

**CONSENT AGREEMENT  
BETWEEN  
MARTIN DAVID SOKOLL, M.D.  
AND  
THE STATE MEDICAL BOARD OF OHIO**

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

MARTIN DAVID SOKOLL, M.D., 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.

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), Ohio Revised Code, as detailed in paragraph (D) 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 CONSENT AGREEMENT.
- C. MARTIN DAVID SOKOLL, M.D., is licensed to practice medicine and surgery in the State of Ohio.
- D. MARTIN DAVID SOKOLL, M.D., ADMITS that on or about July 18, 1994, an Order was issued by the Board of Medical Examiners of the State of Iowa (hereafter Iowa Board) pursuant to an Informal Settlement in which he agreed to be placed on probation for four (4) years subject to certain terms and conditions based upon his excessive use or abuse of

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drugs, including alcohol. (Copies of the Order and Informal Settlement are attached hereto and fully incorporated herein.)

MARTIN DAVID SOKOLL, M.D., further admits that on or about November 28, 1994, he surrendered his medical license to the West Virginia Board of Medicine (hereafter West Virginia Board), pursuant to an opportunity for surrender offered by the West Virginia Board in lieu of presentation to the West Virginia Board of information which appeared to indicate that information provided to the West Virginia Board on the West Virginia Board's renewal application form was false.

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, MARTIN DAVID SOKOLL, M.D., knowingly and voluntarily agrees with THE STATE MEDICAL BOARD OF OHIO, (hereinafter BOARD), to the following terms, conditions and limitations:

1. The certificate of DOCTOR SOKOLL to practice medicine and surgery in the State of Ohio shall be SUSPENDED for an indefinite period of time but not less than three (3) years from the effective date of this CONSENT AGREEMENT;
2. DOCTOR SOKOLL 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 SOKOLL's history of chemical dependency;
3. DOCTOR SOKOLL shall abstain completely from the use of alcohol;
4. DOCTOR SOKOLL shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio and shall fully comply with the terms and conditions of his July 18, 1994, Order and Informal Settlement with the Iowa BOARD provided that where the terms of the Order and Informal Settlement of the Iowa BOARD conflict with the terms of this CONSENT AGREEMENT, this CONSENT AGREEMENT shall control for BOARD purposes;
5. DOCTOR SOKOLL shall submit quarterly declarations under penalty of BOARD disciplinary action or criminal prosecution, stating whether there has been compliance with all the conditions of this CONSENT AGREEMENT. The first quarterly declaration must be received in the BOARD's offices on the first day of the third month following the month in which the CONSENT AGREEMENT becomes effective, provided that if the effective date is on or after the 16th day of the month, the first quarterly declaration must be received in the BOARD's offices on the first day of the fourth month following. Subsequent quarterly declarations

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must be received in the BOARD's offices on or before the first day of every third month;

6. DOCTOR SOKOLL 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 treatment or evaluation for DOCTOR SOKOLL's chemical dependency or related conditions, or for purposes of complying with the 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. DOCTOR SOKOLL further agrees to provide the BOARD written consent permitting any treatment provider from whom he obtains treatment to notify the BOARD in the event he fails to agree to or comply with any treatment contract or aftercare contract. Failure to provide such consent, or revocation of such consent, shall constitute a violation of this CONSENT AGREEMENT;
7. DOCTOR SOKOLL agrees to notify the BOARD in writing of any intent to practice medicine or reside in Ohio, to submit to an evaluation by an approved treatment provider at that time, if so requested by this BOARD, and to refrain from commencing practice in Ohio without prior BOARD approval;
8. The BOARD shall not consider restoration of DOCTOR SOKOLL's certificate to practice medicine and surgery unless and until all of the following conditions are met:
  - a. DOCTOR SOKOLL shall submit documentation to the BOARD's satisfaction that he has fulfilled all requirements of the Iowa BOARD Order and his license is fully restored in that state;
  - b. DOCTOR SOKOLL shall submit an application for restoration, accompanied by appropriate fees, if any;
  - c. DOCTOR SOKOLL 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. Certification from a treatment provider approved under Section 4731.25 of the Revised Code that DOCTOR

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SOKOLL has successfully completed any required inpatient treatment;

- ii. Evidence of continuing full compliance with an aftercare contract or CONSENT AGREEMENT; and,
  - iii. Two written reports indicating that DOCTOR SOKOLL'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 individuals or providers approved by the BOARD for making such assessments and shall describe the basis for this determination.
- d. DOCTOR SOKOLL shall enter into a written CONSENT AGREEMENT including probationary terms, conditions and limitations as determined by the BOARD or, if the BOARD and DOCTOR SOKOLL are unable to agree on the terms of a written CONSENT AGREEMENT, then DOCTOR SOKOLL 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. Said CONSENT AGREEMENT, including probationary terms, conditions and limitations, shall remain in force for a minimum of two (2) years prior to any request for termination of said CONSENT AGREEMENT;

Further, upon restoration of DOCTOR SOKOLL's certificate to practice medicine and surgery in this state, the BOARD shall require continued monitoring which shall include, but not be limited to, compliance with the written CONSENT AGREEMENT entered into before reinstatement or with conditions imposed by BOARD Order after a hearing conducted pursuant to Chapter 119. of the Revised Code and, upon termination of the CONSENT AGREEMENT or BOARD Order, submission to the BOARD for at least two years of annual progress reports made under penalty of BOARD disciplinary action or criminal prosecution stating whether DOCTOR SOKOLL has maintained sobriety.

9. In the event that DOCTOR SOKOLL has not been engaged in the active practice of medicine and surgery for a period in excess of two years prior to application for restoration, the BOARD may exercise its discretion under Section 4731.222, Ohio Revised Code, to require additional evidence of DOCTOR SOKOLL's fitness to resume practice.

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10. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR SOKOLL shall provide a copy of this CONSENT AGREEMENT to all employers or entities with which he is under contract to provide physician services or is receiving training; and the Chief of Staff at each hospital where he has privileges or appointments. Further, DOCTOR SOKOLL shall provide a copy of this CONSENT AGREEMENT to all employers or entities with which he contracts to provide physician services, or applies for or receives training, and the chief of staff at each hospital where he applies for or obtains privileges or appointments; and,
11. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR SOKOLL 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 a license to practice. DOCTOR SOKOLL 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 licensure or reinstatement of licensure. Further, DOCTOR SOKOLL shall provide this BOARD with a copy of the return receipt as proof of notification within thirty (30) days of receiving that return receipt.

This CONSENT AGREEMENT shall remain in force for a minimum of two (2) years prior to any request for termination of said CONSENT AGREEMENT. Otherwise, the above described terms, conditions and limitations may be amended or terminated in writing at any time upon the CONSENT AGREEMENT of both parties.

If, in the discretion of the Secretary and Supervising Member of the BOARD, DOCTOR SOKOLL appears to have violated or breached any term or condition of this CONSENT AGREEMENT, or any term or condition of the Iowa BOARD's Order and Informal Settlement, 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.

If the Secretary and Supervising Member of the BOARD determine that there is clear and convincing evidence that DOCTOR SOKOLL has violated any term, condition, or limitation of this CONSENT AGREEMENT or the Iowa BOARD Order and Informal Settlement, DOCTOR SOKOLL agrees that the violation, as alleged, also constitutes clear and convincing evidence that his continued practice presents a danger of immediate and serious harm to the public for purposes of initiating a summary suspension pursuant to Section 4731.22 (D), Ohio Revised Code.

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DOCTOR SOKOLL 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 or the Iowa BOARD's Order and Informal Settlement shall comply with the Administrative Procedure Act, Chapter 119., Ohio Revised Code.

DOCTOR SOKOLL 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. 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 that it shall become effective upon the last date of signature below.

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

Martin David Sokoll, M.D.  
MARTIN DAVID SOKOLL, M.D.

Thomas E. Gretter, M.D.  
THOMAS E. GRETTER, M.D.  
Secretary

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9 Sept 1996  
DATE

10/9/96  
DATE

Patricia C. Kamat  
Attorney for Dr. Sokoll

Raymond J. Albert  
RAYMOND J. ALBERT  
Supervising Member

September 26, 1996  
DATE

10/5/96  
DATE

Anne C. Strait, Esq.  
ANNE C. STRAIT, ESQ.  
Assistant Attorney General

10/9/96  
DATE