

CONSENT AGREEMENT  
BETWEEN  
JAMES W. CAMPBELL, M.D.  
AND  
THE STATE MEDICAL BOARD OF OHIO

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

JAMES W. CAMPBELL, 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)(22), 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 "(t)he limitation, revocation, or suspension by another state of a license or certificate to practice issued by the proper licensing authority of that state, the refusal to license, register, or reinstate an applicant by that authority, for an action that would also have been a violation of this chapter, except for nonpayment of fees."
- 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)(22), Ohio Revised Code, to wit: Section 4731.22(B)(26) of the Revised Code, 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. JAMES W. CAMPBELL, M.D. is licensed to practice medicine and surgery in the State of Ohio.
- D. On or about June 28, 1989, the West Virginia Board of Medicine entered into a Consent Order with JAMES W. CAMPBELL, M.D., a copy of which is attached hereto and incorporated herein.

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- E. In or about June, 1991, the West Virginia Board of Medicine removed all conditions from JAMES W. CAMPBELL, M.D.'s license to practice medicine and surgery in that State following the successful completion of a two-year probationary period.

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, JAMES W. CAMPBELL, 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 CAMPBELL shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio;
2. DOCTOR CAMPBELL shall submit quarterly declarations under penalty of perjury stating whether there has been compliance with all the conditions of this CONSENT AGREEMENT;
3. DOCTOR CAMPBELL shall abstain completely from the personal use or possession of drugs, except those prescribed, dispensed or administered to him by another so authorized by law who has full knowledge of DOCTOR CAMPBELL's history of chemical dependency;
4. DOCTOR CAMPBELL shall abstain completely from the use of alcohol;
5. The BOARD retains the right to require, and DOCTOR CAMPBELL agrees to submit, blood or urine specimens for analysis upon request and without prior notice;
6. Within thirty (30) days of the effective date of this Agreement, DOCTOR CAMPBELL shall provide a copy of this CONSENT AGREEMENT to all employers or entities with which he contracts to provide physician services and the Chief of Staff at each hospital where he has, applies for, or obtains privileges.

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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 one (1) year prior to any request for termination of said Agreement.

If, in the discretion of the Secretary and Supervising Member of THE STATE MEDICAL BOARD OF OHIO, DOCTOR CAMPBELL 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 CAMPBELL 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 CAMPBELL 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 date of signature below.

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Further, this information may be reported to appropriate organizations, data banks and governmental bodies.

James W. Campbell  
JAMES W. CAMPBELL, M.D.,  
1-25-93  
DATE

Carla S. O'Day  
CARLA S. O'DAY, M.D.  
Secretary  
2/9/93  
DATE

Ronald J. Kaplansky  
RONALD J. KAPLANSKY, D.P.M.  
Supervising Member  
2/2/93  
DATE

Anne C. Berry  
ANNE C. BERRY, ESQ.  
Assistant Attorney General  
5/11/93  
DATE

BEFORE THE WEST VIRGINIA BOARD OF MEDICINE

IN RE:

JAMES W. CAMPBELL, M.D.

CONSENT ORDER

The West Virginia Board of Medicine ("Board") and James W. Campbell, M.D. ("Dr. Campbell") freely and voluntarily enter into the following Order pursuant to West Virginia Code §30-3-14(n):

FINDINGS OF FACT

1. Dr. Campbell is currently the holder of a license to practice medicine and surgery in West Virginia, No. 9101, issued originally in 1969.

2. In June, 1989, the Board was notified by Dr. Campbell that he had been under treatment for alcohol and chemical dependency at the Caron Foundation in 1989.

CONCLUSIONS OF LAW

1. Probable cause exists to substantiate charges of disqualification from the practice of medicine pursuant to the provisions of West Virginia Code §30-3-14(c)(21), "the inability

to practice medicine and surgery with reasonable skill and safety due to physical or mental disability including. . .abuse of drugs or alcohol."

2. It is appropriate and in the public interest to waive the commencement of proceedings against Dr. Campbell, provided specific probationary conditions and limitations are placed upon his license to practice medicine and surgery in West Virginia.

CONSENT

James W. Campbell, M.D., by affixing his signature hereon, agrees solely and exclusively for purposes of this agreement and the entry of the Order provided for and stated herein, and proceedings conducted in accordance with this Order, to the following:

1. Dr. Campbell acknowledges that he is fully aware that, without his consent, no permanent legal action may be taken against him except after a hearing held in accordance with West Virginia Code §30-3-14(h) and §29A-5-1, et seq.;

2. Dr. Campbell acknowledges that he has the following rights, among others: the right to a formal hearing before the West Virginia Board of Medicine, the right to reasonable notice of said hearing, the right to be represented by counsel at his own expense, and the right to cross-examine witnesses against him;

3. Dr. Campbell waives all such rights to a hearing;

4. Dr. Campbell consents to the entry of this Order relative to his practice of medicine and surgery in the State of West Virginia; and,

5. Dr. Campbell understands that this Order is considered public information.

ORDER

WHEREFORE, on the basis of the foregoing Findings of Fact and Conclusions of Law and on the basis of the consent of Dr. Campbell, the West Virginia Board of Medicine hereby ORDERS that the license to practice medicine and surgery of Dr. Campbell, License No. 9101, be placed in a probationary status for a two-year period, effective July 1, 1989, and subject to full compliance by Dr. Campbell with all of the following limitations:

1. Dr. Campbell's practice of medicine and surgery shall occur with the supervision and monitoring of another duly licensed physician approved by the Board, and such physician shall meet regularly with Dr. Campbell and at least on a monthly basis.

2. Dr. Campbell's approved supervising physician shall submit reports every sixty (60) days to the Board concerning the performance of Dr. Campbell as a physician, except that should the performance of Dr. Campbell at any time fall below the level of reasonable skill and safety, the approved supervising physician shall immediately notify the Board.

3. During the two-year probationary period, Dr. Campbell shall submit to random and unannounced testing of bodily fluids in a manner approved by the Board at his own expense, the results of which tests shall be promptly forwarded to the Board at the direction of Dr. Campbell's approved supervising physician.

4. Dr. Campbell shall also submit to random, unannounced testing of his bodily fluids at any time upon demand of the Board, which testing shall be carried out in a manner directed and approved by the Board, and which testing shall be at his own expense.

5. Dr. Campbell shall refrain from the use of any controlled substances except for those specifically prescribed to him by another duly licensed physician.

6. Dr. Campbell shall regularly attend a minimum of three hundred (300) meetings of Alcoholics Anonymous or Narcotics Anonymous annually, and keep a log of his attendance, which log shall be reviewed periodically by his supervising physician and may be reviewed at the pleasure of the Board.

7. Dr. Campbell shall seek and maintain a sponsor in Alcoholics Anonymous or Narcotics Anonymous who will be permitted to review his log and who will discuss his progress at least on a weekly basis and who will consent and agree to be available to review periodically Dr. Campbell's progress with his supervising physician. A reasonable time will be allowed for any change of sponsors, if necessary.

8. During the two-year period this Order is in effect, Dr. Campbell shall keep a log of any and all Schedule II controlled substances which he prescribes, dispenses, administers or gives, which log shall be at any time available for review by his Alcoholics Anonymous or Narcotics Anonymous sponsor, his supervising physician, and upon demand of the Board. Dr. Campbell may only prescribe, dispense, administer or give such Schedule II controlled substances during the first year this Order is in effect in a life or health threatening emergency, which shall be documented in his log.

9. During the period that this Consent Order is effective, a copy of this Consent Order shall be presented to any employer or health care or medical facility where Dr. Campbell is practicing medicine and Dr. Campbell shall also provide a copy of this Order to his supervising physician and his Alcoholics Anonymous or Narcotics Anonymous sponsor.

10. Dr. Campbell may not prescribe, dispense, administer or give any scheduled controlled substances to any members of his family.

11. At the option of either Dr. Campbell or the Board, this Consent Order or a modified version thereof, may be again entered into by the parties at the end of the two (2) year probationary period.

12. The failure of Dr. Campbell to comply with the terms of this Order may constitute grounds for the revocation of

his license to practice medicine and surgery in the State of West Virginia.

Dated this 26th day of June, 1989.

WEST VIRGINIA BOARD OF MEDICINE

Eileen Catterson M.D.  
Eileen Catterson, M.D.  
President

Date: 6/27/89

David K. Heydinger M.D.  
David K. Heydinger, M.D.  
Secretary

Date: 6/27/89

James W. Campbell  
James W. Campbell, M.D.

Date: 6-28-89

STATE OF WEST VIRGINIA

COUNTY OF Marshall, to-wit:

I, Margaret E. Buggs, a Notary Public for said county and state do hereby certify that James W. Campbell, M.D., whose name is signed above, has this day acknowledged the same before me.

Given under my hand this 28<sup>th</sup> day of June, 1989.

My commission expires March 19, 1996.

Margaret E. Buggs  
Notary Public