STATE OF OHIO

THE STATE MEDICAL BOARD

# CONSENT AGREEMENT
# BY AND BETWEEN
# DOUGLAS E. OTT, M.D.
# AND
# THE STATE MEDICAL BOARD OF OHIO

THIS CONSENT AGREEMENT is entered into by and between DOUGLAS E. OTT, M.D., Ohio certificate to practice medicine and surgery number 33308, and THE STATE MEDICAL BOARD OF OHIO, a state agency charged with enforcing Chapters 4730. and 4731. of the Ohio Revised Code.

WHEREAS, in lieu of formal proceedings concerning the issues raised in the letter of April 13, 1983 from Anthony Ruppersberg, Jr., M.D., Secretary of the State Medical Board, to Douglas E. Ott, M.D., DOCTOR OTT and THE BOARD have agreed to enter into this CONSENT AGREEMENT which the parties have resolved to be in their mutual best interests.

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth, DOCTOR OTT and THE STATE MEDICAL BOARD OF OHIO hereby CONSENT and AGREE to the following terms and conditions.

1. DOUGLAS E. OTT, M.D. agrees not to practice medicine in the State of Ohio for a period of ten (10) years, commencing January 1, 1984 and ending December 31, 1993.

2. DOUGLAS E. OTT, M.D. will perform pursuant to the Agreed Order dated January 11, 1983 between Douglas E. Ott, M.D. and the Medical Licensing Board of Indiana.

3. THE STATE MEDICAL BOARD OF OHIO AGREES that certificate to practice medicine and surgery number 33308 held by DOCTOR OTT, which was suspended by operation of law on January 1, 1980 based on the Doctor's failure to comply with the biennial registration requirements of Section 4731.281 of the Ohio Revised Code, shall remain inactive.

4. THE STATE MEDICAL BOARD OF OHIO further AGREES that it will take no further action against DOUGLAS E. OTT, M.D. unless he violates the Agreed Order of the Medical Licensing Board of Indiana.

5. After January 1, 1994, DOUGLAS E. OTT, M.D. may apply for unconditional reinstatement of his certificate to practice medicine and surgery number 33308, provided that he complies with the provisions hereof. DOCTOR OTT has not practiced medicine in Ohio other than as a resident physician. He does not intend to return to Ohio to practice medicine. If he does return after January 1, 1994 and applies to reinstate his certificate, THE BOARD may conduct a hearing at that time to determine his compliance with this CONSENT AGREEMENT and his professional qualifications.

The terms and conditions of this agreement shall become effective immediately upon its signing by the persons designated below. It is agreed and understood by and between the parties that this CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43 of the Ohio Revised Code.

4/3/24/84
DOUGLAS E. OTT, M.D. (Date)

4-11-84
JOSEPH P. YUT, M.D. (Date)
SECRETARY

4/3/84
ATTORNEY FOR DR. OTT (Date)

11 Apr 84
WILLIAM W. JOHNSTON (Date)
SUPERVISING BOARD MEMBER

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

April 13, 1983

Douglas E. Ott, M.D.
77 Allendale
Terre Haute, IN 47802

Dear Doctor Ott:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio intends to determine under the provisions of Sections 4731.22 and 4731.222, Ohio Revised Code, whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine or surgery, or to reprimand or place you on probation, for one or more of the following reasons:

1. On or about November 23, 1982, you were convicted in the Campbell, Kentucky Circuit Court, of one count of violating KRS: 194.505(6), Scheme to defraud Kentucky Medicaid Program and one count of violating KRS: 205.850(4), Filing Fraudulent Medicaid Claims. Both counts were Class D Felonies.

Pursuant to Section 4731.22(B)(9), Ohio Revised Code, conviction of a felony is grounds to limit, revoke, suspend, refuse to register or reinstate your certificate or to reprimand or place you on probation, whether or not committed in the course of practice.

Further, the acts for which you were convicted constitute the obtaining of, or attempting to obtain, money or anything of value by fraudulent misrepresentations in the course of practice, as that clause is used in Section 4731.22(B)(8), Ohio Revised Code.

Further, the above conviction demonstrates that you lack the good moral character required by Sections 4731.08 and 4731.222, Ohio Revised Code, for your certificate to be reinstated.

2. On or about December 14, 1982 you were convicted in the Vigo County, Indiana Circuit Court of one count of Deception, a Class A Misdemeanor, for acts committed by you in obtaining Medicaid benefits in Indiana in the course of your practice.

Pursuant to Section 4731.22(B)(10), Ohio Revised Code, conviction of a misdemeanor committed in the course of practice is grounds to limit, revoke, suspend, refuse to register or reinstate your certificate or to reprimand or place you on probation.

Further, the acts for which you were convicted constitute the obtaining of or attempting to obtain, money or anthing of value by fraudulent misrepresentations in the course of practice, as that clause is used in Section 4731.22(B)(8), Ohio Revised Code.

Further, the above conviction demonstrates that you lack the good moral character required by Sections 4731.08 and 4731.222, Ohio Revised Code, for your certificate to be reinstated.

3. On or about January 11, 1983 you did enter into an Agreed Order with the Medical Licensing Board of Indiana whereby your certificate to practice medicine in Indiana was suspended for six (6) months, at the end of which a probationary license is to be issued. The grounds for such Order were the convictions cited in the above Paragraphs (1) and (2). The Agreed Order reserves to the Medical Licensing Board of Indiana the right to require you to seek professional counseling and or psychiatric care.

Pursuant to Section 4731.22(B)(18), Ohio Revised Code, the revocation or suspension by another state of a license or certificate to practice issued by the proper licensing authority of that state for an action that would also have been a violation of Chapter 4731., Ohio Revised Code, is grounds to limit, revoke, suspend, refuse to register or reinstate your certificate or to reprimand or place you on probation.

Further, your agreement to seek professional counseling and or psychiatric care, as contained in the above-mentioned Agreed Order, indicates that 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 language is used in Section 4731.22(B)(15), Ohio Revised Code.

Further, the above-mentioned Agreed Order indicates that you lack the good moral character required by Sections 4731.08 and 4731.222, Ohio Revised Code, for your certificate to be reinstated.

In accordance with Chapter 119., Ohio Revised Code, you are hereby advised that you have a right to a hearing in this matter. If you wish to request such hearing, such 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.

In the event there is no request for such hearing made within thirty (30) days of the time of mailing of this notice, the State Medical Board of Ohio 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 or surgery or to reprimand or place you on probation.

Copies of Sections 4731.08, 4731.22, and 4731.222, Ohio Revised Code, are enclosed for your examination.

Very truly yours,

Anthony Ruppersberg, Jr., M.D.
Secretary

AR:prf
Enclosure:
CERTIFIED MAIL #P374 695 319
RETURN RECEIPT REQUESTED