

**CONSENT AGREEMENT  
BETWEEN  
ERNESTO V. ANGTUACO, M.D.  
AND  
THE STATE MEDICAL BOARD OF OHIO**

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

Dr. Angtuaco 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 “inability 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.
- C. Dr. Angtuaco’s certificate to practice medicine and surgery in the State of Ohio, Certificate # 35-038360, lapsed on July 1, 2001, due to Dr. Angtuaco’s failure to renew his certificate, and remains inactive to date.
- D. Dr. Angtuaco states that he is also licensed to practice medicine and surgery in the States of California and Pennsylvania.
- E. Dr. Angtuaco admits that he has been diagnosed with Bipolar Disorder and has received psychiatric treatment since January 1998, including psychotherapy and

medications, from Brian S. Sullivan, M.D. Dr. Angtuaco further admits that he is currently unable to practice medicine due to his Bipolar Disorder.

### **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. Angtuaco knowingly and voluntarily agrees with the Board to the following terms, conditions and limitations:

### **CONDITIONS FOR REINSTATEMENT OR RESTORATION**

1. The Board shall not consider reinstatement or restoration of Dr. Angtuaco's certificate to practice medicine and surgery until all of the following conditions are met:
  - a. Dr. Angtuaco shall submit an application for reinstatement or restoration, accompanied by appropriate fees, if any.
  - b. Dr. Angtuaco 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 recommended psychiatric treatment including psychotherapy and medications.
    - iii. Two written reports indicating that Dr. Angtuaco's ability to practice has been assessed and that he has been found capable of practicing according to acceptable and prevailing standards of care.

The reports shall be made by psychiatrists, approved by the Board for making such assessments, who shall each conduct a psychiatric examination of Dr. Angtuaco. Prior to each examination, Dr. Angtuaco shall provide each psychiatrist with copies of patient records from any evaluations and/or treatment that he has received, and a copy of this Consent Agreement. The Board shall also provide each psychiatrist with any materials in its possession that it determines are relevant to the psychiatric examinations. The report from each evaluating psychiatrist shall include the psychiatrist's diagnoses and conclusions; any recommendations for care, counseling, and treatment for the psychiatric diagnoses; any conditions, restrictions, or limitations that should be imposed on Dr. Angtuaco's practice; and the basis for the psychiatrist's determinations.

- c. Dr. Angtuaco shall enter into a written consent agreement including probationary terms, conditions and limitations as determined by the Board. If the Board and Dr. Angtuaco are unable to agree on the terms of a written Consent Agreement, then Dr. Angtuaco 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.
2. In the event that Dr. Angtuaco 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 or restoration, the Board may exercise its discretion under Section 4731.222, Ohio Revised Code, to require additional evidence of Dr. Angtuaco's fitness to resume practice.
3. Dr. Angtuaco 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 psychiatric treatment or evaluation for Dr. Angtuaco, 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.

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

4. Within thirty days of the effective date of this Consent Agreement, Dr. Angtuaco 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. Angtuaco 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. Angtuaco shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.
5. Within thirty days of the effective date of this Consent Agreement, Dr. Angtuaco 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. Angtuaco 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.

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. Angtuaco 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. Angtuaco 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.

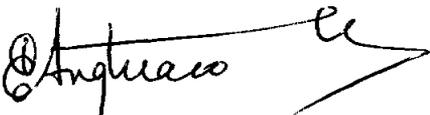
Any action initiated by the Board based on alleged violations of this Consent Agreement shall comply with the Administrative Procedure Act, Chapter 119., Ohio Revised Code.

Dr. Angtuaco 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. Angtuaco 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.

  
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ERNESTO V. ANGTUACO, M.D.

  
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PITAMBAR SOMANI, M.D.  
Acting Secretary

7/8/02  
\_\_\_\_\_  
DATE

8/14/02  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
MATTHEW J. BLAIR, ESQ.  
Attorney for Dr. Angtuaco

7/8/02  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
RAYMOND J. ALBERT  
Supervising Member

8/14/02  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
REBECCA ALBERS, ESQ.  
Assistant Attorney General

8/14/02  
\_\_\_\_\_  
DATE