

Missing 2/6/87

pre-hearing suspension

STATE OF OHIO
THE STATE MEDICAL BOARD OF OHIO
65 SOUTH FRONT STREET
SUITE 510
COLUMBUS, OHIO 43266-0315

August 13, 1987

Jeffrey T. Martin, M.D.
45 1/2 Duncan Street
Columbus, Ohio 43202

Dear Doctor Martin:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of Carol Rolfes, Hearing Member, State Medical Board; a certified copy of the Motions by the State Medical Board, meeting in regular session on August 12, 1987, approving and confirming said Report and Recommendation as the Findings and Order of the State Medical Board.

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.

THE STATE MEDICAL BOARD OF OHIO



Henry G. Cramblett, M.D.
Secretary

HGC:em
Enclosures

CERTIFIED MAIL NO. P 026 072 785
RETURN RECEIPT REQUESTED

cc: Michael L. Close, Esq.

CERTIFIED MAIL NO. P 026 072 786
RETURN RECEIPT REQUESTED

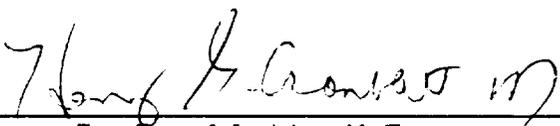
STATE MEDICAL BOARD OF OHIO

CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; attached copy of the Report and Recommendation of Carol Rolfes, Hearing Member, State Medical Board of Ohio; attached copy of the Motion by the State Medical Board, meeting in regular session on August 12, 1987, approving and confirming said Report and Recommendation as the Findings and Order of the State Medical Board, constitutes a true and complete copy of the Findings and Order of the State Medical Board in the matter of Jeffrey T. Martin, 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 and in its behalf.

(SEAL)



Henry G. Cramblett, M.D.
Secretary

8/13/87

Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF *

*

JEFFREY T. MARTIN, M.D. *

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio the 12th day of August, 1987.

Upon the Report and Recommendation of Carol Rolfes, Hearing Member, State Medical Board, in this matter designated pursuant to R.C. 4731.23, a true copy of which is attached hereto and incorporated herein, which Report and Recommendation was approved and confirmed by vote of the Board on the above date, the following Order is hereby entered on the Journal of the State Medical Board for the 12th day of August, 1987.

It is hereby ORDERED:

1. That the license of Jeffrey T. Martin, M.D., to practice medicine and surgery in the State of Ohio be REVOKED. Such revocation is stayed, and Dr. Martin's license is hereby INDEFINITELY SUSPENDED.
2. Further, that Dr. Martin shall immediately surrender his United States Drug Enforcement Administration Certificate, and shall not prescribe, dispense, or administer controlled substances.
3. Further, that the State Medical Board of Ohio shall not consider reinstatement of Dr. Martin's medical license unless and until all the following minimum requirements are met:
 - a. Dr. Martin shall submit an application for reinstatement accompanied by appropriate fees.
 - b. Dr. Martin shall not make such application for at least six (6) months from the effective date of this Order.

- c. Dr. Martin shall provide the Board with a psychiatric evaluation from a physician acceptable to the Board verifying that he is no longer drug dependent and that he is able to practice medicine according to acceptable and prevailing standards of care.
 - d. Dr. Martin shall furnish evidence in a form satisfactory to the Board of his current compliance with all conditions of his aftercare program through Riverside Methodist Hospital.
4. Further, that upon reinstatement, the medical license of Jeffrey T. Martin, M.D., shall be subject to the following probationary terms, conditions, and limitations for a period of five (5) years:
- a. Dr. Martin shall obey all federal, state, and local laws, and all rules governing the practice of medicine in Ohio.
 - b. Dr. Martin shall submit quarterly declarations under penalty of perjury stating whether there has been compliance with all the conditions of probation.
 - c. Dr. Martin shall appear in person for interviews before the full Board or its designated representative at three (3) month intervals, or as otherwise requested by the Board.
 - d. Within 30 days of the effective date of reinstatement, Dr. Martin shall submit to the Board for its prior approval the name and qualifications of a psychiatrist of his choice. Upon approval of such treating psychiatrist, Dr. Martin shall undergo treatment a minimum of once per month, or as otherwise directed by the Board, and shall continue such treatment until such time as the Board deems that no further treatment is necessary. To make this determination, the Board shall require quarterly reports from the treating psychiatrist.

- e. Dr. Martin shall be ineligible to reapply for or to hold registration with the United States Drug Enforcement Administration, and shall not prescribe, dispense, or administer controlled substance without prior Board approval. He shall not seek the Board's approval for reinstatement of his DEA registration or prescribing privileges for a minimum period of two (2) years from the effective date of the reinstatement of his medical license.
- f. Dr. Martin shall continue with and shall complete his present aftercare program through Riverside Methodist Hospital. Dr. Martin shall provide the Board a written statement from a physician associated with the Riverside program signifying said physician's willingness to notify this Board of any noncompliance on the part of Dr. Martin, of any modification of the aftercare agreement, and/or of Dr. Martin's satisfactory completion of and release from the program.
- g. Upon release from his aftercare program, Dr. Martin shall maintain participation in an alcohol and drug rehabilitation program, such as AA, NA, or Caduceus, acceptable to the Board, no less than three (3) times per week. In his quarterly reports to the Board, Dr. Martin shall provide documentary evidence of his continuing compliance with this program.
- h. Dr. Martin shall abstain completely from the personal use or possession of drugs except those available for purchase over the counter or those prescribed, administered, or dispensed to Dr. Martin by another so authorized by law.
- i. Dr. Martin shall abstain completely from the use of alcohol.
- j. Dr. Martin shall submit urine specimens for random screenings for drugs on a weekly basis, or as otherwise directed by the Board. Dr. Martin shall ensure that all screening reports are forwarded directly to the Board on a monthly basis.

Within thirty days of the effective date of the reinstatement of his medical license, Dr. Martin shall submit to the Board for its prior approval the name of the supervising physician. Dr. Martin shall submit the required urine specimens to the supervising physician approved by the Board. The supervising physician shall ensure that the urine specimens are obtained on a random basis, that the giving of the specimen is witnessed by a reliable person, and that appropriate control over the specimen is maintained. In the event that the designated supervising physician becomes unable or unwilling to so serve, Dr. Martin must immediately notify the Board in writing, and make arrangements acceptable to the Board for another supervising physician as soon as practicable.

- k. Dr. Martin shall submit blood or urine specimens for analysis without prior notice at such times as the Board may request.
- l. Dr. Martin shall not engage in the solo practice of medicine without prior written approval by the Board. Prior to resuming the practice of medicine or surgery in Ohio, Dr. Martin shall submit to the Board and receive its approval for a plan of practice limited to a supervised structured environment in which his activities will be overseen and supervised by another physician approved by the Board.
- m. In the event that Dr. Martin should leave Ohio for three (3) continuous months, or reside or practice outside the State, Dr. Martin must notify the State Medical Board in writing of the dates of departure and return. Periods of time spent outside of Ohio will not apply to the reduction of this probationary period.
- n. If Dr. Martin violates probation in any respect, the Board, after giving Dr. Martin notice and opportunity to be heard, may set aside the stay order and impose the revocation of his certificate.

Page 5

- o. Upon successful completion of probation, Dr. Martin's certificate will be fully restored.

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

(SEAL)



Henry G. Crumblett, M.D.
Secretary

8/13/87
Date

STATE OF OHIO
THE STATE MEDICAL BOARD

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MEDICAL BOARD

REPORT AND RECOMMENDATION
IN THE MATTER OF JEFFREY T. MARTIN, M.D.

The Matter of Jeffrey T. Martin, M.D., came on for hearing before me, Carol Rolfes, Member of the State Medical Board of Ohio, on March 10, 1987.

INTRODUCTION AND SUMMARY OF EVIDENCE

I. Mode of Conduct

- A. During the course of this hearing, rules of evidence were relaxed and both the State and the Respondent were given great latitude in demonstrating the relevancy and materiality of testimony and exhibits offered, as well as in attempting to discredit testimony and evidence presented by the opposing party.

II. Basis for Hearing

- A. By letter of August 14, 1986 (State's Exhibit #1), the State Medical Board notified Jeffrey T. Martin, M.D., that it proposed to take disciplinary action against his license to practice medicine and surgery in the State of Ohio. In connection with his admissions concerning Percocet abuse during a meeting with staff members of the State Medical Board, as well as his termination of an evaluation at Shepherd Hill, Dr. Martin was alleged to be unable "to practice according to acceptable and prevailing standards of care by reason of illness, excessive use of alcohol, excessive use of controlled substances, drugs, or chemicals, or as a result of mental or physical condition," as that clause is used in Section 4731.22(B)(15), Ohio Revised Code.
- B. By letter of December 4, 1986 (State's Exhibit #7), the State Medical Board amended its August 14, 1986, citation. The amended citation additionally alleged that the revocation of Dr. Martin's North Carolina medical license constituted "the revocation or suspension by another state of a license or certificate to practice issued by the proper licensing authority of that state for an action that would also have been a violation of this chapter except for nonpayment of fees", as that clause is used in Section 4731.22(B)(18), Ohio Revised Code.

- C. By letter received by the State Medical Board on September 11, 1986, Attorney Michael Close requested a hearing on behalf of Dr. Martin (State's Exhibit #2).
- D. By letter received by the State Medical Board on December 11, 1986, Attorney Close requested a hearing in connection with the December 4, 1986, amended citation on behalf of Dr. Martin (State's Exhibit #8).

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'87 JUN 25 P2 III. Appearance of Counsel

- A. On behalf of the State of Ohio: Anthony J. Celebrezze, Attorney General, by Christopher M. Culley, Assistant Attorney General.
- B. On behalf of the Respondent: Michael L. Close, Esq.

IV. Testimony Heard

- A. Presented by the State
 - 1. Jeffrey T. Martin, M.D., as on cross-examination
 - 2. Tom Hartwell Pepper, M.D., Medical Director, Drug and Alcohol Program, Riverside Methodist Hospital, Columbus
- B. Presented by the Respondent
 - 1. Jeffrey T. Martin, M.D.

V. Exhibits Examined

In addition to those noted above, the following exhibits were admitted into evidence in this matter:

- A. Presented by the State:
 - 1. State's Exhibit #3: September 10, 1986, letter to Michael L. Close, Esq., from the State Medical Board advising that a date for hearing originally set for September 19, 1986, was postponed pursuant to Section 119.09, Ohio Revised Code.
 - 2. State's Exhibit #4: December 8, 1986, letter to Michael L. Close, Esq., from the State Medical Board setting a date for hearing of January 13, 1987.

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3. State's Exhibit #5: January 6, 1987, Motion by Attorney Close for continuance of the January 13, 1987, hearing and for consolidation of the hearings on the August 14 and December 4, 1986, citations.
4. State's Exhibit #6: State's January 9, 1987, Memorandum in Response to Dr. Martin's Motion for Continuance.
5. State's Exhibit #7A: North Carolina Medical Board's June 6, 1986, Notice of Charges and Allegations and September 22, 1986, Findings of Fact, Conclusions of Law, and Order with reference to Dr. Martin.
6. State's Exhibit #9: December 17, 1986, letter to Michael L. Close, Esq., from the State Medical Board advising that a hearing originally set for December 23, 1986, was postponed pursuant to Section 119.09, Ohio Revised Code.
7. State's Exhibit #10: January 9, 1987, Order of this Hearing Member granting Respondent's motions for continuance and consolidation.
8. State's Exhibit #11: January 29, 1987, letter to Michael L. Close, Esq., from the State Medical Board advising that the consolidated hearing was scheduled for February 10, 1987.
9. State's Exhibits #12 and #12A: January 29, 1987, Letter from Attorney Close to the State Medical Board enclosing a Motion for Continuance of the February 10, 1987, hearing.
10. State's Exhibit #13: February 6, 1987, Interim Agreement of the Parties for Suspension of License signed by Dr. Martin and Attorney Close. By the terms of this agreement, Dr. Martin surrendered his Ohio medical license and his DEA certificate for a period of 150 days.
11. State's Exhibit #14: February 9, 1987, letter to Michael Close, Esq., from the State Medical Board advising that Dr. Martin's hearing had been re-scheduled for March 10, 1987.
12. State's Exhibit #15: November 25, 1986, letter to Jeffrey T. Martin, M.D., from the State Medical Board ordering him to submit to mental and physical examinations at Shepherd Hill Hospital on December 8, 1986, pursuant to Section 4731.22(B)(15), Ohio Revised Code.

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13. State's Exhibit #16: December 8, 1986, letter to the State Medical Board from Attorney Close advising that Dr. Martin had not received notice of the examination at Shepherd Hill in time and requesting that evaluation be done elsewhere.
14. State's Exhibit #17: December 9, 1986, letter to the State Medical Board from William J. Kennedy, M.D., Shepherd Hill, stating that Dr. Martin had failed to appear for the December 8, 1986, evaluation.
15. State's Exhibit #18: January 7, 1987, letter to Jeffrey T. Martin, M.D., from the State Medical Board ordering him to submit to mental and physical examinations at the Alcohol and Drug Dependency Unit, Wesley Health Center, Riverside Methodist Hospital, on January 12, 1987.
16. State's Exhibit #19: January 22, 1987, interim report to the State Medical Board from Riverside Methodist Hospital concerning Dr. Martin.
17. State's Exhibit #20: February 3, 1987, letter to the State Medical Board from Riverside Methodist Hospital stating February 16, 1987, as the projected discharge date for Dr. Martin.
18. State's Exhibit #21: August 22, 1986, Intake Evaluation Report of Carol Manchester, Ph.D., with reference to Dr. Martin.
19. State's Exhibit #22: Discharge Summary of Dr. Tom H. Pepper, Riverside Methodist Hospital, concerning Dr. Martin's January 12 to February 16, 1987, confinement.

FINDINGS OF FACT

1. By his own admission, Jeffrey T. Martin, M.D., is an addict. Dr. Martin began writing prescriptions for medications in his wife's name for his own use in the fall of 1984, while residing and practicing in North Carolina. Initially, these prescriptions were for Tylenol #3, a Schedule III controlled substance, in amounts increasing to approximately 30 tablets every five days by December, 1984. Around January, 1985, Dr. Martin began writing prescriptions for Percocet, a Schedule II controlled substance, in the names of his wife and friends for his own use in amounts progressively increasing to approximately 30 tablets every five days by March or April, 1986.

Dr. Martin was confronted in April, 1986, by an FBI agent and an investigator from the North Carolina State Medical Board concerning the number of prescriptions for controlled substances that he was writing for his wife. Dr. Martin claimed to have temporarily discontinued his consumption of controlled substances following this encounter.

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In May, 1986, Dr. Martin moved to Ohio. In June, 1986, shortly after formal disciplinary action was initiated against his North Carolina license, Dr. Martin contacted the State Medical Board of Ohio for the purpose of disclosing his Percocet abuse. At this Board's suggestion, Dr. Martin started attending AA meetings, but quit after approximately three meetings. He also admitted himself to Shepherd Hill on August 4, 1986, but discharged himself the following day against medical advice. Although, at the Board's insistence, Dr. Martin initiated treatment with Dr. Carol Manchester in late August, 1986, he failed to comply with Dr. Manchester's recommendation for inpatient treatment at Brookwood Center or its equivalent. In the fall of 1986, Dr. Martin began using Tylenol #3 and benzodiazepines, with dosages escalating progressively. At one point, he was taking 10 to 15 Tylenol #3 tablets in a single dose each day and 40 to 60 mg. of Centrax at bedtime. In late fall, 1986, he resumed sporadic Percocet use.

These facts are established by the testimony of Dr. Martin (Tr. at 24-55, 58) and by State's Exhibits #16 and #21.

2. On September 22, 1986, Dr. Martin's North Carolina medical license was revoked due to his issuing prescriptions to himself, his wife, and other individuals for controlled substances for his own use and without any medical need or reason therefore. Dr. Martin did not request a hearing in connection with the North Carolina charges and allegations.

These facts are established by State's Exhibit #7A.

3. On January 12, 1987, Dr. Martin entered the drug and alcohol program at Riverside Methodist Hospital, Columbus, where he remained as an in-patient until February 16, 1987. He was treated for both drug dependency and alcohol abuse. Subsequent to his discharge from Riverside's inpatient program, Dr. Martin commenced participation in an aftercare program consisting of group therapy once a week, AA meetings daily or more often, and the taking of Antabuse and Trexan. As of the time of this hearing, Dr. Martin was complying with all aspects of his aftercare program.

These facts are established by the testimony of Dr. Martin (Tr. at 56-60); the testimony of Dr. Tom H. Pepper (Tr. at 61-68, 77); and State's Exhibits #12, #13, #19, #20, and #22.

4. Dr. Martin has access to an AA sponsor, a counselor, and the Medical Director of the Riverside program as needed. Dr. Martin's wife has participated in appropriate aspects of his treatment and aftercare programs and attends Alanon meetings.

These facts are established by the testimony of Dr. Martin (Tr. at 58-59, 88) and the testimony of Dr. Tom H. Pepper (Tr. at 72, 79-82).

5. Dr. Martin indicated at hearing that he was seeking non-medical employment for the short term because he is still recovering, but that he would like to have the option of resuming the practice of medicine once he feels confident of his judgment, possibly within a year.

These facts are established by the testimony of Dr. Martin (Tr. at 90-91).

CONCLUSIONS

At hearing, Dr. Martin admitted the truth of the Board's August 14, and December 4, 1986, allegations but sought to demonstrate that constructive steps had been taken to remedy his problems. The above Findings of Fact are based primarily upon Dr. Martin's candid testimony concerning his addiction and recent treatment for both drug dependency and alcohol abuse.

Accordingly, I find that the acts, conduct, or omissions of Jeffrey T. Martin, M.D., as set forth in Findings of Fact #1 and #5, above, constitute the "inability to practice according to acceptable and prevailing standards of care by reason of illness, excessive use of alcohol, excessive use of controlled substances, drugs, or chemicals, or as a result of mental or physical condition," as that clause is used in Section 4731.22(B)(15), Ohio Revised Code.

I further find that the actions set forth in Finding of Fact #2, above, constitute "the revocation or suspension by another state of a license or certificate to practice issued by the proper licensing authority of that state for an action that would also have been a violation of this chapter except for nonpayment of fees," as that clause is used in Section 4731.22(B)(18), Ohio Revised Code.

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It is the Board's stated policy that impairment shall not excuse acts which result in conviction or which might have an adverse impact on other individuals. In this case, there is no significant evidence indicating that Dr. Martin's conduct had a direct adverse impact on anyone other than himself. While Dr. Martin's admitted writing of illegal prescriptions to obtain drugs for his own non-therapeutic use could result in future convictions and cannot be condoned, it should be noted that this conduct was directly related to his impairment. Dr. Martin's subsequent treatment for drug dependency and alcohol abuse and his current compliance with his aftercare program are mitigating factors. Nevertheless, Dr. Martin must demonstrate his ability to maintain his sobriety. If and when Dr. Martin is permitted to resume the practice of medicine, careful monitoring over a long period of time should be required.

PROPOSED ORDER

It is hereby ORDERED:

1. That the license of Jeffrey T. Martin, M.D., to practice medicine and surgery in the State of Ohio be revoked. Such revocation is stayed, and Dr. Martin's license is hereby indefinitely suspended.
2. Further, that Dr. Martin shall immediately surrender his United States Drug Enforcement Administration Certificate, and shall not prescribe, dispense, or administer controlled substances.
3. Further, that the State Medical Board of Ohio shall not consider reinstatement of Dr. Martin's medical license unless and until all the following minimum requirements are met:
 - a. Dr. Martin shall submit an application for reinstatement accompanied by appropriate fees.
 - b. Dr. Martin shall not make such application for at least six (6) months from the effective date of this Order.
 - c. Dr. Martin shall provide the Board with a psychiatric evaluation from a physician acceptable to the Board verifying that he is no longer drug dependent and that he is able to practice medicine according to acceptable and prevailing standards of care.

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MEDICAL BOARD

- d. Dr. Martin shall furnish evidence in a form satisfactory to the Board of his current compliance with all conditions of his aftercare program through Riverside Methodist Hospital.
4. Further, that upon reinstatement, the medical license of Jeffrey T. Martin, M.D., shall be subject to the following probationary terms, conditions, and limitations for a period of five (5) years:
 - a. Dr. Martin shall obey all federal, state, and local laws, and all rules governing the practice of medicine in Ohio.
 - b. Dr. Martin shall submit quarterly declarations under penalty of perjury stating whether there has been compliance with all the conditions of probation.
 - c. Dr. Martin shall appear in person for interviews before the full Board or its designated representative at three (3) month intervals, or as otherwise requested by the Board.
 - d. Within 30 days of the effective date of reinstatement, Dr. Martin shall submit to the Board for its prior approval the name and qualifications of a psychiatrist of his choice. Upon approval of such treating psychiatrist, Dr. Martin shall undergo treatment a minimum of once per month, or as otherwise directed by the Board, and shall continue such treatment until such time as the Board deems that no further treatment is necessary. To make this determination, the Board shall require quarterly reports from the treating psychiatrist.
 - e. Dr. Martin shall be ineligible to reapply for or to hold registration with the United States Drug Enforcement Administration, and shall not prescribe, dispense, or administer controlled substance without prior Board approval. He shall not seek the Board's approval for reinstatement of his DEA registration or prescribing privileges for a minimum period of two (2) years from the effective date of the reinstatement of his medical license.

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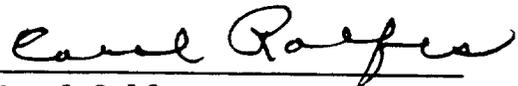
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- f. Dr. Martin shall continue with and shall complete his present aftercare program through Riverside Methodist Hospital. Dr. Martin shall provide the Board a written statement from a physician associated with the Riverside program signifying said physician's willingness to notify this Board of any noncompliance on the part of Dr. Martin, of any modification of the aftercare agreement, and/or of Dr. Martin's satisfactory completion of and release from the program.
- g. Upon release from his aftercare program, Dr. Martin shall maintain participation in an alcohol and drug rehabilitation program, such as AA, NA, or Caduceus, acceptable to the Board, no less than three (3) times per week. In his quarterly reports to the Board, Dr. Martin shall provide documentary evidence of his continuing compliance with this program.
- h. Dr. Martin shall abstain completely from the personal use or possession of drugs except those available for purchase over the counter or those prescribed, administered, or dispensed to Dr. Martin by another so authorized by law.
- i. Dr. Martin shall abstain completely from the use of alcohol.
- j. Dr. Martin shall submit urine specimens for random screenings for drugs on a weekly basis, or as otherwise directed by the Board. Dr. Martin shall ensure that all screening reports are forwarded directly to the Board on a monthly basis. Within 30 days of the effective date of the reinstatement of his medical license, Dr. Martin shall submit to the Board for its prior approval the name of a supervising physician. Dr. Martin shall submit the required urine specimens to the supervising physician approved by the Board. The supervising physician shall ensure that the urine specimens are obtained on a random basis, that the giving of the specimen is witnessed by a reliable person, and that appropriate control over the specimen is maintained. In the event that the designated supervising physician becomes unable or unwilling to so serve, Dr. Martin must immediately notify the Board in writing, and make arrangements acceptable to the Board for another supervising physician as soon as practicable.
- k. Dr. Martin shall submit blood or urine specimens for analysis without prior notice at such times as the Board may request.

1. Dr. Martin shall not engage in the solo practice of medicine without prior written approval by the Board. Prior to resuming the practice of medicine or surgery in Ohio, Dr. Martin shall submit to the Board and receive its approval for a plan of practice limited to a supervised structured environment in which his activities will be overseen and supervised by another physician approved by the Board.
- m. In the event that Dr. Martin should leave Ohio for three (3) continuous months, or reside or practice outside the State, Dr. Martin must notify the State Medical Board in writing of the dates of departure and return. Periods of time spent outside of Ohio will not apply to the reduction of this probationary period.
- n. If Dr. Martin violates probation in any respect, the Board, after giving Dr. Martin notice and opportunity to be heard, may set aside the stay order and impose the revocation of his certificate.
- o. Upon successful completion of probation, Dr. Martin's certificate will be fully restored.

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



Carol Rolfes
Hearing Member
State Medical Board of Ohio

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Medical Board of Ohio
MEDICAL BOARD OF OHIO

EXCERPT FROM THE MINUTES OF AUGUST 12, 1987

REPORTS AND RECOMMENDATIONS

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Dr. Stephens asked if each member of the Board had received, read, and considered the hearing record, the proposed findings, conclusions, and orders, and any objections filed in the matters of Otis S. Latimer, M.D., Jeffrey T. Martin, M.D., Ferdinand J. Niehaus, Jr., M.D., Allen R. Evans, M.D., and David Fishman, M.D. A roll call was taken:

ROLL CALL:	Dr. Cramblett	- aye
	Dr. Lancione	- aye
	Dr. Buchan	- aye
	Dr. Rothman	- aye
	Dr. Rauch	- aye
	Dr. O'Day	- aye
	Ms. Rolfes	- aye
	Mr. Johnston	- aye
	Dr. Stephens	- aye

.....

REPORT AND RECOMMENDATION IN THE MATTER OF JEFFREY T. MARTIN, M.D.

DR. RAUCH MOVED TO APPROVE AND CONFIRM MS. ROLFES' FINDINGS OF FACT AND CONCLUSIONS IN THE MATTER OF JEFFREY T. MARTIN, M.D. DR. BUCHAN SECONDED THE MOTION. A roll call vote was taken:

ROLL CALL VOTE:	Dr. Cramblett	- abstain
	Dr. Lancione	- aye
	Dr. Buchan	- aye
	Dr. Rothman	- aye
	Dr. Rauch	- aye
	Dr. O'Day	- aye
	Ms. Rolfes	- abstain
	Mr. Johnston	- abstain
	Dr. Stephens	- aye

The motion carried.

.....

DR. RAUCH MOVED TO APPROVE AND CONFIRM MS. ROLFES' PROPOSED ORDER IN THE MATTER OF JEFFREY T. MARTIN, M.D. DR. BUCHAN SECONDED THE MOTION. A roll call vote was taken:

ROLL CALL VOTE:	Dr. Cramblett	- abstain
	Dr. Lancione	- aye
	Dr. Buchan	- aye
	Dr. Rothman	- aye
	Dr. Rauch	- aye

EXCERPT FROM THE MINUTES OF AUGUST 12, 1987
REGARDING JEFFREY T. MARTIN, M.D.

Page 2

Dr. O'Day	- aye
Ms. Rolfes	- abstain
Mr. Johnston	- abstain
Dr. Stephens	- aye

The motion carried.

STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 510
65 South Front Street
Columbus, Ohio 43215

December 4, 1986

Jeffrey T. Martin, M.D.
236 Buttles Avenue, #3
Columbus, OH 43215

Dear Doctor Martin:

On August 14, 1986 a citation letter was issued to you by the State Medical Board of Ohio in accordance with Chapter 119., Ohio Revised Code. Said citation letter is incorporated herein as if fully rewritten and attached hereto and is amended as follows:

1. On or about September 22, 1986, the Board of Medical Examiners of the State of North Carolina ordered the revocation of your license to practice medicine in North Carolina based upon the Findings of Fact and Conclusions of Law which are attached hereto and fully incorporated herein.

The acts and/or omissions as alleged in Paragraph 1 above, constitute "the revocation or suspension by another state of a license or certificate to practice issued by the proper licensing authority of that state for an action that would also have been a violation of this chapter except for nonpayment of fees", as that clause is used in Section 4731.22(B)(18) of the Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing that request must be made 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 positions, 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, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation.

Copies of all referenced material are enclosed for your reference.

Very truly yours,

Henry G. Cramblett
Henry G. Cramblett, M.D.
Secretary

HGC/nwg

Enclosure

cc: Michael L. Close, Esq.

Certified Mail No. P 026 072 710

Certified Mail No. P 569 364 1
RETURN RECEIPT REQUESTED

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE
STATE OF NORTH CAROLINA

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PREPARED

In re:)
JEFFREY MARTIN, M.D.,) FINDINGS OF FACT, CONCLUSIONS
Respondent.) OF LAW AND ORDER

This matter came on for hearing and was heard before the Board of Medical Examiners of the State of North Carolina ("Board") at its meeting August 8, 1986 in Greenville, North Carolina upon the Notice of Charges and Allegations dated June 6, 1986. Neither Respondent nor anyone in his behalf appeared at the hearing and the letter received by the Board prior to the hearing dated July 11, 1986 from counsel for Respondent, which constituted Respondent's written response to said Notice of Charges and Allegations, stated that Respondent did not "demand or seek any sort of hearing." The letter from counsel for Respondent also stated that Respondent "does not take issue with the specifics contained within the notice of charges and allegations."

In view of the foregoing and upon consideration by the Board of Respondent's written response to said Notice of Charges and Allegations, the Board makes the following

Findings of Fact

1. That from on or about September 16, 1985 to April 7, 1986 Respondent issued prescriptions to himself for the controlled substance, Percocet, without any medical need or reason therefor.
2. That from on or about January 13, 1985 to April 18, 1986,

Respondent issued prescriptions to an individual, separately identified as Subject A, for the controlled substance, Percocet. In fact, the Percocet was intended for Respondent's use and consumption without any medical need or reason therefor. Said prescriptions were issued by Respondent with the intent that Subject A would obtain the Percocet and provide it to Respondent, and Subject A did so obtain and provide Respondent with the Percocet.

3. That on or about February 2, 1986 and February 10, 1986, Respondent issued prescriptions to an individual, separately identified as Subject B, for the controlled substance, Percocet. In fact, the Percocet was intended for Respondent's own use and consumption without any medical need or reason therefor. Said prescriptions were issued by Respondent with the intent that Subject B obtain the Percocet and provide it to Respondent, and Subject B did so obtain and provide Respondent with the Percocet.

4. That from on or about February 10, 1986 to April 21, 1986, on at least two occasions, Respondent issued prescriptions to an individual, separately identified as Subject C, for the controlled substance, Percocet. In fact, the Percocet was intended for Respondent's own use and consumption without any medical need or reason therefor. Said prescriptions were issued by Respondent with the intent that Subject C obtain the Percocet and provide it to Respondent, and Subject C did so obtain and provide Respondent with the Percocet.

5. That from on or about January 4, 1986 to February 2, 1986, on at least two occasions, Respondent issued prescriptions to

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an individual, separately identified as Subject D, for the controlled substance, Percocet. In fact, the Percocet was intended for Respondent's own use and consumption without any medical need or reason therefor.

6. That on or about February 16, 1986 and March 25, 1986, Respondent issued prescriptions to an individual, separately identified as Subject E, for the controlled substance, Percocet. In fact, the Percocet was intended for Respondent's own use and consumption without any medical need or reason therefor. Said prescriptions were issued by Respondent with the intent that Subject E obtain the Percocet and provide it to Respondent, and Subject E did so obtain and provide Respondent with the Percocet.

7. That on or about February 13, 1986 Respondent issued prescriptions to an individual, separately identified as Subject F, for the controlled substance, Percocet. In fact, the Percocet was intended for Respondent's own use and consumption without any medical need or reason therefor.

8. That on or about January 31, 1986 Respondent issued prescriptions to an individual, separately identified as Subject G, for the controlled substance, Percocet. In fact, the Percocet was intended for Respondent's own use and consumption without any medical need or reason therefor. Said prescriptions were issued by Respondent with the intent that Subject G obtain the Percocet and provide it to Respondent, and Subject G did so obtain and provide Respondent with the Percocet.

9. That on or about February 26, 1986 to April 3, 1986, on at least four occasions, Respondent issued prescriptions to an

individual, separately identified as Subject H, for the controlled substance, Percocet. In fact, the Percocet was intended for Respondent's own use and consumption without any medical need or reason therefor.

Upon the foregoing Findings of Fact, the Board makes the following

Conclusion of Law

That Respondent has engaged in unprofessional conduct within the meaning of N.C.Gen.Stat. § 90-14(a)(6).

Whereupon it is ORDERED that Respondent's license to practice medicine in North Carolina be, and it hereby is, revoked.

So ORDERED, this 22nd day of September, 1986.

BOARD OF MEDICAL EXAMINERS OF THE
STATE OF NORTH CAROLINA

By: Jack A. Koontz, M.D.
President

ATTEST:

Bryant D. Paris, Jr.
Bryant D. Paris, Jr.
Executive Secretary

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Certified to be true copies of the original documents on file in the office of the Board of Medical Examiners of the State of North Carolina.

Bryant D. Paris, Jr.
Bryant D. Paris, Jr., Executive Secretary

STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 510
65 South Front Street
Columbus, Ohio 43215

August 14, 1986

Jeffrey T. Martin, M.D.
236 Buttles Avenue, #3
Columbus, Ohio 43215

Dear Doctor Martin:

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, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation for one or more of the following reasons:

1. In a meeting with staff members of the State Medical Board of Ohio on or about June 23, 1986 and August 7, 1986, you did admit that you had a Percocet abuse problem which led to your writing prescriptions for Percocet in the name of your wife for your personal consumption;
2. On or about Monday, August 4, 1986 at approximately 1:30 p.m., you were admitted to Shepherd Hill, Newark, Ohio, for an evaluation; on the following day at approximately 4:00 a.m., you did leave the facility and terminate the evaluation against medical advice.

The admissions and actions as alleged in Paragraphs 1 and 2, above, constitute the inability "to practice according to acceptable and prevailing standards of care by reason of illness, excessive use of alcohol, excessive use of controlled substances, drugs, or chemicals, or as a result of a mental or physical condition," as that clause is used in Section 4731.22(B)(15), Ohio Revised code.

Pursuant to Section 4731.22(B)(15), Ohio Revised Code, the State Medical Board of Ohio may limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine or surgery, or reprimand or place you on probation for one or more of the reasons listed above.

Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, that request must be made within thirty (30) days of the time of mailing of this notice.

August 14, 1986

Jeffrey T. Martin, M.D.

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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, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation.

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Henry G. Cramblett, M.D.
Secretary

HGC:es
Encl.

CERTIFIED MAIL #P 569 364 158
RETURN RECEIPT REQUESTED