

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF :

:

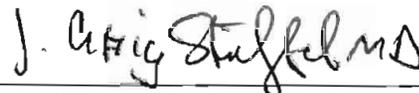
THOMAS L. HAYNES, M.D. :

ENTRY OF ORDER

On May 1, 2012, Thomas L. Haynes, M.D., executed a Surrender of his license to practice medicine and surgery in Ohio with consent to revocation, which document is attached hereto and fully incorporated herein.

Wherefore, upon ratification by the Board of the surrender, it is hereby ORDERED that Certificate No. 35-040421 authorizing Thomas L. Haynes, M.D., to practice medicine and surgery in the state of Ohio be permanently REVOKED.

This Order is hereby entered upon the Journal of the State Medical Board of Ohio for the 9th day of May 2012, and the original thereof shall be kept with said Journal.



J. Craig Stafford, M.D., M.P.H.
Secretary

(SEAL)

May 9, 2012
Date

**STATE OF OHIO
THE STATE MEDICAL BOARD
PERMANENT SURRENDER OF CERTIFICATE
TO PRACTICE MEDICINE AND SURGERY**

Do not sign this agreement without reading it. An individual who permanently surrenders a certificate issued by the Board is forever thereafter ineligible to hold a certificate to practice or to apply to the Board for reinstatement of the certificate or issuance of any new certificate. You are permitted to be accompanied, represented and advised by an attorney, at your own expense, before deciding to sign this voluntary agreement.

I, Thomas L. Haynes, M.D., am aware of my rights to representation by counsel, the right of being formally charged and having a formal adjudicative hearing, and do hereby freely execute this document and choose to take the actions described herein.

I, Thomas L. Haynes, M.D., do hereby voluntarily, knowingly, and intelligently surrender my certificate to practice medicine and surgery, License #35.040421, to the State Medical Board of Ohio [Board], thereby relinquishing all rights to practice medicine and surgery in Ohio. Further, I acknowledge that I have not been legally authorized to practice medicine and surgery in Ohio since the expiration of my license for non-renewal on October 1, 2010.

I understand that as a result of the surrender herein I will no longer be permitted to practice medicine and surgery in any form or manner in the State of Ohio in the future.

I agree that I shall be ineligible for, and shall not apply for, reinstatement or restoration of certificate to practice medicine and surgery License #35.040421 or issuance of any other certificate pursuant to the authority of the State Medical Board of Ohio, on or after the date of signing this Permanent Surrender of Certificate to Practice Medicine and Surgery. Any such attempted reapplication shall be considered null and void and shall not be processed by the Board.

I hereby authorize the State Medical Board of Ohio to enter upon its Journal an Order permanently revoking my certificate to practice medicine and surgery, License #35.040421, in conjunction with which I expressly waive the provision of Section 4731.22(B), Ohio Revised Code, requiring that six (6) Board Members vote to revoke said certificate, and further expressly and forever waive all rights as set forth in Chapter 119., Ohio Revised Code, including but not limited to my right to counsel, right to a hearing, right to present evidence, right to cross-examine witnesses, and right to appeal the Order of the Board revoking my certificate to practice medicine and surgery.

I, Thomas L. Haynes, M.D., hereby release the Board, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

MEDICAL BOARD
MAY 03 2012

This document shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code. Further, this information may be reported to appropriate organizations, data banks and governmental bodies. I, Thomas L. Haynes, M.D., acknowledge that my social security number will be used if this information is so reported and agree to provide my social security number to the Board for such purposes.

I stipulate and agree that I am taking the action described herein in lieu of formal disciplinary proceedings pursuant to Sections 4731.22(B)(11), Ohio Revised Code.

EFFECTIVE DATE

It is expressly understood that this Permanent Surrender of Certificate 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.

Thomas L. Haynes M.D.
THOMAS L. HAYNES, M.D.

May 1, 2012
DATE

J. Craig Stafford M.D.
J. CRAIG STRAFFORD, M.D., M.P.H.
Secretary

9 May 2012
DATE

Lance A. Talmage M.D.
LANCE A. TALMAGE, M.D.
Acting Supervising Member

5-9-12
DATE

Cheryl D. Pokorny
CHERYL D. POKORNY
Enforcement Attorney

5-4-12
DATE

MEDICAL BOARD

MAY 03 2012

STATE OF OHIO
THE STATE MEDICAL BOARD

CONSENT AGREEMENT

BETWEEN

THOMAS L. HAYNES, M.D.

AND

THE STATE MEDICAL BOARD OF OHIO

- 4 OCT 1983

THIS CONSENT AGREEMENT is entered into by and between THOMAS L. HAYNES, M.D., and THE STATE MEDICAL BOARD OF OHIO, a state agency charged with enforcing Chapters 4730. and 4731. of the Ohio Revised Code.

THOMAS L. HAYNES, M.D., enters into this agreement being fully aware of his rights, including his right to be advised by counsel.

This agreement is entered into on the basis of the following statements, admissions and understandings:

- A. THOMAS L. HAYNES, M.D., admits that he has excessively used controlled substances prior to the indefinite suspension by Board Order on November 15, 1979 of his license to practice medicine and surgery.
- B. THOMAS L. HAYNES, M.D., desires to have the Board's permission to reapply for his full DEA certificate and registration.

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth, THOMAS L. HAYNES, M.D., knowingly and voluntarily enters into the following agreement with THE STATE MEDICAL BOARD OF OHIO:

1. THE STATE MEDICAL BOARD agrees to remove the limitation on THOMAS L. HAYNES' license to practice medicine and surgery in the state of Ohio which prevents him from applying for his DEA certificate if he agrees to abide by the following conditions of limitations, and only for so long as the conditions continue to be satisfied. In consideration of the Board's permission to reapply for his DEA certificate, THOMAS L. HAYNES, M.D., agrees that:
 - A. He will appear before the STATE MEDICAL BOARD in person three months from the effective date of this instrument, and thereafter as the Board desires;
 - B. He will keep a log of all Schedule II and III drugs he prescribes, dispenses or administers. Such log will indicate the date, patient, drug, amount and reason for the prescription, dispensing or administration. He shall present this log to the Board when he personally appears and make it available thereafter as the Board so desires.
 - C. He will continue to attend Alcoholics Anonymous on a regular basis, preferably weekly;

4 OCT 1983 D. He will obey all laws, rules and regulations of the United States, the State of Ohio and its political subdivisions related to the practice of medicine.

Unless otherwise indicated, each of the foregoing terms and conditions shall be in effective indefinitely or until the STATE MEDICAL BOARD OF OHIO determines the appropriateness of terminating the term or condition.

If, in the discretion of the Secretary of THE STATE MEDICAL BOARD OF OHIO, THOMAS L. HAYNES, M.D., 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.

Upon the consent of both parties, the terms and conditions of this agreement may be modified or terminated in writing.

The terms and conditions of this agreement shall become effective on the 5th day of October, 1983.

Thomas L. Haynes M.D.
THOMAS L. HAYNES, M.D.

Henry G. Cramblett
HENRY G. CRAMBLETT, M.D., Secretary
State Medical Board of Ohio

September 26, 1983
(Date)

10-6-83
(Date)

STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 1006
180 East Broad Street
Columbus, Ohio 43215

December 6, 1979

Thomas L. Haynes, M.D.
79 Mosser Place
Akron, OH 44310

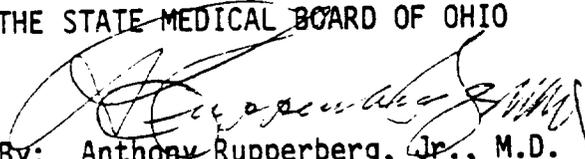
Dear Doctor Haynes:

Please find enclosed a certified copy of the Findings and Order as they have been entered in the Journal of the State Medical Board of Ohio; and a certified copy of the motions approved by the State Medical Board, meeting in regular session on November 15, 1979, approving and confirming the proposed Findings and modifying the proposed Order of Henry G. Cramblett, M.D., in the matter.

Pursuant to Section 119.09, Revised Code, you are hereby notified that you may appeal this Order to the Court of Common Pleas of the county in which your place of business is located, or the county in which you reside. If you are not a resident and have no place of business in this state, you may appeal to the Court of Common Pleas of Franklin County, Ohio.

To appeal as stated above, you must file a notice of appeal with the Board setting forth the Order appealed from, and the grounds of the appeal. You must also file a copy of such notice with the court. Such notices of appeal shall be filed within fifteen (15) days after the date of mailing of this letter, and in accordance with the requirements of Section 119.12, Revised Code.

THE STATE MEDICAL BOARD OF OHIO


By: Anthony Rupperberg, Jr., M.D.
Secretary

AR:jmb

Enclosures:

CERTIFIED MAIL #507048
RETURN RECEIPT REQUESTED

cc: Sanders J. Mestel, Esq.

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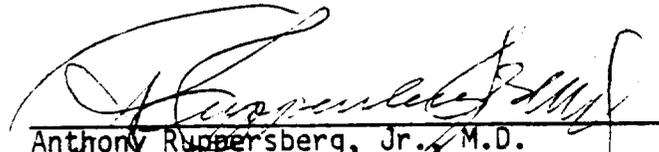
STATE OF OHIO
THE STATE MEDICAL BOARD

DECEMBER 6, 1979

CERTIFICATION

I hereby certify that the attached copy of the Findings and Order of the State Medical Board of Ohio, in the matter of Thomas L. Haynes, M.D., is a true and complete copy of the Findings and Order as they appear in the Journal of the State Medical Board; and that the attached copy of the Motions approved by the State Medical Board, meeting in regular session on November 15, 1979, is a true and complete copy as it appears in the Journal of the State Medical Board.

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


Anthony Ruppertsberg, Jr., M.D.
Secretary
The State Medical Board of Ohio

141

STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 1006
180 East Broad Street
Columbus, Ohio 43215

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THE STATE
MEDICAL BOARD

FINDINGS AND ORDER
IN THE MATTER OF THOMAS L. HAYNES, M.D.

The matter of the citation of Thomas L. Haynes, M.D., dated April 11, 1979, came on for hearing before me, Henry G. Cramblett, M.D., President of the State Medical Board of Ohio, on August 3, 1979.

After consideration of all testimony and evidence presented at the hearing, and after having read and considered the transcript of the hearing and all exhibits introduced, I make the following Findings:

Findings of Fact

1. On July 26, 1978, Dr. Haynes had a formal hearing before Jerauld O. Ferritto, D.P.M., a member of the State Medical Board of Ohio, in accordance with Chapter 119, Ohio Revised Code. On October 12, 1978, the State Medical Board voted to approve a Finding and Order in this matter, which became effective November 1, 1978, and stated in part as follows:

It is hereby ordered that the license of Thomas L. Haynes, M.D., to practice medicine and surgery in Ohio be indefinitely suspended. This order of suspension is hereby stayed provided Dr. Haynes be on probation to the State Medical Board of Ohio for a minimum of two years, with the following terms and conditions:

1. Dr. Haynes continue psychiatric care with reports to be submitted to the Board by the treating physician as requested by the Board.
2. Dr. Haynes have daily urine tests be performed for controlled substances and Talwin with results to be submitted to the State Medical Board as requested by the Board.
3. Dr. Haynes refrain from the use of prescription drugs unless prescribed by another physician for legitimate, therapeutic purposes.
4. Dr. Haynes appear before the Medical Board at six (6) month intervals as requested by the Board.

At the first regular Board meeting subsequent to this two (2) year period, the State Medical Board shall review this matter to determine necessity for continuing or altering the probation.

Dr. Haynes was notified of this Finding and Order by certified mail, return receipt requested, which was mailed to him on October 17, 1978 and delivered to him on October 18, 1978. (Joint Exhibit 1)

2. On April 11, 1979, Thomas L. Haynes, M.D. was forwarded a letter of citation by the State Medical Board of Ohio alleging certain violations of Dr. Haynes' probation with the Board, and advising Dr. Haynes of his right to a hearing (Joint Exhibit 1).
3. On August 3, 1979, Dr. Haynes appeared for hearing represented by counsel, Sanders J. Mestel. The State was represented by B. Douglas Anderson, Assistant Attorney General.
4. Counsel stipulated that the basic allegations in the April 11, 1979 letter of citation were true. (Transcript at 7-8).

5. S. H. Mountcastle, Executive Director of the Summit County Medical Society, appeared on behalf of Dr. Haynes. Mr. Mountcastle testified that the Summit County Medical Society's governing council officially referred the case of Dr. Haynes to its Physicians Effectiveness Committee in May, 1979, and Dr. Haynes attended a special orientation meeting on approximately June 13, 1979 (Transcript at 9).
6. Mr. Mountcastle testified that the chairman of the Society's Committee is Arthur Dobkin, M.D. Dr. Dobkin is the Medical Director of Edwin Shaw Hospital, which has expressed an interest in employing Dr. Haynes. (Transcript at 10-11).
7. Mr. Mountcastle testified that Dr. Haynes would need his medical license in order to work at Edwin Shaw Hospital (Transcript at 11-12).
8. Mr. Mountcastle testified that Dr. Dobkin would act as Dr. Haynes' supervisor at Edwin Shaw and as his personal physician. In addition, another physician on the Committee would meet regularly with Dr. Haynes (Transcript at 13).
9. Mr. Mountcastle testified that he thought the Committee felt that "it would increase the odds of success if Dr. Haynes could get out of the emergency room environment and get into the clinical environment at Edwin Shaw Hospital", due to "the terrible hours, the physical strain as well as the mental and emotional strain" of emergency room medicine. Mr. Mountcastle also testified that Dr. Haynes' employment at Edwin Shaw would limit his access to drugs. (Transcript at 14).
10. Mr. Mountcastle further testified that the Society would notify the Board of anything that might indicate a need for reexamination of Dr. Haynes' situation. (Transcript at 16).
11. Thomas L. Haynes, M.D., appeared as a witness on his own behalf. Dr. Haynes thanked the Board for its strictness, and testified that the Board forced him to realize that he "had totally lost control of (his) addictions". (Transcript at 17-18).
12. Dr. Haynes indicated an addiction to alcohol as well as to Talwin. (Transcript 18, 32).
13. Dr. Haynes testified that he had been treated at Hazelden Foundation in Minnesota and that this was a very significant experience for him. Dr. Haynes testified that he planned to attend meetings of Alcoholics Anonymous once per week, and is attending classes at the Hayden Institute in Hinckley, Ohio, an outpatient center for drug and alcohol-dependent persons. Dr. Haynes testified that it was his belief that with continued involvement in AA, Hayden and various physicians' organizations, he could stay "sober" (drug-free). (Transcript at 18-19, 32).
14. Dr. Haynes indicated that he would accept the position at Edwin Shaw if allowed to retain his license, on a part-time basis. (Transcript at 22).
15. Dr. Haynes indicated that he had no plans to enter private practice, and testified that "an unsupervised environment (would) be tremendously disastrous" for him. (Transcript at 24).
16. Dr. Haynes testified that his maximum usage of Talwin was 20 cc's per day, and that he "was totally out of control. I would use it anytime". (Transcript at 28, 32).
17. Dr. Haynes testified that he did not think a narcotic license would be necessary to his practice. (Transcript at 32-33).

CONFIDENTIAL

CONCLUSIONS

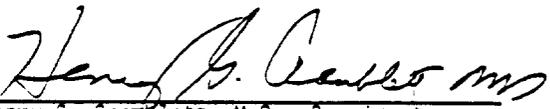
Thomas L. Haynes, M.D., is in violation of the conditions of probation as set forth in the October 12, 1978 Findings and Order of the Board.

ORDER

It is hereby ordered that the indefinite suspension of the license of Thomas L. Haynes, M.D. to practice medicine and surgery is reinstated. This order of reinstatement of suspension is hereby stayed provided Dr. Haynes be on probation to the State Medical Board of Ohio for an indefinite period of time. As previous efforts at rehabilitation of Dr. Haynes have failed, the probation shall be under the following terms and conditions:

1. Dr. Haynes shall not purchase, use, or consume alcohol.
2. Dr. Haynes shall not purchase, use, or consume Talwin or any other prescription drugs unless they are prescribed by another physician for legal, legitimate and therapeutic purposes.
3. Dr. Haynes shall not engage in the private practice of medicine.
4. Dr. Haynes shall not practice emergency room medicine.
5. Dr. Haynes shall attend meetings of Alcoholics Anonymous at least once a week, and shall ensure that a written report detailing his progress is forwarded to the State Medical Board on a monthly basis from an AA representative.
6. Dr. Haynes shall have daily urine tests performed for controlled substances, including Talwin, with results to be submitted to the State Medical Board as requested by the Board.
7. Dr. Haynes shall ensure that the Summit County Physicians Effectiveness Committee shall forward to the State Medical Board monthly reports on his progress.
8. Dr. Haynes shall surrender his Drug Enforcement Administration (DEA) certificate to representatives of the DEA within fourteen (14) days of the effective date of this order, and shall ensure that the State Medical Board is notified of this surrender.
9. Dr. Haynes shall report in person, approximately three (3) months from the effective date of this Order, to the State Medical Board of Ohio, the secretary of the Board, or the Board's agents and employees, as requested, for the purpose of reporting on his current activities, and shall report in person at subsequent intervals as requested.
10. Upon request by the State Medical Board of Ohio or the secretary of the Board during the effective period of this Order, Dr. Haynes shall undergo examination by physicians chosen by the Board, its secretary, or its agents and employees for the purpose of determining whether Dr. Haynes is addicted to controlled substances and/or alcohol, and/or is unable to practice medicine.

This order shall become effective on a date to be determined by the Board.


 Henry G. Cramblett, M.D., President
 State Medical Board of Ohio

29 9 47 91 100 62

November 15, 1979

RE: Consideration of Findings and Order
in the Matter of Thomas L. Haynes, M.D.

Dr. Yut moved that in view of the fact that the record of the hearing that was held in the matter of Thomas L. Haynes before Henry G. Cramblett, M.D. on August 3, 1979 has been re-opened with the consent of the counsel for Dr. Haynes and the Assistant Attorney General for the State Medical Board, and in view of the information that has been presented pursuant to re-opening of this matter, in addition to the findings of Dr. Cramblett relative to the hearing of August 3, Dr. Cramblett's Order be modified to read as follows:

It is hereby ordered that the indefinite suspension of the license of Thomas L. Haynes, M.D. to practice medicine and surgery be reinstated.]
Dr. Gandy seconded the motion. A roll call vote was taken:

ROLL CALL VOTE:	Dr. Lancione	-aye
	Dr. Gandy	-aye
	Dr. Clarke	-aye
	Dr. Yut	-aye
	Dr. Lovshin	-aye
	Mr. Paulo	-aye
	Dr. Ferritto	-aye
	Dr. Ruppertsberg	-aye
	Dr. Cramblett	-abstain

The motion carried.

Dr. Yut moved that the indefinite suspension commence immediately.
Dr. Gandy seconded the motion. A roll call vote was taken:

	Dr. Lancione	-aye
	Dr. Gandy	-aye
	Dr. Clarke	-aye
	Dr. Yut	-aye
	Dr. Lovshin	-aye
	Mr. Paulo	-aye
	Dr. Ferritto	-aye
	Dr. Ruppertsberg	-aye
	Dr. Cramblett	-abstain

April 11, 1979

ALSLEBEN

The motion carried.

Dr. Gandy and Mr. Bumgarner returned to the room at this time.

HAYNES, THOMAS,
M.D. - CIT.THOMAS HAYNES, M.D. - CITATION

In the matter of Thomas Haynes, M.D., Dr. Cramblett was assigned as hearing member and left the room, turning the chair over to Dr. Gandy, prior to the reading of the following citation letter by Mr. Lee:

Thomas L. Haynes, M.D.
79 Mosser Place
Akron, OH 44310

Dear Doctor Haynes:

On July 26, 1978, you did have a formal hearing before Jerauld D. Ferritto, D.P.M., a member of the State Medical Board of Ohio, in accordance with Chapter 119, Ohio Revised Code. On October 12, 1978, the State Medical Board voted to approve a Finding and Order in this matter, which became effective November 1, 1978, and stated in part as follows:

It is hereby ordered that the license of Thomas L. Haynes, M.D., to practice medicine and surgery in Ohio be indefinitely suspended. This order of suspension is hereby stayed provided Dr. Haynes be on probation to the State Medical Board of Ohio for a minimum of two years, with the following terms and conditions:

1. Dr. Haynes continue psychiatric care with reports to be submitted to the Board by the treating physician as requested by the Board.
2. Dr. Haynes have daily urine tests be performed for controlled substances and Talwin with results to be submitted to the State Medical Board as requested by the Board.
3. Dr. Haynes refrain from the use of prescription drugs unless prescribed by another physician for legitimate, therapeutic purposes.
4. Dr. Haynes appear before the Medical Board at six (6) month intervals as requested by the Board.

At the first regular Board meeting subsequent to this two (2) year period, the State Medical Board shall review this matter to determine necessity for continuing or altering the probation.

You were notified of this Finding and Order by certified mail, return receipt requested, which was mailed to you on October 17, 1978 and delivered to you on October 18, 1978.

In accordance with Chapter 119, Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio intends to determine whether or not to reinstate your indefinite suspension for one or both of the following reasons:

1. You have violated the conditions of your probation in that since November 1, 1978, you have not had daily urine tests performed for controlled substances and Talwin.
2. You have violated the conditions of your probation in that since November 1, 1978, you have used Talwin, a prescription drug, which was not prescribed by another physician for legitimate, therapeutic purposes.

Violation of the terms of your probation constitutes grounds to reinstate your indefinite suspension.

You are 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.

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.

April 11, 1979

HAYNES

A copy of the Board's October 12, 1978 Finding and Order is enclosed.

Very truly yours,

Anthony Ruppertsberg, Jr., M.D.
Secretary

AR:sp

Enclosure

CERTIFIED MAIL #506626
RETURN RECEIPT REQUESTED

Dr. Lovshin moved that the citation letter be sent to Dr. Haynes. Dr. Yut seconded the motion. A discussion followed.

Dr. Yut asked if it was necessary to go through a hearing procedure again. Mr. Lee advised that a due process hearing is required for alleged violations of the probation to determine if a violation has actually occurred. Mr. Teetor advised further that if the Board determines that there has been a violation, it can elect to enforce the original discipline or modify it as it deems appropriate.

A roll call vote was taken on Dr. Lovshin's motion.

ROLL CALL VOTE:	Dr. Lancione	- aye
	Dr. Clarke	- aye
	Dr. Yut	- aye
	Dr. Lovshin	- aye
	Dr. Cover	- aye
	Mr. Paulo	- aye
	Dr. Ferritto	- aye
	Dr. Ruppertsberg	- aye
	Dr. Gandy	- aye

The motion carried.

Dr. Cramblett and Mr. Anderson returned to the meeting at this time.

CUA, ROSITA
LEE, M.D.

ROSITA LEE CUA, M.D.

Pursuant to the December 12, 1978 Board meeting, Dr. Cua's completed credentials were presented to the Board for review.

Dr. Yut asked for reassurance that approval of the combination of FLEX scores would be in keeping with the Board's policy. Mr. Lee advised that the approval would be in keeping with that policy.

Dr. Ferritto moved to approve Dr. Cua's request for permission to apply for endorsement of her Illinois license. Mr. Paulo seconded the motion. A roll call vote was taken.

ROLL CALL VOTE:	Dr. Lancione	- aye
	Dr. Gandy	- aye
	Dr. Clarke	- aye
	Dr. Yut	- aye
	Dr. Lovshin	- aye
	Dr. Cover	- aye
	Mr. Paulo	- aye
	Dr. Ferritto	- aye
	Dr. Ruppertsberg	- aye
	Dr. Cramblett	- aye

The motion carried.

YOON, HELEN
JUN, M.D.

HELEN JUN YOON, M.D.

Dr. Yoon applied for endorsement of her Maine license, which was based upon a combination of scores from the June, 1978 and December, 1978 FLEX examination. This case was presented because the Board had indicated that it would consider individually those candidates who completed an examination sequence on or before the December, 1978 FLEX exam.

Mr. Lee advised that the only issue of question in this case is the fact that Dr.

STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 1006
180 East Broad Street
Columbus, Ohio 43215

October 17, 1978

Thomas L. Haynes, M.D.
79 Mosser Place
Akron, OH. 44310

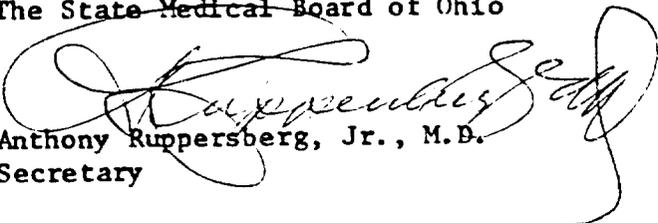
Dear Doctor Haynes:

Please find enclosed a certified copy of the Findings and Order as they have been entered in the Journal of the Ohio State Medical Board; and a certified copy of the Motion approved by the State Medical Board, meeting in regular session on October 12, 1978, approving and confirming the Findings and Order.

You are hereby notified that you may appeal this order to the Court of Common Pleas of the county in which your place of business is located, or the county in which you reside. If you are not a resident and have no place of business in this state, you may appeal to the Court of Common Pleas of Franklin County, Ohio.

To appeal as aforesaid, you must file a notice of appeal with the Board setting forth the order appealed from, and the grounds of the appeal. You must also file a copy of such notice with the court. Such notices of appeal shall be filed within fifteen days after the date of mailing of this letter, and in accordance with the requirements of Section 119.12, Revised Code.

~~The State Medical Board of Ohio~~


Anthony Ruppertsberg, Jr., M.D.
Secretary

CERTIFIED MAIL # 024924
RETURN RECEIPT REQUESTED

cc: Sanders J. Mestel, Esq.

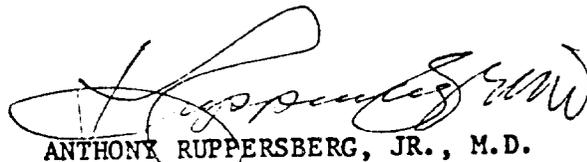
STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 1006
180 East Broad Street
Columbus, Ohio 43215

CERTIFICATION

DATE: October 17, 1978

I hereby certify that the attached copy of the Findings and Order of the Ohio State Medical Board, in the matter of Thomas L. Haynes, M.D., is a true and complete copy of the Findings and Order as they appear in the Journal of the State Medical Board; and that the attached copy of the Motion approved by the State Medical Board, meeting in regular session on October 12, 1978, is a true and complete copy as it appears in the Journal of the State Medical Board.

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


ANTHONY RUPPERSBERG, JR., M.D.
SECRETARY
THE STATE MEDICAL BOARD OF OHIO

**STATE OF OHIO
THE STATE MEDICAL BOARD**

FINDINGS AND ORDER IN THE MATTER OF THOMAS L. HAYNES, M.D.

The matter of Thomas L. Haynes, M.D., came on for hearing before me, Jerauld D. Ferritto, D.P.M., Member, State Medical Board of Ohio, on July 26, 1978.

After consideration of all the testimony and evidence presented at the hearing, and after having read and considered the transcript of the hearing and all the exhibits introduced, I make the following findings:

FINDINGS OF FACT

1. Dr. Haynes freely admits in his own testimony the use of the drug Talwin for reasons other than its accepted indications.
2. This usage ceased approximately three (3) months previous to the date of the hearing.
3. Daily urine screenings during the months of May, June and July 1978 show no evidence of Talwin intake.
4. Dr. Haynes denies ever having abused the drugs Demerol and Morphine, and his use of these drugs was limited and infrequent.
5. Three practicing physicians, including the Board authorized psychiatrist, testified to Dr. Hayne's professional competence, personal demeanor and trustworthiness, and his present well-being.

CONCLUSIONS OF LAW

1. Dr. Haynes is guilty of the charges as defined in Section 4731.22 (B)(2) and (3) in the instance of the drug Talwin.
2. Dr. Haynes is not guilty of the charges as defined in Section 4731.22 (B)(2) and (3) in the instance of the drugs Demerol and Morphine.

ORDER

It is hereby ordered that the license of Thomas L. Haynes, M.D., to practice medicine and surgery in Ohio be indefinitely suspended. This order of suspension is hereby stayed provided Dr. Haynes be on probation to the State Medical Board of Ohio for a minimum of two years, with the following terms and conditions:

1. Dr. Haynes continue psychiatric care with reports to be submitted to the Board by the treating physician as requested by the Board.
2. Dr. Haynes have daily urine tests be performed for controlled substances and Talwin with results to be submitted to the State Medical Board as requested by the Board.
3. Dr. Haynes refrain from the use of prescription drugs unless prescribed by another physician for legitimate, therapeutic purposes.
4. Dr. Haynes appear before the Medical board at six (6) month intervals as requested by the Board.

At the first regular Board meeting subsequent to this two (2) year period, the State Medical Board shall review this matter to determine necessity for continuing or altering the probation.

This order shall become effective on a date to be determined by the Board.


Gerald D. Ferritto, D.P.M.
Member
State Medical Board of Ohio

**STATE OF OHIO
THE STATE MEDICAL BOARD**

MOTION IN THE MATTER OF THOMAS L. HAYNES, M.D.

Mr. Paulo moved to approve and confirm the Findings and Order in the matter of Thomas L. Haynes, M.D. as presented to the Board by Dr. Ferritto. Dr. Lovshin seconded the motion. A roll call vote was taken:

Dr. Cover	- Aye
Dr. Gandy	- Nay
Dr. Yut	- Aye
Dr. Lovshin	- Aye
Dr. Cramblett	- Aye
Dr. Paulo	- Aye
Dr. Ferritto	- Abstain
Dr. Ruppertsberg	- Abstain
Dr. Lancione	- Aye

The motion carried.

Dr. Ferritto moved that the effective date of the probation period be set at November 1, 1978. Dr. Cover seconded the motion. All members voted aye. The motion carried.

STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 1006
180 East Broad Street
Columbus, Ohio 43215

May 17, 1978

Thomas L. Haynes, M.D.
79 Mosser Place
Akron, OH 44310

Dear Doctor Haynes:

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

On or about February 10, 1977 you appeared before the Ohio State Medical Board to discuss your application for licensure. You admitted to a drug abuse problem, indicating that you had been involved in the usage of Talwin, Demerol, and Morphine.

The Ohio State Medical Board approved your request to apply for licensure pursuant to motion stipulating that:

- 1) you continue psychiatric care for six months;
- 2) every two weeks have a random urine specimen test performed for controlled substances, and
- 3) you appear before the Board again in six months.

Prior to the issuance of your license, you signed a statement of acknowledgement as to conditions of practice which stated:

I, Dr. Thomas L. Haynes, understand that I am to continue psychiatric care for six months, have a random drug screening test performed at least twice a month, and appear before the Board in six months.

On or about August 11, 1977 you appeared before the Ohio State Medical Board and stated you were still receiving psychiatric care and having a random urine specimen test performed for controlled substances once a week. You explained that you commenced having the test run each week when one of the tests showed an erroneous positive report of Demerol and you had not taken any Demerol.

May 17, 1978

On or about February 9, 1978 you appeared before the Ohio State Medical Board and admitted you had become involved in the use of drugs since your last meeting with the Board. You stated you had been using Talwin on and off in the recent past and acknowledged consumption of Talwin in the first week of February 1978. You stated that under the type of testing being done, Talwin would be evident up to 48-72 hours after consumption, and admitted that thus you were able to keep your urine analysis negative even though you were using it during the screening periods. You also stated that the positive screenings revealed in your last interview with the Board were related to the taking of Talwin. When it was suggested that the hospital remove your access to Talwin, you stated that you would find some way to procure it. You explained how it gave you a psychological lift, a feeling of well-being.

Such acts, individually and/or collectively, constitute a "failure to use reasonable care discrimination in the administration of drugs or failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease" as that clause is used in Section 4731.22(B)(2), Revised Code.

Further, such acts, individually and/or collectively, constitute "selling, prescribing, giving away or administering drugs for other than legal and legitimate therapeutic purposes" as that clause is used in Section 4731.22(B)(3), Revised Code.

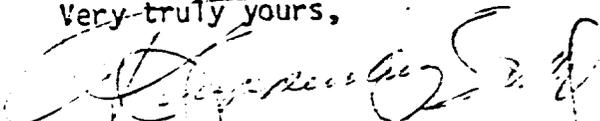
You are advised that you are entitled to a hearing on this matter if you request such hearing within thirty (30) days of the time of mailing of this notice.

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 that there is no request for such hearing made within thirty (30) days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, reprimand, revoke, suspend, place on probation, refuse to register, or reinstate your certificate to practice medicine and surgery.

A copy of the Medical Practice Act is enclosed for your convenience.

Very truly yours,


Anthony Ruppertsberg, Jr., M.D.
Secretary

AR:mlf

Enclosure