

**STEP II  
CONSENT AGREEMENT  
BETWEEN  
FRANK RAYMOND BRUENING, M.D.,  
AND  
THE STATE MEDICAL BOARD OF OHIO**

**OHIO STATE MEDICAL BOARD**

**JAN - 5 2005**

This Consent Agreement is entered into by and between Frank Raymond Bruening, M.D. [Dr. Bruening], and the State Medical Board of Ohio [Board], a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

Dr. Bruening enters into this Consent 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.

**BASIS FOR ACTION**

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

- A. The Board is empowered by Section 4731.22(B)(19), Ohio Revised Code, to revoke, suspend a certificate, refuse to register or reinstate an applicant, or reprimand or place on probation the holder of a certificate for an "[i]nability to practice according to acceptable and prevailing standards of care by reason of mental illness or physical illness, including, but not limited to, physical deterioration that adversely affects cognitive, motor, or perceptive skills."
- B. The Board enters into this Consent Agreement in lieu of formal proceedings based upon the violation of Section 4731.22(B)(19), Ohio Revised Code, as set forth in Paragraph E of the Step I Consent Agreement Between Frank Raymond Bruening, M.D., and The State Medical Board of Ohio that became effective on June 11, 2003, [June 2003 Step I Consent Agreement], a copy of which is attached hereto and fully incorporated herein; and as set forth in Paragraph E below. The Board 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 Consent Agreement. Such express reservation includes, but is not limited to, the right to institute formal proceedings based upon any violations related to patient care, regardless of whether the acts underlying such additional violations are related to the aforementioned violation.
- C. Dr. Bruening is applying for reinstatement of his license to practice medicine and surgery in the State of Ohio, License # 35.032119, which was suspended pursuant to the terms of the aforementioned June 2003 Step I Consent Agreement.

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- D. Dr. Bruening states that he is not licensed to practice medicine and surgery in any other state or jurisdiction.
- E. Dr. Bruening admits that he has been diagnosed with Major Depressive Disorder, recurrent, and Generalized Anxiety Disorder, for which he is currently under the care of a psychiatrist for medication management and a psychologist for counseling. Dr. Bruening states, and the Board acknowledges receipt of information to support, that Thomas Sherman, M.D., Dr. Bruening's current treating psychiatrist, has opined that Dr. Bruening is currently capable of practicing medicine and surgery according to acceptable and prevailing standards of care, and that Marijo Tamburrino, M.D., a psychiatrist approved by the Board for the purpose of evaluating Dr. Bruening, has opined that Dr. Bruening is currently capable of practicing medicine and surgery according to acceptable and prevailing standards of care, so long as certain treatment and monitoring conditions are in place, including that Dr. Bruening continue out-patient psychotherapy and psychiatric medication management.

#### AGREED CONDITIONS

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, the certificate of Dr. Bruening to practice medicine and surgery in the State of Ohio shall be reinstated, and Dr. Bruening knowingly and voluntarily agrees with the Board to the following PROBATIONARY terms, conditions and limitations:

1. Dr. Bruening shall obey all federal, state, and local laws, and all rules governing the practice of medicine in Ohio.
2. Dr. Bruening shall submit quarterly declarations under penalty of Board disciplinary action and/or criminal prosecution, stating whether there has been compliance with all the conditions of this Consent Agreement. The first quarterly declaration must be received in the Board's offices on the date his quarterly declaration would have been due pursuant to his June 2003 Step I Consent Agreement with the Board. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.
3. Dr. Bruening shall appear in person for an interview before the full Board or its designated representative. The first such appearance shall take place on the date his appearance would have been scheduled pursuant to his June 2003 Step I Consent Agreement with the Board. Subsequent personal appearances must occur every three months thereafter, and/or as otherwise requested by the Board. If an appearance is missed or is rescheduled for any reason, ensuing appearances shall be scheduled based on the appearance date as originally scheduled.

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4. Dr. Bruening shall obtain permission from the Board for departures or absences from Ohio. Such periods of absence shall not reduce the probationary term, unless otherwise determined by motion of the Board for absences of three months or longer, or by the Secretary or the Supervising Member of the Board for absences of less than three months, in instances where the Board can be assured that probationary monitoring is otherwise being performed.
5. In the event Dr. Bruening is found by the Secretary of the Board to have failed to comply with any provision of this Consent Agreement, and is so notified of that deficiency in writing, such period(s) of noncompliance will not apply to the reduction of the probationary period under this Consent Agreement.

### **Psychiatric and Psychological Treatment**

6. Dr. Bruening hereby requests, and the Board agrees, that the persons previously approved by the Board to serve, respectively, as Dr. Bruening's treating psychiatrist and treating psychologist pursuant to the June 2003 Step I Consent Agreement are hereby approved to continue as Dr. Bruening's designated treating psychiatrist and treating psychologist under this Consent Agreement.

Dr. Bruening shall undergo and continue psychiatric treatment with his designated treating psychiatrist at least once each month and psychological counseling with his designated treating psychologist at least once every other week, or as otherwise directed by the Board. Dr. Bruening shall comply with his psychiatric treatment plan, including taking medications as prescribed and/or ordered for his psychiatric disorder. Dr. Bruening shall comply with his psychological treatment plan, and shall ensure that his treating psychologist coordinates his therapy with Dr. Bruening's treating psychiatrist at least quarterly, or as otherwise directed by the Board. Dr. Bruening shall ensure his treating psychiatrist forwards psychiatric reports, and his treating psychologist forwards psychological reports, to the Board on a quarterly basis, or as otherwise directed by the Board. These reports shall contain information describing Dr. Bruening's current treatment plan and any changes that have been made to the treatment plan since the prior report; Dr. Bruening's compliance with his treatment plan; Dr. Bruening's mental status; Dr. Bruening's progress in treatment; and results of any laboratory studies that have been conducted since the prior report. Dr. Bruening shall ensure that his treating psychiatrist and/or treating psychologist immediately notifies the Board of his failure to comply with his treatment plan and/or any determination Dr. Bruening is unable to practice due to his psychiatric disorder. It is Dr. Bruening's responsibility to ensure that quarterly reports are received in the Board's offices no later than the due date for Dr. Bruening's quarterly declaration.

In the event that the designated treating psychiatrist and/or treating psychologist becomes unable or unwilling to serve in this capacity, Dr. Bruening must immediately so notify the Board in writing. In addition, Dr. Bruening shall make arrangements

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acceptable to the Board for another treating psychiatrist and/or treating psychologist within thirty days after the previously designated treating psychiatrist and/or treating psychologist becomes unable or unwilling to serve, unless otherwise determined by the Board. Furthermore, Dr. Bruening shall ensure that the previously designated treating psychiatrist and/or treating psychologist also notifies the Board directly of his or her inability to continue to serve and the reasons therefore.

7. The Board retains the right to require, and Dr. Bruening agrees to submit, blood or urine specimens for analysis of medications that may be prescribed for Dr. Bruening, or for any other purpose, at Dr. Bruening's expense, upon the Board's request and without prior notice. Dr. Bruening's refusal to submit a blood or urine specimen upon request of the Board shall result in a minimum of one year of actual license suspension.

### **Monitoring Physician**

8. Before engaging in any medical practice, Dr. Bruening shall submit the name and curriculum vitae of a monitoring physician for prior written approval by the Secretary or Supervising Member of the Board. In approving an individual to serve in this capacity, the Secretary and Supervising Member will give preference to a physician who practices in the same locale as Dr. Bruening and who is engaged in the same or similar practice specialty.

The monitoring physician shall monitor Dr. Bruening and his medical practice, and shall review Dr. Bruening's patient charts. The chart review may be done on a random basis, with the frequency and number of charts reviewed to be determined by the Board.

Further, the monitoring physician shall provide the Board with reports on the monitoring of Dr. Bruening and his medical practice, and on the review of Dr. Bruening's patient charts. Dr. Bruening shall ensure that the reports are forwarded to the Board on a quarterly basis and are received in the Board's offices no later than the due date for Dr. Bruening's quarterly declaration.

In the event that the designated monitoring physician becomes unable or unwilling to serve in this capacity, Dr. Bruening must immediately so notify the Board in writing. In addition, Dr. Bruening shall make arrangements acceptable to the Board for another monitoring physician within thirty days after the previously designated monitoring physician becomes unable or unwilling to serve, unless otherwise determined by the Board. Furthermore, Dr. Bruening shall ensure that the previously designated monitoring physician also notifies the Board directly of his or her inability to continue to serve and the reasons therefore.

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### Releases

9. Dr. Bruening shall provide continuing authorization, through appropriate written consent forms, for disclosure by his treatment provider to the Board, to treating and monitoring physicians, and to others involved in the monitoring process, of information necessary for them to fulfill their respective duties and obligations.

### Required Reporting by Licensee

10. Within thirty days of the effective date of this Consent Agreement, Dr. Bruening shall provide a copy of this Consent Agreement to all employers or entities with which he is under contract to provide health care services or is receiving training; and the Chief of Staff at each hospital where he has privileges or appointments. Further, Dr. Bruening shall provide a copy of this Consent Agreement to all employers or entities with which he contracts to provide health care services, or applies for or receives training, and the Chief of Staff at each hospital where he applies for or obtains privileges or appointments.
11. Within thirty days of the effective date of this Consent Agreement, Dr. Bruening shall provide a copy of this Consent Agreement by certified mail, return receipt requested, to the proper licensing authority of any state or jurisdiction in which he currently holds any professional license. Dr. Bruening further agrees to provide a copy of this Consent Agreement by certified mail, return receipt requested, at time of application to the proper licensing authority of any state in which he applies for any professional license or for reinstatement of any professional license. Further, Dr. Bruening shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.
12. Dr. Bruening shall provide a copy of this Consent Agreement to all persons and entities that provide Dr. Bruening treatment or monitoring required pursuant to this Consent Agreement.

### FAILURE TO COMPLY

If, in the discretion of the Secretary and Supervising Member of the Board, Dr. Bruening appears to have violated or breached any term or condition of this Consent Agreement, the Board 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 Consent Agreement.

If the Secretary and Supervising Member of the Board determine that there is clear and convincing evidence that Dr. Bruening has violated any term, condition or limitation of this Consent Agreement, Dr. Bruening agrees that the violation, as alleged, also constitutes clear and convincing evidence that his continued practice presents a danger of immediate and serious harm

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to the public for purposes of initiating a summary suspension pursuant to Section 4731.22(G), Ohio Revised Code.

### DURATION/MODIFICATION OF TERMS

Dr. Bruening shall not request termination of this Consent Agreement for a minimum of two years. In addition, Dr. Bruening shall not request modification to the probationary terms, limitations, and conditions contained herein for at least one year. Otherwise, the above-described terms, limitations and conditions may be amended or terminated in writing at any time upon the agreement of both parties.

### ACKNOWLEDGMENTS/LIABILITY RELEASE

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

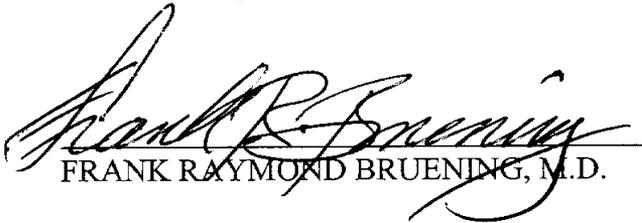
Any action initiated by the Board based on alleged violations of this Consent Agreement shall comply with the Administrative Procedure Act, Chapter 119., Ohio Revised Code.

Dr. Bruening hereby releases the Board, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

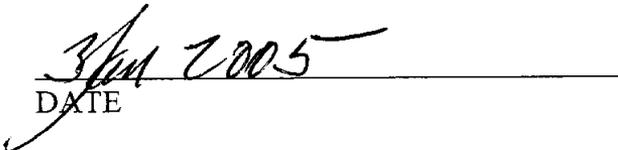
This Consent Agreement shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code. Further, this information may be reported to appropriate organizations, data banks and governmental bodies. Dr. Bruening acknowledges that his social security number will be used if this information is so reported and agrees to provide his social security number to the Board for such purposes.

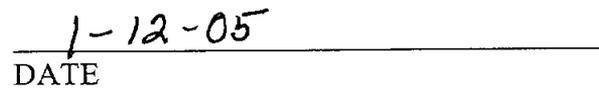
### EFFECTIVE DATE

It is expressly understood that this Consent Agreement is subject to ratification by the Board prior to signature by the Secretary and Supervising Member and shall become effective upon the last date of signature below.

  
FRANK RAYMOND BRUENING, M.D.

  
LANCE A. TALMAGE, M.D.  
Secretary

  
DATE

  
DATE

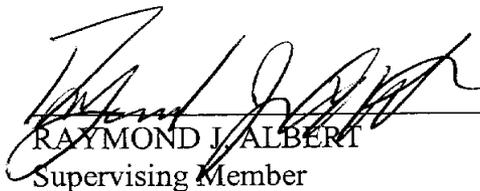
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RICHARD KERGER, ESQ.  
Attorney for Dr. Bruening

1/4/05

\_\_\_\_\_  
DATE



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RAYMOND J. ALBERT  
Supervising Member

1/12/05

\_\_\_\_\_  
DATE



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REBECCA J. MARSHALL, ESQ.  
Enforcement Attorney

January 5, 2005

\_\_\_\_\_  
DATE

JUN 5 2003

**STEP I**  
**CONSENT AGREEMENT**  
**BETWEEN**  
**FRANK RAYMOND BRUENING, M.D.,**  
**AND**  
**THE STATE MEDICAL BOARD OF OHIO**

This Consent Agreement is entered into by and between Frank Raymond Bruening, M.D. [Dr. Bruening], and the State Medical Board of Ohio [the Board], a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

Dr. Bruening enters into this Consent 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.

**BASIS FOR ACTION**

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

- A. The Board is empowered by Section 4731.22(B)(19), 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 an “[i]nability to practice according to acceptable and prevailing standards of care by reason of mental illness or physical illness, including, but not limited to, physical deterioration that adversely affects cognitive, motor, or perceptive skills.”
- B. The Board enters into this Consent Agreement in lieu of formal proceedings based upon the violation of Section 4731.22(B)(19), Ohio Revised Code, as set forth in Paragraph E below, 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. Such express reservation includes, but is not limited to, the right to institute formal proceedings based upon any violations related to patient care, regardless of whether the acts underlying such additional violations are related to the violation of Section 4731.22(B)(19), Ohio Revised Code, as set forth below.
- C. Dr. Bruening is licensed to practice medicine and surgery in the State of Ohio, License # 35-032119.

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- D. Dr. Bruening states that he is not licensed to practice medicine or surgery in any other state or jurisdiction.
- E. Dr. Bruening admits that on or about May 7, 2003, pursuant to Board order based upon information received by the Board indicating that Dr. Bruening had been suffering from memory lapses and had repeated difficulties related to clinical decision-making, he submitted to a psychiatric evaluation for the purpose of determining whether he is in violation of Section 4731.22(B)(19), Ohio Revised Code. Dr. Bruening further admits that as a result of such evaluation, he was diagnosed with Major Depressive Disorder, Single Episode, in Partial Remission, and Generalized Anxiety Disorder. Dr. Bruening further admits that the evaluating psychiatrist opined with a reasonable degree of medical certainty that these disorders, which combine to produce increasingly frequent memory and concentration lapses, result in Dr. Bruening's current inability to practice medicine according to acceptable and prevailing standards of care.

Dr. Bruening admits that he has received psychiatric treatment for depression and anxiety on an intermittent basis since 1993, including psychotherapy and a variety of anti-depressant medications. Dr. Bruening further admits that he has not practiced medicine since January 2003.

#### **AGREED CONDITIONS**

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, Dr. Bruening knowingly and voluntarily agrees with the Board to the following terms, conditions and limitations:

#### **SUSPENSION OF CERTIFICATE**

1. The certificate of Dr. Bruening to practice medicine and surgery in the State of Ohio shall be **SUSPENDED** for an indefinite period of time.

#### **Releases; Quarterly Declarations and Appearances**

2. Dr. Bruening shall provide authorization, through appropriate written consent forms, for disclosure of evaluative reports, summaries, and records, of whatever nature, by any and all parties that provide treatment or evaluation for Dr. Bruening's psychiatric disorder or related conditions, or for purposes of complying with this Consent Agreement, whether such treatment or evaluation occurred before or after the effective date of this Consent Agreement. The above-mentioned evaluative reports, summaries, and records are considered medical records for purposes of Section 149.43 of the Ohio Revised Code and are confidential pursuant to statute. Dr. Bruening further agrees to provide the Board written consent permitting any provider from whom he obtains treatment to notify the Board in the event he fails to agree to or

comply with his psychiatric treatment plan and/or his psychological treatment plan. Failure to provide such consent, or revocation of such consent, shall constitute a violation of this Consent Agreement.

3. Dr. Bruening shall submit quarterly declarations under penalty of Board disciplinary action and/or criminal prosecution, stating whether there has been compliance with all the conditions of this Consent Agreement. The first quarterly declaration must be received in the Board's offices on the first day of the third month following the month in which this Consent Agreement becomes effective, provided that if the effective date is on or after the sixteenth day of the month, the first quarterly declaration must be received in the Board's offices on the first day of the fourth month following. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.
4. Dr. Bruening shall appear in person for an interview before the full Board or its designated representative during the third month following the effective date of this Consent Agreement. Subsequent personal appearances must occur every three months thereafter, and/or as otherwise requested by the Board. If an appearance is missed or is rescheduled for any reason, ensuing appearances shall be scheduled based on the appearance date as originally scheduled.

#### **Psychiatric and Psychological Treatment**

5. Within thirty days of the effective date of this Consent Agreement, Dr. Bruening shall submit to the Board for its prior approval the names and qualifications of a psychiatrist and a psychologist of his choice. Upon approval by the Board, Dr. Bruening shall undergo and continue psychiatric treatment at least once each month and psychological counseling at least once every other week, or as otherwise directed by the Board. Dr. Bruening shall comply with his psychiatric treatment plan, including taking medications as prescribed and/or ordered for his psychiatric disorder. Dr. Bruening shall comply with his psychological treatment plan, and shall ensure that his treating psychologist coordinates his therapy with Dr. Bruening's treating psychiatrist at least quarterly, or as otherwise directed by the Board. Dr. Bruening shall ensure that his treating psychiatrist forwards psychiatric reports, and his treating psychologist forwards psychological reports, to the Board on a quarterly basis, or as otherwise directed by the Board. These reports shall contain information describing Dr. Bruening's current treatment plan and any changes that have been made to the treatment plan since the prior report; Dr. Bruening's compliance with his treatment plan; Dr. Bruening's mental status; Dr. Bruening's progress in treatment; and results of any laboratory studies that have been conducted since the prior report. Dr. Bruening shall ensure that his treating psychiatrist and/or treating psychologist immediately notifies the Board of his failure to comply with his treatment plan and/or any determination that Dr. Bruening is unable to practice due to his psychiatric disorder. It is Dr. Bruening's responsibility to ensure that these quarterly reports are

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received in the Board's offices no later than the due date for Dr. Bruening's quarterly declaration.

6. The Board retains the right to require, and Dr. Bruening agrees to submit, blood or urine specimens for analysis for medication that may be prescribed for Dr. Bruening, or for any other purpose, at Dr. Bruening's expense, upon the Board's request and without prior notice. Dr. Bruening's refusal to submit a specimen upon request of the Board shall result in a minimum of one year of actual license suspension.

#### **CONDITIONS FOR REINSTATEMENT**

7. The Board shall not consider reinstatement of Dr. Bruening's certificate to practice medicine and surgery until all of the following conditions are met:
  - a. Dr. Bruening shall submit an application for reinstatement, accompanied by appropriate fees, if any.
  - b. Dr. Bruening shall demonstrate to the satisfaction of the Board that he can resume practice in compliance with acceptable and prevailing standards of care under the provisions of his certificate. Such demonstration shall include but shall not be limited to the following:
    - i. Evidence of continuing full compliance with this Consent Agreement.
    - ii. Two written reports, as specified below, indicating that Dr. Bruening's ability to practice has been assessed and that he has been found capable of practicing according to acceptable and prevailing standards of care.

One report shall be made by the treating psychiatrist referenced in paragraph 5 of this Consent Agreement; one report shall be made by an evaluating psychiatrist, other than Dr. Bruening's treating psychiatrist, approved by the Board for making such assessments, who shall conduct a psychiatric examination of Dr. Bruening.

The reports shall be based upon examinations occurring within the ninety days immediately preceding any application for reinstatement of Dr. Bruening's certificate to practice medicine and surgery pursuant to Paragraph 7.a. above. Prior to the examinations, Dr. Bruening shall provide his treating psychiatrist and the evaluating psychiatrist with copies of patient records from any evaluations and/or treatment that he has received, a copy of this Consent Agreement, and any other information that he or the Board deems may be appropriate or helpful to the treating psychiatrists. The reports from the treating psychiatrist and evaluating psychiatrist shall include any recommendations for treatment, monitoring,

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or supervision of Dr. Bruening, and any conditions, restrictions, or limitations that should be imposed on Dr. Bruening's practice. These reports shall also describe the basis for such determinations.

- c. Dr. Bruening shall enter into a written consent agreement including probationary terms, conditions and limitations as determined by the Board or, if the Board and Dr. Bruening are unable to agree on the terms of a written Consent Agreement, then Dr. Bruening further agrees to abide by any terms, conditions and limitations imposed by Board Order after a hearing conducted pursuant to Chapter 119. of the Ohio Revised Code.

Further, upon reinstatement of Dr. Bruening's certificate to practice medicine and surgery in this state, the Board shall require continued monitoring which shall include, but not be limited to, compliance with the written consent agreement entered into before reinstatement or with conditions imposed by Board Order after a hearing conducted pursuant to Chapter 119. of the Revised Code.

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

#### **REQUIRED REPORTING BY LICENSEE**

9. Within thirty days of the effective date of this Consent Agreement, Dr. Bruening shall provide a copy of this Consent Agreement by certified mail, return receipt requested, to the proper licensing authority of any state or jurisdiction in which he currently holds any professional license. Dr. Bruening further agrees to provide a copy of this Consent Agreement by certified mail, return receipt requested, at time of application to the proper licensing authority of any state in which he applies for any professional license or reinstatement of any professional license. Further, Dr. Bruening shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.
10. Within thirty days of the effective date of this Consent Agreement, Dr. Bruening shall provide a copy of this Consent Agreement to all employers or entities with which he is under contract to provide health care services or is receiving training; and the Chief of Staff at each hospital where he has privileges or appointments. Further, Dr. Bruening shall provide a copy of this Consent Agreement to all employers or entities with which he contracts to provide health care services, or applies for or receives training, and the Chief of Staff at each hospital where he applies for or obtains privileges or appointments.

JUN 5 2003

The above-described terms, conditions and limitations may be amended or terminated in writing at any time upon the agreement of both parties.

**FAILURE TO COMPLY**

If, in the discretion of the Secretary and Supervising Member of the Board, Dr. Bruening appears to have violated or breached any term or condition of this Consent Agreement, the Board 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 Consent Agreement.

**ACKNOWLEDGMENTS/LIABILITY RELEASE**

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

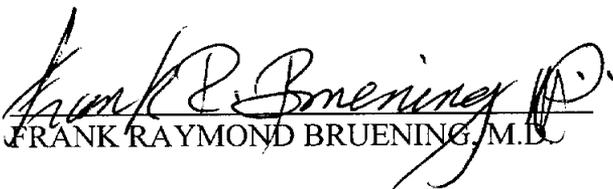
Any action initiated by the Board based on alleged violations of this Consent Agreement shall comply with the Administrative Procedure Act, Chapter 119., Ohio Revised Code.

Dr. Bruening hereby releases the Board, 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 may be reported to appropriate organizations, data banks, and governmental bodies. Dr. Bruening agrees to provide his social security number to the Board and hereby authorizes the Board to utilize that number in conjunction with that reporting.

**EFFECTIVE DATE**

It is expressly understood that this Consent Agreement is subject to ratification by the Board prior to signature by the Secretary and Supervising Member and shall become effective upon the last date of signature below.

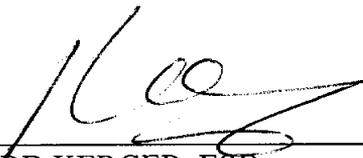
  
FRANK RAYMOND BRUENING, M.D.

  
ANAND G. GARG, M.D.  
Secretary

4 June 2003  
DATE

6/11/03  
DATE

JUN 5 2003



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RICHARD KERGER, ESQ.  
Attorney for Dr. Bruening

6/4/03

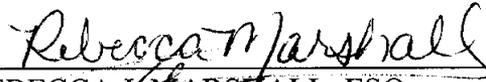
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RAYMOND J. ALBERT  
Supervising Member

6/11/03

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REBECCA J. MARSHALL, ESQ.  
Enforcement Coordinator

June 5, 2003

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DATE