STATE MEDICAL BOARD OF OHIO
77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

March 11, 1994

Bohdan J. Jarem, M.D.
4118 Keystone
Garland, TX 75041

Dear Doctor Jarem:

Please find enclosed a certified copy of the Findings, Order, and Journal Entry approved and confirmed by the State Medical Board meeting in regular session on March 9, 1994.

Section 119.12, Ohio Revised Code, may authorize an appeal from this Order. Such an appeal may be taken to the Franklin County Court of Common Pleas only.

Such an appeal setting forth the Order appealed from and the grounds of the appeal must be commenced by the filing of a Notice of Appeal with the State Medical Board of Ohio and the Franklin County Court of Common Pleas within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

Very truly yours,

Carla S. O'Day

Carla S. O'Day, M.D.
Secretary

CSO:em
Enclosures

CERTIFIED MAIL NO. P 741 123 988
RETURN RECEIPT REQUESTED

Mailed 3-16-94

STATE MEDICAL BOARD OF OHIO
77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

CERTIFICATION

I hereby certify that the attached copy of the Findings, Order and Journal Entry, approved by the State Medical Board, meeting in regular session on March 9, 1994, constitute a true and complete copy of the Findings, Order and Journal Entry in the matter of Bohdan J. Jarem, M.D., as it appears in the Journal of the State Medical Board of Ohio.

This certification is made by authority of the State Medical Board of Ohio and in its behalf.

(SEAL)

Carla S. O'Day, M.D.
Secretary

3-10-94
Date

STATE MEDICAL BOARD OF OHIO
77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF *

*

BOHDAN JOHN JAREM, M.D. *

FINDINGS, ORDER AND JOURNAL ENTRY

This matter came on for consideration after a citation letter was mailed to Bohdan John Jarem, M.D., by the State Medical Board of Ohio on November 4, 1993.

By letter dated November 3, 1993, notice was given to Bohdan John Jarem, M.D., that the State Medical Board intended to consider disciplinary action regarding his license to practice medicine and surgery in Ohio, and that he was entitled to a hearing if such hearing was requested within thirty (30) days of the mailing of said notice. In accordance with Section 119.09, Ohio Revised Code, said notice was sent via certified mail, return receipt requested, to the last known address of Bohdan John Jarem, M.D., that being 4118 Keystone, Garland, Texas, 75041.

No request for hearing has been received, and more than thirty days have now elapsed since the mailing of the aforesaid notice.

WHEREFORE, it is hereby ORDERED that for the reasons outlined in the November 3, 1993 letter of notice, which is attached hereto and incorporated herein, accordingly:

1. The certificate of Bohdan John Jarem, M.D., to practice medicine and surgery in the State of Ohio shall be SUSPENDED for an indefinite period of time.

2. The State Medical Board shall not consider reinstatement of Dr. Jarem's certificate to practice unless and until all of the following minimum requirements are met:

   A. Dr. Jarem shall submit an application for reinstatement, accompanied by appropriate fees;

B. Dr. Jarem shall provide the Board with written reports of evaluation by two (2) psychiatrists acceptable to the Board indicating that Dr. Jarem's ability to practice has been assessed and that Dr. Jarem has been found capable of practicing in accordance with acceptable and prevailing standards of care. Each report shall describe with particularity the bases for this determination and shall set forth any recommended limitations upon Dr. Jarem's practice.

C. Dr. Jarem shall provide the Board with acceptable documentation evidencing that he underwent appropriate treatment, as recommended by a psychiatrist, and has remained symptom-free for a period of at least one (1) year prior to his application for reinstatement.

D. Prior to commencing practice in Ohio, Dr. Jarem shall submit to the Board and receive its prior approval for a plan of practice in Ohio which, unless and until otherwise determined by the Board, shall be limited to a supervised structured environment in which Dr. Jarem's activities will be directly monitored and overseen by another physician approved by the Board.

E. In the event that Dr. Jarem has not been engaged in the active practice of medicine and surgery for a period in excess of two (2) years prior to his application for reinstatement, the Board may exercise its discretion under Section 4731.222, Ohio Revised Code, to require additional evidence of Dr. Jarem's fitness to resume practice.

3. Upon reinstatement and his commencement of practice in Ohio, Dr. Jarem's certificate shall be subject to the following PROBATIONARY terms, conditions and limitations for a period of at least two (2) years:

A. Dr. Jarem shall obey all federal, state and local laws, and all rules governing the practice of medicine and surgery in the State of Ohio;

B. Dr. Jarem shall submit quarterly declarations under penalty of Board disciplinary action or criminal prosecution stating whether there has been compliance with all conditions of this Order;

C. Dr. Jarem shall appear in person for interviews before the full Board or its designated representative at three (3) month intervals, or as otherwise requested by the Board.

D. In the event that Dr. Jarem should leave Ohio for three (3) consecutive months, or reside or practice outside the State, Dr. Jarem must notify the State Medical 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 probationary period, unless otherwise determined by motion of the Board in instances where the Board can be assured that probationary monitoring is otherwise being performed.

E. Dr. Jarem shall obtain the Board's prior approval for any alteration to the practice plan which was approved by the Board prior to the reinstatement of his certificate. In the event that Dr. Jarem's supervising physician under this practice plan becomes unable or unwilling to so serve, Dr. Jarem shall immediately notify the Board in writing, and make arrangements acceptable to the Board for another supervising physician as soon as practicable. Dr. Jarem shall refrain from practicing unless and until such supervision is in place, unless otherwise determined by the Board.

F. Dr. Jarem shall comply with any and all limitations imposed by the Board pursuant to paragraph 2B, above, as a condition for reinstatement of his certificate to practice medicine and surgery.

G. Dr. Jarem shall continue psychiatric treatment with a psychiatrist approved by the Board, at such intervals as are deemed appropriate by the treating psychiatrist but not less than once per month, until such time as the Board determines that no further treatment is necessary. To make this determination, the Board shall require quarterly reports from the approved treating psychiatrist. Dr. Jarem shall ensure that these reports are forwarded to the Board on a quarterly basis, or as otherwise directed by the Board.

H. Within thirty (30) days of his commencement of practice in Ohio, Dr. Jarem shall submit for the Board's prior approval the name of a monitoring physician, who shall review Dr. Jarem's patient charts and shall submit a written report of such review to the Board on a quarterly basis. Such chart review may be done on a random basis, with the number of charts reviewed to be determined by the Board. It shall be Dr. Jarem's responsibility to ensure that the monitoring physician's quarterly reports are submitted to the Board on a timely basis. In the event that the approved monitoring physician becomes unable or unwilling to so serve, Dr. Jarem shall immediately so notify the Board

in writing and shall make arrangements for another monitoring physician as soon as practicable.

I. Dr. Jarem shall provide a copy of this Order to all employers and the Chief of Staff at each hospital where he has, applies for, or obtains privileges.

4. If Dr. Jarem violates probation in any respect, the Board, after giving Dr. Jarem notice and the opportunity to be heard, may institute whatever disciplinary action it deems appropriate.

5. Upon successful completion of probation, as evidenced by a written release from the Board, Dr. Jarem's certificate will be fully restored.

This ORDER shall become effective immediately upon the mailing of notification of approval by the State Medical Board of Ohio.

This ORDER is hereby entered upon the Journal of the State Medical Board of Ohio for the 15th day of March, 1994, and the original thereof shall be kept with said Journal.

(SEAL)

Carla S. O'Day, M.D.
Secretary

3/15/94
Date

AFFIDAVIT

I, Debra L. Jones, being duly cautioned and sworn, do hereby depose and say:

1) That I am employed by the State Medical Board of Ohio (hereinafter, "The Board");

2) That I serve the Board in the position of Chief, Continuing Medical Education, Records, and Renewal;

3) That in such position I am the responsible custodian of all public licensee records maintained by the Board pertaining to individuals who have received certificates issued pursuant to Chapter 4731., Ohio Revised Code;

4) That I have this day carefully examined the records of the Board pertaining to Bohdan John Jarem, M.D.;

5) That based on such examination, I have found the last known address of record of Bohdan John Jarem, M.D., to be:

4118 Keystone
Garland, TX 75041

6) Further, Affiant Sayeth Naught.

Debra L. Jones

Debra L. Jones, Chief
Continuing Medical Education,
Records and Renewal

Sworn to and signed before me, _____,
Notary Public, this 30th day of _____, 1994.

_____
Notary Public

STATE MEDICAL BOARD OF OHIO

77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

November 3, 1993

Bohdan J. Jarem, M.D.
4118 Keystone
Garland, TX 75041

Dear Doctor Jarem:

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 one or more of the following reasons:

(1) On or about January 30, 1993, the Executive Committee of the Texas State Board of Medical Examiners issued an Order (a copy of which is attached hereto and fully incorporated herein) temporarily suspending your license to practice medicine in Texas. The Order found that you were suffering "from a Bipolar Disorder in the Manic Phase" and that you were "in need of psychiatric counseling." The Order concluded that you were "unable to practice medicine with reasonable skill and safety to patients due to a mental condition."

(2) On or about June 15, 1993, the Texas State Board of Medical Examiners issued an Agreed Order (a copy of which is attached hereto and fully incorporated herein) suspending your license to practice medicine in Texas for a period of five (5) years. The suspension was stayed and you were placed on probation for five (5) years under the terms of the Agreed Order. The Agreed Order was based on a finding that you "received in patient psychiatric treatment for a Bipolar Disorder in the Manic Phase." The Board also found that your disorder was in remission and that you were receiving psychiatric counseling. The Board concluded that you would be able to resume the practice of medicine provided you continued psychiatric counseling.

Your acts, conduct, and/or omissions as alleged in paragraphs (1) and (2) above, individually and/or collectively constitute "the limitation, revocation or suspension by another state of a license or certificate to practice issued by the proper licensing authority of that state, the refusal to license, register, or reinstate an applicant by that authority, or the imposition of probation by that authority, for an action that would also have been a violation of this chapter, except for nonpayment of fees," as that clause is used in Section 4731.22(B)(22), Ohio Revised Code, to wit: Section 4731.22(B)(19), Ohio Revised Code.

Mailed 11/4/93

November 3, 1993

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, the request must be made in writing and 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 this 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,

Carla S. O'Day

Carla S. O'Day, M.D.
Secretary

CSO:jmb

Enclosures:

CERTIFIED MAIL #P 348 885 268
RETURN RECEIPT REQUESTED

STATE MEDICAL BOARD OF OHIO
93 OCT -8 AM 9:33

D-9829

IN THE MATTER OF	)(	BEFORE THE EXECUTIVE COMMITTEE OF THE
THE LICENSE OF	)(	TEXAS STATE BOARD OF MEDICAL EXAMINERS
BOHDAN J. JAREM, M.D.	)(	

ORDER

On this the 30th day of January, 1993, came on to be heard before the Executive Committee of the Texas State Board of Medical Examiners ("the Board") duly in session the matter of the license of Bohdan J. Jarem, M.D. ("the Respondent"), who did not appear in response to the Board's Application for Temporary Suspension.

The Executive Committee makes the Findings of Fact and Conclusions of Law and Order entered below.

FINDINGS OF FACT

1. Bohdan J. Jarem, M.D., holds Texas medical license D-9829.

2. The Board was unable to serve Respondent a copy of the Application and the Notice as Respondent's whereabouts are unknown. Efforts were made by the Board to locate Respondent.

3. Respondent currently suffers from a bipolar disorder in the manic phase and is in need of psychiatric counseling.

4. Respondent is unable to practice medicine with reasonable skill and safety to patients due to his mental condition.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over Respondent and the subject matter.

2. Respondent is unable to practice medicine with reasonable skill and safety to patients due to a mental condition, which violates Section 3.08(16) of the Medical Practice Act.

3. Respondent's continuation in practice constitutes a continuing threat to the public welfare, which violates Section 4.13 of the Medical Practice Act.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the medical license of Bohdan J. Jarem, M.D., is temporarily suspended until an examiner hearing is held and the Texas State Board of Medical Examiners renders a decision regarding the Complaint filed pursuant to this suspension.

IT IS FURTHER ORDERED that a hearing be held as soon as can be accomplished under the Administrative Procedure Act and the Medical Practice Act.

Signed this 30th day of January, 1993.

William H. Fleming, III, M.D.
President, Texas State Board of
Medical Examiners

DOCKET NO. 503-93-039
D-9829

STATE MEDICAL BOARD
93 OCT -8 AM 9:33

IN THE MATTER OF	)(	BEFORE THE
	)(	
THE COMPLAINT AGAINST	)(	TEXAS STATE BOARD
	)(	
BOHDAN J. JAREM, M.D.	)(	OF MEDICAL EXAMINERS

AGREED ORDER

On this the 15th day of June, 1993, came on to be heard before the Texas State Board of Medical Examiners ("the Board") duly in session the matter of the complaint against Bohdan J. Jarem, M.D. ("the Respondent").

On January 30, 1993, the Executive Committee of the Texas State Board of Medical Examiners, represented by John H. Boyd, D.O. and Mrs. Barbara June Coe, members of the Board, heard the Board's Application for Temporary Suspension of Respondent's license to practice medicine in Texas. Respondent, even though personally served, did not appear. Based on the information presented, the Executive Committee temporarily suspended Dr. Jarem's license to practice medicine in Texas.

Upon the recommendation of its representatives and with the consent of Respondent, the Board hereby makes the following Findings of Fact and Conclusions of Law, and enters the Order below:

FINDINGS OF FACT

1. Bohdan J. Jarem, M.D., an anesthesiologist, holds Texas medical license D-9829.

2. Respondent received all notice which may be required by law and by the rules of the Board. All jurisdictional requirements have been satisfied.

3. During the time period of approximately January 7, 1993, - February 22, 1993, Respondent received inpatient psychiatric treatment for a bipolar disorder in the manic phase.

4. Respondent's disorder is currently in remission and he is receiving psychiatric counseling from James M. Russell, M.D.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over Respondent and the subject matter.

2. During the time period of January 7, 1993, through February 22, 1993, Respondent was unable to practice medicine with reasonable skill and safety to patients due to a medical condition, which constitutes a violation of Section 3.08(16) of the Medical Practice Act.

3. Respondent is now recovered and able to resume the practice of medicine provided he continues psychiatric counseling.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Respondent's license to practice medicine in Texas is suspended for five (5) years; however, the suspension is stayed and Respondent is placed on probation for five (5) years effective the date of the signing of this Order by the Board's presiding officer, under the following terms and conditions:

1. Respondent shall continue to receive treatment from James M. Russell, M.D., Galveston, Texas. Dr. Russell, is hereby authorized to submit quarterly reports (March, June, September, and December) or at such other times as the Board may request to the Director of Hearings for the Board until he releases the Respondent from treatment. If Respondent discontinues treatment before being released, Dr. Russell shall report Respondent's termination of treatment to the Board within ten (10) days from the date thereof. The reports should address Respondent's original diagnosis, treatment and prognosis, and subsequent progress or rehabilitation and shall be required of any subsequent treating psychiatrist.

2. If Respondent should relocate, within 20 days of the date of the relocation, he shall submit to the Executive Director the names of three Board Certified Psychiatrists. Within thirty (30) days of receipt of approval of one of the Psychiatrists, he shall submit himself for counseling and shall follow said psychiatrist's recommendations, if any, regarding continuing care and counseling. Such subsequent treating physician shall comply with the requirements contained in paragraph one (1) above.

3. Respondent shall immediately notify the Board upon the discontinuation of treatment or medical care. Respondent's unilateral withdrawal from treatment or medical care prior to the conclusion of the treatment or medical care may be grounds for further disciplinary action by the Board.

4. Respondent shall submit himself for random laboratory testing of his lithium level. Refusal to submit to said testing shall constitute a violation of this Order and may result in disciplinary action pursuant to Section 4.01(a) of the

Medical Practice Act. Respondent shall bear the costs for said testing.

5. Respondent shall appear before the Board or a committee of the Board two (2) times a year during each year of probation to report on Respondent's compliance with this Order and the Medical Practice Act.

6. Respondent shall give a copy of this Order to all Hospitals and Health Care Entities where he has privileges.

7. Respondent shall cooperate with the Board, its attorneys, investigators, compliance officers, and other employees and agents, to verify that Respondent has complied and is in compliance with this Board Order.

8. Respondent shall advise the Board of any change of address, mailing or office, within (10) days of such occurrence.

9. The time period during which the restrictions, limitations, or conditions are herein assessed shall not include any periods of time during which Respondent either resides or practices medicine outside the state of Texas. If Respondent leaves Texas to live or practice medicine elsewhere, Respondent shall immediately notify the Board of the dates of Respondent's departure from and subsequent return to Texas. Upon Respondent's return to Texas, the time period tolled by Respondent's departure shall continue until its expiration or termination by the Board.

10. Respondent shall comply with all the provisions of Article 4495b, Texas Revised Civil Statutes Annotated, and other statutes regulating the practice of medicine, as is required by law for physicians licensed by the Board.

Any violation of the terms, conditions and requirements of this Order shall constitute conclusive evidence of unprofessional or dishonorable conduct that is likely to deceive, defraud, or injure the public within Section 3.08(4) of the Act, and may result in disciplinary action pursuant to Section 4.01(a) of the Act.

The above-referenced conditions shall continue in full force and effect without opportunity for amendment, except for clear error in drafting for 12 months following entry of this Order. If, after the passage of the 12 month period, the Respondent wishes to seek amendment or termination of these conditions, then he may petition the Board in writing. The Board may inquire into the request and may, in its sole discretion, grant or deny the petition. Petitions for modifying or terminating may be filed only once a year thereafter.

In regard to all terms and conditions of this Agreed Board Order, Respondent waives any further hearings or appeal to the Board or to any court regarding this Order and the terms thereunder. Nothing in this paragraph shall be deemed a waiver of Respondent's rights under rule, statute or the United States or Texas Constitutions to appeal any decision or action which may later be taken by the Board subsequent to this Order, except as Respondent may have agreed herein. Respondent agrees that this Order is a final Order.

THIS ORDER IS A PUBLIC RECORD.

I, BOHDAN J. JAREM, M.D., HAVE READ AND UNDERSTAND THE FOREGOING AGREED BOARD ORDER. I UNDERSTAND THAT BY SIGNING, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THIS AGREED BOARD ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

DATED: May 7, 1993

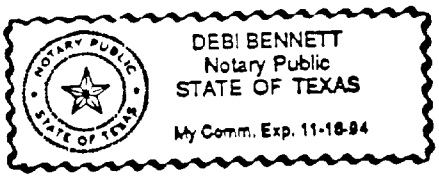
Bohdan J. Jarem

BOHDAN J. JAREM, M.D.
RESPONDENT

STATE OF TEXAS)(
COUNTY OF Dallas)(
)(

BEFORE ME, on this day personally appeared Bohdan J. Jarem, M.D., known to me, who, first, being duly sworn, signed the foregoing Agreed Board Order in my presence.

SIGNED on this the 7TH day of May, 1993.



Notary Seal

Debi Bennett
Notary Public, in and for
the State of Texas

SIGNED AND ENTERED by the Presiding Officer of the Texas State Board of Medical Examiners on this 15th day of June, 1993.

William H. Fleming, III, M.D.,
President, Texas State Board
of Medical Examiners