

90 MAY 10 1988

CONSENT AGREEMENT
BETWEEN
GREGORY M. WEBER, M.D.
AND
THE STATE MEDICAL BOARD OF OHIO

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

GREGORY M. WEBER, 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)(26), 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 impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice.
- B. 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)(26), 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. GREGORY M. WEBER, M.D. is licensed to practice medicine and surgery in the State of Ohio.
- D. GREGORY M. WEBER, M.D. hereby ADMITS that:
 1. On May 5, 1988 he was admitted to the Shepherd Hill Hospital for a drug dependency problem which was later diagnosed as an opioid and sedative dependency. On June 15, 1988 he was transferred and admitted to the Pine Grove Recovery Center in Hattiesburg, Mississippi. On September 10, 1988 he was discharged from Pine Grove and admitted to Shepherd Hill's Central Ohio Recovery Residence (C.O.R.R.). On November 4, 1988 he was discharged from C.O.R.R., having successfully completed the program.
 2. DOCTOR WEBER further ADMITS that he received treatment in lieu of a conviction on November 2, 1989 regarding the charge of Attempted Drug Abuse. The charges stem from incidents between 1986 and 1988 involving Demerol, a schedule II substance.

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, GREGORY M. WEBER, 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 WEBER shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio;
2. DOCTOR WEBER shall submit quarterly declarations under penalty of perjury stating whether there has been compliance with all the conditions of this Consent Agreement;
3. DOCTOR WEBER shall appear in person for interviews before the full BOARD or its designated representative at three month intervals, or as otherwise directed by the BOARD;

4. In the event that DOCTOR WEBER should leave Ohio for three continuous months, or reside or practice outside the State, DOCTOR WEBER, 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 WEBER surrendered his United States Drug Enforcement Administration Certificate on October 4, 1989. He shall be ineligible to hold, and shall not apply for, registration with D.E.A. to prescribe, dispense or administer controlled substances without prior BOARD approval;
6. DOCTOR WEBER shall ONLY be permitted to order, write orders for, give verbal orders for, dispense or administer controlled substances as defined by State or Federal law for in-patient use only under the D.E.A. registration of the hospital or institution in which he is employed and/or has privileges.
7. DOCTOR WEBER shall have all orders and/or prescriptions for controlled substances as defined by State or Federal law and as permitted by this Consent Agreement in paragraph 6 countersigned within 24 hours by a physician who is fully authorized under State or Federal law to prescribe, administer and dispense controlled substances and also is employed and/or has privileges in the hospital or institution in which DOCTOR WEBER is employed and/or has privileges;
8. DOCTOR WEBER shall keep a log of all controlled substances prescribed, dispensed, or administered. Such log shall be submitted in the format approved by the BOARD thirty (30) days prior to DOCTOR WEBER's personal appearance before the BOARD or its designated representative, or as otherwise directed by the BOARD;
9. DOCTOR WEBER shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has full knowledge of DOCTOR WEBER's history of chemical dependency;
10. DOCTOR WEBER shall abstain completely from the use of alcohol;
11. DOCTOR WEBER shall submit to random urine screenings for drugs on a weekly basis or as otherwise directed by the BOARD. DOCTOR WEBER is to ensure that all screening reports are forwarded directly to the BOARD on a quarterly basis;

DOCTOR WEBER shall submit the required urine specimens to a supervising physician to be approved by the BOARD. The supervising physician shall ensure that the urine specimens are obtained on a random basis, that the giving of the specimen is witnessed by a reliable person, and that appropriate control over the specimen is maintained. In addition, the supervising physician shall immediately inform the BOARD of any positive screening results.

The supervising physician shall monitor DOCTOR WEBER and provide the BOARD with reports on the doctor's progress and status.

In the event that the designated supervising physician becomes unable or unwilling to so serve, DOCTOR WEBER must immediately notify the BOARD in writing, and make arrangements acceptable to the BOARD for another supervising physician as soon as practicable;

12. The Board retains the right to require, and DOCTOR WEBER agrees to submit, blood or urine specimens for analysis upon request and without prior notice;

13. Within 30 days of the effective date of this Consent Agreement, DOCTOR WEBER shall undertake and maintain participation in an alcohol and drug rehabilitation program, such as A.A., N.A., or Caduceus, acceptable to the BOARD no less than four (4) times per week. At his appearances before the BOARD or its designated representative, DOCTOR WEBER shall submit documentary evidence of continuing compliance with this program;
14. DOCTOR WEBER shall provide all employers and the Chief of Staff at each hospital where he has, applies for, 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 three (3) 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 WEBER 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 WEBER 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 WEBER 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.

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.

Gregory M. Weber, M.D.
GREGORY M. WEBER, M.D.

9 May 1990
DATE

Henry G. Cramblett
HENRY G. CRAMBLETT, M.D.
Secretary

5/11/90
DATE

John E. Rauch
JOHN E. RAUCH, D.O.
Supervising Member

5/17/90
DATE

John C. Dowling
JOHN C. DOWLING, Esquire
Assistant Attorney General

5/18/90
DATE