

**CONSENT AGREEMENT
BETWEEN
JAMES H. DAVIS, JR., M.D.
AND
THE STATE MEDICAL BOARD OF OHIO**

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

JAMES H. DAVIS, JR., 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)(2) and (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.
- B. THE STATE MEDICAL BOARD OF OHIO enters into this Consent Agreement in lieu of formal proceedings based upon alleged violations of Sections 4731.22(B)(2) and (B)(6) 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. JAMES H. DAVIS, JR., M.D. is licensed to practice medicine and surgery in the State of Ohio.
- D. JAMES H. DAVIS, JR., M.D. ADMITS he prescribed controlled substances to his wife, Renee' Davis, from 1983 until 1990 for treatment of headaches and pain from numerous TMJ surgeries and that he will no longer prescribe any medications to Renee' Davis or any other family member.

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

- 1. DOCTOR DAVIS shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio;
- 2. DOCTOR DAVIS shall submit quarterly declarations under penalty of perjury stating whether there has been compliance with all the conditions of this Consent Agreement;

3. DOCTOR DAVIS shall appear in person for interviews before the full BOARD or its designated representatives at six month intervals, or as otherwise directed by the BOARD;
4. In the event that DOCTOR DAVIS should leave Ohio for three continuous months, or reside or practice outside the State, DOCTOR DAVIS, must notify the BOARD in writing of the dates of departure and return. Periods of time spent outside Ohio will not apply to the reduction of this period under the Consent Agreement;
5. DOCTOR DAVIS shall not prescribe, administer, dispense, order, write orders for, give verbal orders for any controlled substance as defined by State or Federal law, to his wife Renee' Davis or any member of his family;

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 two (2) years prior to any request for termination of said Agreement.

If, in the discretion of the Secretary of THE STATE MEDICAL BOARD OF OHIO, DOCTOR DAVIS 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.

DOCTOR DAVIS 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.

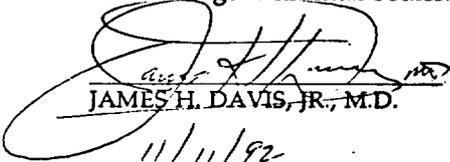
Any action initiated by the BOARD based on alleged violations of this Consent Agreement shall comply with the Administrative Procedure Act, Chapter 119., Ohio Revised Code.

DOCTOR DAVIS 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.

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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.

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



JAMES H. DAVIS, JR., M.D.
11/11/92

DATE



CARLA S. O'DAY, M.D.
Secretary
12/2/92

DATE



RONALD KAPLANSKY, D.P.M.
Supervising Member
12/2/92

DATE



ANNE BERRY, ESQUIRE
Assistant Attorney General
12/2/92

DATE