

CONSENT AGREEMENT
BETWEEN
EDWIN B. DAVIS, M.D.
AND
THE STATE MEDICAL BOARD OF OHIO

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

EDWIN B. DAVIS, 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:

1. THE STATE MEDICAL BOARD OF OHIO is empowered by Section 4731.22(B), Ohio Revised Code, 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 the inability to practice according to acceptable and prevailing standards of care by reason of excessive use of alcohol or excessive use of controlled substances, drugs, or chemicals, or as a result of a mental or physical condition.
2. EDWIN B. DAVIS, M.D. is licensed to practice medicine and surgery in the State of Ohio;
3. EDWIN B. DAVIS, M.D. ADMITS that on November 7, 1986, he did attempt suicide by hanging, was revived by emergency medical personnel and was transported to Blanchard Valley Hospital, Findlay, Ohio, where he remained in intensive care for a period of approximately four (4) days.
4. EDWIN B. DAVIS, M.D. admits that on November 12, 1986, he was admitted to Harding Hospital, Worthington, Ohio, under the care of Dr. Herndon Harding, Sr.
5. EDWIN B. DAVIS, M.D. admits that his admitting and final diagnoses at Harding Hospital were as follows:
 - Axis I - Major depressive reaction with suicidal attempt by hanging
 - Axis II - Obsessive compulsive personality
 - Axis III - Tracheostomy, secondary to suicidal attempt
6. EDWIN B. DAVIS, M.D. admits that as a course of therapy at Harding he was treated with medication, family counseling and nine (9) electrotherapy treatments between 12-3-86 and 12-26-86.
7. EDWIN B. DAVIS, M.D. ADMITS that at the time of his discharge from Harding Hospital on January 28, 1987, he was taking 150 mg. of Norpramin per day, was scheduled for on-going out-patient treatment at Harding, and was released to practice medicine upon the advice of Dr. Harding.
8. EDWIN B. DAVIS, M.D. ADMITS that he presently continues the above-said program of out-patient treatment at Harding Hospital.
9. THE STATE MEDICAL BOARD OF OHIO enters into this Consent Agreement in lieu of formal proceedings based upon the violation of Section 4731.22(B) 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.

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

1. EDWIN B. DAVIS, M.D. shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio.
2. EDWIN B. DAVIS, M.D. shall submit quarterly declarations under penalty of perjury stating whether there has been compliance with all the conditions of this Consent Agreement.
3. EDWIN B. DAVIS, M.D. shall appear in person for interviews before the full BOARD or its designated representative at three month intervals, or as otherwise requested by the BOARD.
4. In the event that EDWIN B. DAVIS, M.D. should leave Ohio for three continuous months, or reside or practice outside the State, he must notify the BOARD in writing of the dates of departure and return. Periods of time spent outside of Ohio will not apply to the reduction of this period under the Consent Agreement.
5. EDWIN B. DAVIS, M.D. shall register in a log, approved by the BOARD for this purpose, all controlled substances prescribed or dispensed by him in his practice and such log shall be submitted by DOCTOR DAVIS to the BOARD as indicated upon the log register.
6. EDWIN B. DAVIS, M.D. shall have as his TREATING PSYCHIATRIST Dr. Herndon Harding, Sr., and shall continue with the course of treatment and therapy prescribed by Dr. Herndon Harding, Sr., which shall consist of regular personal and family counseling. EDWIN B. DAVIS, M.D. shall ensure that Dr. Harding submit to the Board after each such session, written reports which indicate the nature of Dr. Davis' therapy as well as his status, progress and prognosis. Such sessions shall be no more than six (6) weeks apart; and Dr. Davis does further consent to the Board's review of his treatment records at any time.
7. EDWIN B. DAVIS, M.D. shall have as his SUPERVISING PHYSICIAN, Dr. James Miller, M.D., who shall monitor him and provide the BOARD with monthly reports on the doctor's progress and status. Dr. Davis is to ensure that said reports are forwarded to the BOARD on a monthly basis.
8. EDWIN B. DAVIS, M.D. agrees that in the event that the designated SUPERVISING or TREATING PHYSICIAN becomes unable or unwilling to serve in their respective positions, DOCTOR DAVIS shall immediately so notify the BOARD and immediately make any and all necessary arrangements for another SUPERVISING and/or TREATING PHYSICIAN acceptable to the BOARD.

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9. EDWIN B. DAVIS, M.D. shall obtain approval of the BOARD for any medical practice or employment related to the health care fields, other than the private partnership practice in which he is presently engaged at 1119 North Main Street, Findlay, Ohio. The BOARD shall consider, among other factors, the adequacy and continuity of supervision and the feasibility for continued psychotherapy, prior to the approval or disapproval of any proposed change in employment.
10. EDWIN B. DAVIS, M.D. shall provide all employers and the Chief of Staff at each hospital where he has 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 remain in force for a minimum of five (5) years prior to any request for termination of said Agreement.

If, in the discretion of the Secretary of the STATE MEDICAL BOARD OF OHIO, EDWIN B. DAVIS, M.D., appears to have violated or breached any terms or conditions 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.

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.

EDWIN B. DAVIS, M.D. hereby releases 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 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.

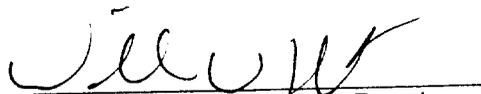
The terms and conditions of this Agreement shall become effective immediately upon the parties' signature hereto.


EDWIN B. DAVIS, M.D.

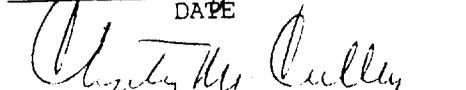
9/14/87
DATE


HENRY G. CRAMBLETT, M.D.
Secretary

9/23/87
DATE


WILLIAM W. JOHNSTON, Esquire
Supervising Member

23 Sept 87
DATE


CHRISTOPHER M. CULLEY, Esquire
Assistant Attorney General

9.23.87
DATE

CONSENT AGREEMENT
BETWEEN
EDWIN B. DAVIS, M.D.
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EDWIN B. DAVIS, 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 statements, admissions, and understandings:

1. THE STATE MEDICAL BOARD OF OHIO is empowered by Section 4731.22(B) 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 the inability to practice according to acceptable and prevailing standards of care by reason of excessive use of alcohol or excessive use of controlled substances, drugs, or chemicals, or as a result of a mental or physical condition.
2. EDWIN B. DAVIS, M.D. is licensed to practice medicine and surgery in the State of Ohio;
3. EDWIN B. DAVIS, M.D. admits that on November 7, 1986, he did attempt suicide by hanging, was revived by emergency medical personnel and was transported to Blanchard Valley Hospital, Findlay, Ohio, where he remained in intensive care for a period of approximately four (4) days.
4. EDWIN B. DAVIS, M.D. admits that on November 12, 1986, he was admitted to Harding Hospital, Worthington, Ohio, under the care of Dr. Herndon Harding, Sr.
5. EDWIN B. DAVIS, M.D. admits that his admitting and final diagnoses at Harding Hospital were as follows:
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7. EDWIN B. DAVIS, M.D. admits that at the time of his discharge from Harding Hospital on January 28, 1987, he was taking 150 mg. of Norpramin per day, was scheduled for on-going out-patient treatment at Harding, and was released to practice medicine upon the advice of Dr. Harding.
8. EDWIN B. DAVIS, M.D. admits that he presently continues the above-said program of out-patient treatment at Harding Hospital.
9. THE STATE MEDICAL BOARD OF OHIO enters into this Consent Agreement in lieu of formal proceedings based upon the violation of Section 4731.22(B) 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.

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

1. EDWIN B. DAVIS, M.D. shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio;
2. EDWIN B. DAVIS, M.D. shall submit quarterly declarations under penalty of perjury stating whether there has been compliance with all of the conditions of this Consent Agreement;
3. EDWIN B. DAVIS, M.D. shall appear in person for interviews before the full BOARD or its designated representative at three month intervals, or as otherwise requested by the BOARD with such interviews to begin in July, 1987;
4. In the event that EDWIN B. DAVIS, M.D. should leave Ohio for three continuous months, or reside or practice outside the State, he must notify the BOARD in writing of the dates of departure and return. Periods of time spent outside of Ohio will not apply to the reduction of this period under the Consent Agreement;
5. EDWIN B. DAVIS, M.D. shall be ineligible to hold, and shall not reapply for, registration with DEA to prescribe, dispense or administer controlled substances without prior BC-PO approval.
6. Upon approval of DEA privileges, EDWIN B. DAVIS, M.D. shall register in a log, approved by the BOARD for this purpose, all controlled substances prescribed or dispensed by him in his practice and such log shall be submitted by Dr. Davis to the BOARD as indicated upon the log register.
7. EDWIN B. DAVIS, M.D. shall have as his TREATING PSYCHIATRIST, Dr. Herndon Harding, Sr., and shall continue with the course of treatment and therapy prescribed by Dr. Herndon Harding, Sr., which shall consist of regular personal and family counseling. EDWIN B. DAVIS, M.D. shall ensure that Dr. Harding submits to the Board after each such session, written reports which indicate the nature of Dr. Davis' therapy as well as his status, progress and prognosis. Such sessions shall be no more than six (6) weeks apart; and Dr. Davis does further consent to the Board's review of his treatment records at any time.
8. EDWIN B. DAVIS, M.D. shall have as his SUPERVISING PHYSICIAN, Dr. James Miller, M.D., who shall monitor him and provide the BOARD with biweekly reports on the doctor's progress and status. Dr. Davis is to ensure that said reports are forwarded to the BOARD on a biweekly basis.
9. EDWIN B. DAVIS, M.D. agrees that in the event that the designated SUPERVISING or TREATING PHYSICIAN becomes unable or unwilling to serve in their respective positions, DR. DAVIS shall immediately so notify the BOARD and immediately make any and all necessary arrangements for another SUPERVISING and/or TREATING PHYSICIAN acceptable to the BOARD.

10. EDWIN B. DAVIS, M.D. shall obtain approval of the BOARD for any medical practice or employment related to the health care fields, other than the private partnership practice in which he is presently engaged at 1119 North Main Street, Findlay, Ohio. The BOARD shall consider, among other factors, the adequacy and continuity of supervision and the feasibility for continued psychotherapy, prior to the approval or disapproval of any proposed change in employment.

11. EDWIN B. DAVIS, M.D. shall provide all employers and the Chief of Staff at each hospital where he has 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 remain in force for a minimum of five years prior to any request for termination of said Agreement.

If, in the discretion of the Secretary of the STATE MEDICAL BOARD OF OHIO, EDWIN B. DAVIS, M.D., appears to have violated or breached any terms or conditions 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.

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.

EDWIN B. DAVIS, M.D. hereby releases the STATE MEDICAL BOARD, its Members, employees, agents and officers 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, Revised Code, and shall become effective upon the last date of signature below.

The terms and conditions of this Agreement shall become effective immediately upon the parties' signatures hereto.

For Licensee:

Edwin B. Davis, M.D.
EDWIN B. DAVIS, M.D.
Licensee
6/11/87
DATE

For the State of Ohio, State
Medical Board

Henry G. Chumblett
HENRY G. CHUMBLETT
Secretary
6/11/87
DATE

William W. Johnston, Esq.
WILLIAM W. JOHNSTON, Esq.
Supervising Member
6-11-87
DATE

Christopher M. Culley
CHRISTOPHER M. CULLEY
Assistant Attorney General
6-11-87
DATE

STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 510
65 South Front Street
Columbus, Ohio 43215

January 15, 1987

Edwin B. Davis, M.D.
1119 North Main Street
Findlay, Ohio 45840

Dear Doctor Davis:

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 and surgery or to reprimand or place you on probation for the following reason:

- (1) You are unable "to practice according to acceptable and prevailing standards of care by reason of illness, excessive use of alcohol, excessive use of controlled substances, drugs, or chemicals, or as a result of a mental or physical condition", as that clause is used in Section 4731.22(B)(15), Ohio Revised Code. Evidence suggesting your inability to practice includes your attempted suicide on or about November 7, 1986.

Pursuant to Section 4731.22(B)(15), Ohio Revised Code, the State Medical Board of Ohio may limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine or surgery, or reprimand or place you on probation for one or more of the reasons listed above.

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 made 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 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.

STATE OF OHIO
THE STATE MEDICAL BOARD

January 15, 1987

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Edwin B. Davis, M.D.

In the event that there is no request for such hearing made 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:caa

enclosures

CERTIFIED MAIL NO. P 026 072 607
RETURN RECEIPT REQUESTED