

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF :
:
ROBERT VANCOURT REINHOLD, M.D. :

ENTRY OF ORDER

On September 5, 2008, Robert Vancourt Reinhold, 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. 35-044601 authorizing Robert Vancourt Reinhold, M.D., to practice medicine and surgery in the state of Ohio be permanently REVOKED, effective September 10, 2008.

This Order is hereby entered upon the Journal of the State Medical Board of Ohio for the 10th day of September 2008, and the original thereof shall be kept with said Journal.



Lance A. Talmage, M.D.
Secretary

(SEAL)

September 10, 2008

Date

STATE OF OHIO STATE MEDICAL BOARD
THE STATE MEDICAL BOARD
SURRENDER OF CERTIFICATE
TO PRACTICE MEDICINE AND SURGERY A 10: 22

I, Robert Vancourt Reinhold, 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, Robert Vancourt Reinhold, M.D., do hereby voluntarily, knowingly, and intelligently surrender my certificate to practice medicine and surgery, License No. 35.044601, to the State Medical Board of Ohio [Board], thereby relinquishing all rights to practice medicine and surgery in Ohio. I acknowledge that I have not been permitted to practice medicine and surgery in the State of Ohio since November 15, 2007, the date upon which the Board indefinitely suspended my license to practice pursuant to the Consent Agreement between Robert Vancourt Reinhold, M.D., and The State Medical Board of Ohio, and understand that as a result of the surrender herein I will not be permitted to practice medicine and surgery in any form or manner in 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 No. 35.044601, 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 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 No. 35.044601, 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, Robert Vancourt Reinhold, 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.

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, Robert Vancourt Reinhold, 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.

Surrender of Certificate
Robert Vancourt Reinhold, M.D.

STATE MEDICAL BOARD
SEP 18 2008

I stipulate and agree that I am taking the action described herein in lieu of formal disciplinary proceedings pursuant to Section 4731.22 (E)(9) of the Ohio Revised Code, based upon my recent guilty plea in the United States District Court, Southern District of Ohio, Western Division, for Receipt of Child Pornography, in violation of Title 18, United States Code, Section 2252(a)(2).

EFFECTIVE DATE

It is expressly understood that this 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. Further, the aforementioned November 15, 2007 Consent Agreement shall be terminated upon this Surrender of Certificate becoming effective.



ROBERT VANCOURT REINHOLD, M.D.



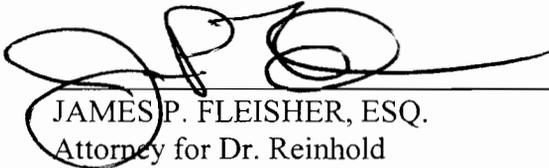
LANCE A. TALMAGE, M.D.
Secretary

9/15/08

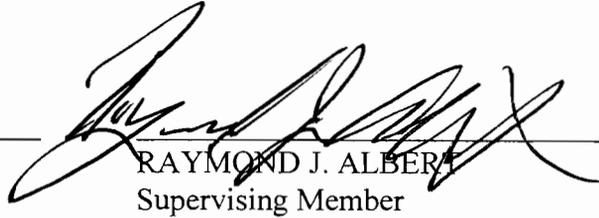
DATE

9-10-08

DATE



JAMES P. FLEISHER, ESQ.
Attorney for Dr. Reinhold



RAYMOND J. ALBERT
Supervising Member

9/15/08

DATE

9/10/08

DATE



DANIEL S. ZINSMASER, ESQ.
Enforcement Attorney

9/8/2008

DATE

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**CONSENT AGREEMENT
BETWEEN
ROBERT VANCOURT REINHOLD, M.D.,
AND
THE STATE MEDICAL BOARD OF OHIO**

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

Dr. Reinhold 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)(34), 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 “[f]ailure to cooperate in an investigation conducted by the board under division (F) of this section, including failure to comply with a subpoena or order issued by the board or failure to answer truthfully a question presented by the board at a deposition or in written interrogatories, except that failure to cooperate with an investigation shall not constitute grounds for discipline under this section if a court of competent jurisdiction has issued an order that either quashes a subpoena or permits the individual to withhold the testimony or evidence in issue.”
- B. The Board enters into this Consent Agreement in lieu of formal proceedings based upon the violation of Section 4731.22(B)(34), Ohio Revised Code, as set forth in Paragraph E below. The Board 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. Dr. Reinhold expressly states and specifically acknowledges he understands that the Board intends to pursue by separate action any and all violations of Chapter 4731. of the Revised Code, whether occurring before or after the effective date of this Consent Agreement, including but not limited to, Sections 4731.22(B)(9) and/or 4731.22(B)(10), Ohio Revised Code, even if such violations arise from the same common nucleus of operative fact as outlined within this Consent Agreement. Dr. Reinhold further expressly states and specifically acknowledges he understands that subsequent Board Orders may supersede this Consent

Agreement and may result in further discipline, up to and including permanent revocation of his license to practice medicine in the State of Ohio.

- C. Dr. Reinhold is licensed to practice medicine and surgery in the State of Ohio, License # 35.044601.
- D. Dr. Reinhold states that he is not licensed to practice medicine and surgery in any other state or jurisdiction.
- E. Dr. Reinhold admits that on or about October 24, 2007, Agents from the Department of Homeland Security, Immigration and Customs Enforcement, executed a federal search warrant at the residence of Dr. Reinhold. Further, Dr. Reinhold admits that on or about October 24, 2007, he was charged in the United States District Court, Southern District of Ohio, Western Division, with Possession of Child Pornography, in violation of 18 U.S.C. §2252(a)(4)(B), which provides for punishment of any person who knowingly possesses one or more books, magazines, periodicals, films, video tapes, or other matter which contains any visual depiction that has been mailed, or has been shipped or transported in interstate or foreign commerce, or which was produced using materials which have been mailed or so shipped or transported, by any means including by computer, if (1) the producing of such visual depiction involves the use of a minor engaging in sexually explicit conduct; and (2) such visual depiction is of such conduct.

Dr. Reinhold further admits that on or about October 29, 2007, he was granted release from federal custody subject to certain conditions, including, *inter alia*, that he remain under home confinement with electronic monitoring of said confinement; that he avoid all contact with any individuals who are considered either alleged victims and/or any potential witnesses; that he not associate or have any contact, directly or indirectly, with any children under the age of 18; and that he comply with any directives issued by the State Medical Board of Ohio as it pertains to his medical license.

Dr. Reinhold further stipulates that he last actively practiced medicine and surgery on or about October 24, 2007.

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. Reinhold knowingly and voluntarily agrees with the Board to the following terms, conditions and limitations:

SUSPENSION OF CERTIFICATE

- 1. The certificate of Dr. Reinhold to practice medicine and surgery in the State of Ohio shall be **SUSPENDED** for an indefinite period of time.

2. Dr. Reinhold shall obey all federal, state, and local laws, and all rules governing the practice of medicine and surgery in the State of Ohio. Further, Dr. Reinhold shall comply with all requirements of any Order in Case No.3:07-mj-00252-SLO.

RELEASES; QUARTERLY DECLARATIONS AND APPEARANCES

3. Dr. Reinhold 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 any type of treatment or evaluation for Dr. Reinhold, whether such treatment or evaluation occurred before or after the effective date of this Consent Agreement. To the extent provided by law, 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. Dr. Reinhold further agrees to provide the Board written consent permitting any provider from whom he obtains any type of treatment or evaluation to notify the Board in the event he fails to agree to or comply with any treatment contract or treatment plan. Failure to provide such consent, or revocation of such consent, shall constitute a violation of this Consent Agreement.
4. Dr. Reinhold shall submit quarterly declarations under penalty of Board disciplinary action and/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 this Consent Agreement becomes effective, provided that if the effective date is on or after the sixteenth 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 must be received in the Board's offices on or before the first day of every third month.
5. Dr. Reinhold shall appear in person for an interview before the full Board or its designated representative as requested by the Board, and subsequent personal appearances must occur thereafter as requested by the Board, except that Dr. Reinhold and the Board agree that Dr. Reinhold shall not be required to appear before the Board until the proceedings in Case No.3:07-mj-00252-SLO, and any continued proceedings in the United States District Court, Southern District of Ohio, Western Division, are concluded.

CONDITIONS FOR REINSTATEMENT

6. The Board shall not consider reinstatement of Dr. Reinhold's certificate to practice medicine and surgery until all of the following conditions are met:
 - a. Dr. Reinhold shall submit an application for reinstatement, accompanied by appropriate fees, if any.

- b. Dr. Reinhold 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 not be limited to the following:
 - i. Evidence of continuing full compliance with this Consent Agreement.
 - ii. Dr. Reinhold shall fully cooperate in providing the Board with any and all information requested by the Board, including but not limited to specific factual information related to Dr. Reinhold's alleged possession of materials depicting the use of a minor engaging in sexually explicit conduct.
 - iii. A written report indicating that Dr. Reinhold'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 report shall be made by a physician from the Center for Marital & Sexual Health, or another physician evaluator knowledgeable in the area of psychiatry and human sexuality who has been approved in advance by the Board, who shall conduct a comprehensive psychiatric and sexual assessment of Dr. Reinhold. Prior to the assessment, Dr. Reinhold shall provide the evaluator with a copy of this Consent Agreement, and with copies of any and all records, including but not limited to patient records, related to any and all psychiatric, psychological, and/or sexual evaluations or treatment that he has received, whether such evaluations or treatment occurred before or after the effective date of this Consent Agreement. The report from the evaluator shall include the evaluator's diagnoses and conclusions; any recommendations for care, counseling, and treatment for the diagnoses; any conditions, restrictions, or limitations that should be imposed on Dr. Reinhold's practice; and the basis for the evaluator's determinations.

All reports required pursuant to this paragraph shall be based upon examinations occurring within the three months immediately preceding any application for reinstatement.

- c. All pending criminal charges described in Paragraph E above have been fully, finally, and completely resolved, including all appeals, if any.
- d. The Board's investigation concerning Dr. Reinhold has been fully, finally, and completely resolved through one of the following two alternatives:
 - i. The Board ratifies a subsequent written Consent Agreement setting forth specified terms, conditions and limitations as determined appropriate by the

Board in the future. Further, if the Board and Dr. Reinhold are unable to agree upon the future terms of a subsequent written Consent Agreement, then Dr. Reinhold 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.

- ii. The Board issues a final Board Order following issuance to Dr. Reinhold of a Notice of Opportunity for Hearing, for which Dr. Reinhold shall be entitled to a hearing pursuant to Chapter 119. of the Ohio Revised Code.
7. In the event that Dr. Reinhold 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, the Board may exercise its discretion under Section 4731.222, Ohio Revised Code, to require additional evidence of Dr. Reinhold's fitness to resume practice.

REQUIRED REPORTING BY LICENSEE

8. Within thirty days of the effective date of this Consent Agreement, Dr. Reinhold 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. Reinhold 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.
9. Within thirty days of the effective date of this Consent Agreement, Dr. Reinhold 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. Reinhold 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. Reinhold shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.
10. Dr. Reinhold shall provide a copy of this Consent Agreement by certified mail, return receipt requested, to any person or entity that provides evaluation, treatment, or monitoring of him related to the criminal matter described herein prior to commencing such evaluation, treatment, or monitoring. Further, Dr. Reinhold shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.

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. Reinhold 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. Reinhold 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. Reinhold 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. Further, this information may be reported to appropriate organizations, data banks and governmental bodies. Dr. Reinhold acknowledges that his social security number will be used if this information is so reported and agrees to provide his social security number to the Board for such purposes.

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.

ROBERT VANCOURT REINHOLD, M.D.

LANCE A. TALMAGE, M.D.
Secretary

DATE

DATE



ROBERT VANCOURT REINHOLD, M.D.



LANCE A. TALMAGE, M.D.
Secretary

11/6/07

DATE

11-14-07

DATE



JAMES P. FLEISHER, ESQ.
Attorney for Dr. Reinhold



RAYMOND J. ALBERT
Supervising Member

11/8/07

DATE

11/15/07

DATE



DANIEL S. ZINSMASER, ESQ.
Enforcement Attorney

11-13-2007

DATE