The court document for this date cannot be found in the records of the Ohio State Medical Board.

Please contact the Franklin County Court of Common Pleas to obtain a copy of this document. The Franklin County Court of Common Pleas can be reached at (614) 462-3621, or by mail at 369 S. High Street, Columbus, OH 43215.

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO

STATE MEDICAL BOARD OF OHIO
91 JAN 29 AM 10: 43

CHARLES E. WILKINS, M.D. 4419 Howard Avenue Youngstown, Ohio 44512 Appellant	:	
v.	:	CASE NO. NOTICE OF APPEAL
STATE MEDICAL BOARD OF OHIO 77 South High Street 17th Floor Columbus, Ohio 43266-0315 Appellee	:	

Appellant Charles E. Wilkins, M.D., hereby gives notice of his appeal from the findings, order, and journal entry of the State Medical Board of Ohio, mailed to appellant on January 16, 1991. The order revoked the license of Charles E. Wilkins, M.D., to practice medicine and surgery in Ohio, and further stayed such order for an indefinite period of time. A copy of the findings, order, and journal entry is marked Exhibit A, attached hereto, and is incorporated and made a part of this notice of appeal.

The grounds for the appeal are as follows:

1. The order of the State Medical Board of Ohio was not supported by reliable, probative, and substantial evidence.

2. The order of the State Medical Board of Ohio was not made in accordance with law.

3. The investigation of the State Medical Board of Ohio was not made in accordance with law in that the appellant was ordered to appear before a person with insufficient professional capabilities to properly evaluate appellant's alleged problem.

4. The charges on which the investigation of the State Medical Board of Ohio were based were insufficient as a matter of law.

5. The order of the State Medical Board of Ohio requiring the appellant to submit a certification of his fitness to practice is not supported by reliable, probative, and substantial evidence and is not in accordance with law in that appellant has already completed and filed with appellee sufficient proof of his fitness to continue practicing medicine and surgery.

Ned C. Gold, Jr.
Hoppe, Frey, Hewitt & Milligan
500 Second National Tower
Warren, Ohio 44481
Telephone: (216) 392-1541
ATTORNEY FOR APPELLANT

CERTIFICATE OF SERVICE

A copy of the foregoing Notice of Appeal with attachments was mailed this 28th day of January, 1991, to the State Medical Board of Ohio, 77 South High Street, 17th Floor, Columbus, Ohio 43266-0315, by regular U.S. mail.

Ned C. Gold, Jr.
ATTORNEY FOR APPELLANT

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STATE OF OHIO
THE STATE MEDICAL BOARD OF OHIO
77 SOUTH HIGH STREET
17TH FLOOR
COLUMBUS, OHIO 43215

January 11, 1991

Charles E. Wilkins, M.D.
4419 Howard Avenue
Youngstown, Ohio 44512

Dear Doctor Wilkins:

Please find enclosed a certified copy of the Findings, Order, and Journal Entry approved and confirmed by the State Medical Board meeting in regular session on January 9, 1991.

Section 119.12, Ohio Revised Code, may authorize an appeal from this Order. Such an appeal may be taken to the Franklin County Court of Common Pleas only.

Such an appeal setting forth the Order appealed from and the grounds of the appeal must be commenced by the filing of a Notice of Appeal with the State Medical Board of Ohio and the Franklin County Court of Common Pleas within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

Very truly yours,

Henry G. Cramblett

Henry G. Cramblett, M.D.
Secretary

HGC:em
Enclosures

CERTIFIED MAIL NO. P 055 327 489
RETURN RECEIPT REQUESTED

Mailed 1/16/91

EXHIBIT A

STATE MEDICAL BOARD OF OHIO

CERTIFICATION

I hereby certify that the attached copy of the Findings, Order, and Journal Entry, approved by the State Medical Board, meeting in regular session on January 9, 1991, constitutes a true and complete copy of the Findings, Order, and Journal Entry in the matter of Charles E. Wilkins, M.D., as it appears in the Journal of the State Medical Board of Ohio.

This certification is made by authority of the State Medical Board of Ohio and in its behalf.

(SEAL)

Henry G. Cramblett, M.D.
Secretary

1/16/91
Date

STATE MEDICAL BOARD OF OHIO
77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER *

*

CHARLES E. WILKINS, M.D. *

FINDINGS, ORDER AND JOURNAL ENTRY

On October 18, 1990, pursuant to Section 4731.22 (B)(19), Ohio Revised Code, the State Medical Board of Ohio sent a letter by certified mail to Charles E. Wilkins, M.D., license #39898, stating that the Board had probable cause to believe that Dr. Wilkins was impaired and was thus unable to practice according to acceptable and prevailing standards of care. This determination was based upon the following reason:

(1) Investigation has revealed a possible mental problem, including, but not limited to, manic depression and bizarre behavior.

The October 18, 1990 certified letter further notified Dr. Wilkins that he was ordered to submit to a mental examination. This examination was scheduled at the Department of Psychiatry, Metro Medical Center, Cleveland, Ohio, and was to commmence at 9:00 a.m. on Tuesday, November 27, 1990.

Dr. Wilkins was duly notified of the examination order, as the October 18, 1990 letter was hand-delivered to Dr. Wilkins on November 19, 1990 by Investigator Harold May after the certified letter was returned unclaimed. On November 20, 1990, Dr. Wilkins' counsel called the Board offices and the examination date was postponed and rescheduled for December 11, 1990 at 9:00 a.m. at the same location. On December 11, 1990, Dr. Wilkins did in fact appear for the examination at the designated time and location. However, at that time Dr. Wilkins refused to submit to the clinical evaluation or the required testing.

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WHEREFORE, pursuant to Section 4731.22(B)(19), Ohio Revised Code, it is hereby ORDERED that:

1. The license of Charles E. Wilkins, M.D., to practice medicine and surgery in Ohio be REVOKED. Such revocation is stayed, and Dr. Wilkins' license is hereby SUSPENDED for and indefinite period of time.

2. The State Medical Board shall not consider the reinstatement of Dr. Wilkins' license to practice unless and until all of the following minimum requirements are met:

   a. Dr. Wilkins shall submit an application for reinstatement, accompanied by appropriate fees;

   b. Dr. Wilkins shall submit certification from a physician approved by the Board that Dr. Wilkins has been evaluated and has successfully completed any required inpatient treatment;

   c. Dr. Wilkins shall submit to the Board for its prior approval of the name and qualifications of a psychiatrist of his choice for the purpose of paragraph 3(b) of this Order.

   d. Dr. Wilkins shall submit two (2) written reports indicating that his 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 individuals approved by the Board for making such assessments and shall describe the basis for the determination.

   e. In the event that Dr. Wilkins has not been engaged in the active practice of medicine or surgery for a period in excess of two (2) years prior to the application for reinstatement of his certificate, or in the event that two (2) years have passed from the effective date of this Order

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prior to the application for reinstatement of his certificate, the Board may exercise its discretion under Section 4731.222, Ohio Revised Code, to require additional evidence of Dr. Wilkins' fitness to resume practice.

3. Upon reinstatement, Dr. Wilkins certificate shall be subject to the following probationary terms, conditions, and limitations for a period of at least five (5) years:

   a) Dr. Wilkins shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio;

   b) Dr. Wilkins shall immediately begin upon reinstatement and shall continue psychiatric treatment weekly, or as otherwise directed by the BOARD. Dr. Wilkins shall ensure that psychiatric reports are forwarded by his psychiatrist to the BOARD on a quarterly basis, or as otherwise directed by the BOARD;

   c) Within thirty (30) days of the effective date of reinstatement, Dr. Wilkins shall submit to the Board for its approval the name and qualifications of a monitoring physician, who shall monitor him and provide the Board with reports on the doctor's progress and status. Dr. Wilkins is to ensure that said reports are forwarded to the Board on a quarterly basis. In the event that the designated monitoring physician becomes unable or unwilling to serve in this capacity, Dr. Wilkins must immediately so notify the BOARD in writing, and make arrangements acceptable to the BOARD for another physician to monitor his progress and status as soon as practicable;

   d) Dr. Wilkins shall submit quarterly declarations under penalty of perjury stating whether there has been compliance with all the conditions of this Order;

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e) Dr. Wilkins shall appear in person for interviews before the full BOARD or its designated representatives at three month intervals, or as otherwise directed by the BOARD;

f) In the event that Dr. Wilkins should leave Ohio for three continuous months, or reside or practice outside the State, Dr. Wilkins 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 probationary period;

4. Dr. Wilkins 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 Order;

5. If Dr. Wilkins violated the terms of this Order in any respect, the Board, after giving Dr. Wilkins notice and the opportunity to be heard, may set aside the stay Order and impose the revocation of his certificate.

6. Upon sucessful completion of probation, Dr. Wilkins' certificate will be fully restored.

This Order shall become effective immediately upon the date of mailing of notification of approval by the State Medical Board of Ohio.

This Order is hereby entered upon the Journal of the State Medical Board of Ohio for the 9th day of January, 1991 and the original thereof shall be kept with said Journal.

Henry G. Cramblett, M.D.
Secretary

(SEAL)

1/16/91
Date