licensure, 400 Sherburn Lane, Suite 222, Louisville, Kentucky 40207, and a copy was mailed, postage prepaid, to Paul H. Klingenberg, M.D., 100 Windridge Lane, Apt. #7, Florence, Kentucky 41042, on this the 28<sup>th</sup> day of September, 1990.



DAVID W. CARBY  
General Counsel  
Kentucky Board of Medical Licensure

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