

**STATE OF OHIO  
THE STATE MEDICAL BOARD**

**PERMANENT SURRENDER OF CERTIFICATE  
TO PRACTICE MEDICINE AND SURGERY**

I, Michael J. Brunzman, 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, after being fully advised by legal counsel.

I, Michael J. Brunzman, M.D., do hereby voluntarily, knowingly, intelligently, and permanently surrender my certificate to practice medicine and surgery, No. 35-050938, to the State Medical Board of Ohio, thereby permanently relinquishing all rights to practice medicine and surgery in Ohio. This surrender shall be effective upon signature of the Secretary and Supervising Member.

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

I agree that I shall be ineligible for, and shall not apply for, reinstatement of certificate to practice medicine and surgery No. 35-050938 or issuance of any other certificate pursuant to Chapters 4730. or 4731., Ohio Revised Code, on or after the date of signing of 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 stipulate and agree that I am taking the action described herein in lieu of further formal disciplinary proceedings in accordance with R.C. Chapter 119 and R.C. 4731.22 for the matters described in the Notice of Opportunity for Hearing dated December 12, 2001. I further stipulate and admit the allegations in said Notice, which is attached hereto in Exhibit A and incorporated herein by this reference.

I, Michael J. Brunzman, M.D., hereby release the State Medical Board of Ohio, its members, employees, agents and officers, 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.

Surrender of Certificate  
page 2

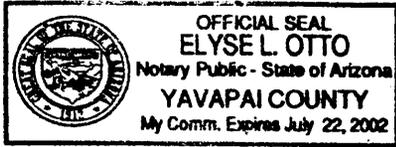
Signed this 14<sup>th</sup> day of March, 2002

  
\_\_\_\_\_  
Signature of Physician

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

Sworn to and subscribed in my presence, this 14 day of March, 2002.



Elyse L. Otto  
\_\_\_\_\_  
NOTARY PUBLIC

(This form must be either witnessed OR notarized.)

Accepted by the State Medical Board of Ohio:

Anand G. Garg  
ANAND G. GARG, M.D.  
Secretary

03/27/02  
DATE

Raymond J. Albert  
RAYMOND J. ALBERT  
Supervising Member

3/27/02  
DATE



# State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: [www.state.oh.us/med/](http://www.state.oh.us/med/)

December 12, 2001

Michael J. Brunzman, M.D.  
10475 Montgomery Road, Suite 3A  
Cincinnati, Ohio 45242

Dear Doctor Brunzman:

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, permanently 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) Your certificate to practice medicine and surgery in Ohio was suspended by operation of law, on or about July 1, 2001, for non-payment of renewal fees, and has not been reinstated.
- (2) On or about April 26, 2001, the Arizona Board of Medical Examiners (hereinafter the "Arizona Board") filed a Consent Agreement for a Letter of Reprimand and Probation, the terms of which contained a Letter of Reprimand for Unprofessional Conduct; five (5) years probation; a fine in the amount of \$5,000.00, and twenty (20) hours of pre-approved Continuing Medical Education (CME) in Erectile Dysfunction. These CME hours are in addition to those hours required for medical license renewal.

As set forth in the Findings of Fact in the Arizona Consent Agreement for Reprimand and Probation, you prescribed a prescription-only medication via an internet website without conducting a physical examination, without a prior physician-patient relationship and you did not attempt to contact the primary care physician of the complainant.

A copy of the Arizona Board Consent Agreement for a Letter of Reprimand and Probation is attached hereto and incorporated herein.

The Arizona Board Consent Agreement for a Letter of Reprimand and Probation, as alleged in paragraph two (2) above, constitutes "[a]ny of the following actions taken by the agency responsible for regulating the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or the limited branches of medicine in another state, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand," as that clause is used in Section 4731.22(B)(22), Ohio Revised Code.

*Mailed 12.13.01*

Michael J. Brunzman, M.D.

Page 2

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, the request must be made in writing and must be received in the offices of the State Medical Board within thirty (30) days of the time of mailing of this notice.

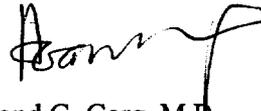
You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at 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 received 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, permanently revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation.

Please note that, whether or not you request a hearing, Section 4731.22(L), Ohio Revised Code, effective March 9, 1999, provides that "[w]hen the board refuses to grant a certificate to an applicant, revokes an individual's certificate to practice, refuses to register an applicant, or refuses to reinstate an individual's certificate to practice, the board may specify that its action is permanent. An individual subject to a permanent action taken by the board is forever thereafter ineligible to hold a certificate to practice and the board shall not accept an application for reinstatement of the certificate or for issuance of a new certificate."

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Anand G. Garg, M.D.  
Secretary

AGG/jag  
Enclosures

CERTIFIED MAIL # 7000 0600 0024 5147 3351  
RETURN RECEIPT REQUESTED

300 South Willard Street, Suite 106  
Cottonwood, Arizona 86326

CERTIFIED MAIL # 7000 0600 0024 5147 3368  
RETURN RECEIPT REQUESTED

RECEIVED  
APR 20 2001

**BEFORE THE BOARD OF MEDICAL EXAMINERS  
FOR THE STATE OF ARIZONA**

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**In the Matter of  
MICHAEL JOHN BRUNSMAN, M.D.  
Holder of License No. 26483  
For the Practice of Medicine  
In the State of Arizona.**

**CASE NO. MD-00-0768  
CONSENT AGREEMENT FOR A  
LETTER OF REPRIMAND AND  
PROBATION**

**CONSENT AGREEMENT**

By mutual agreement and understanding, between the Arizona Board of Medical Examiners ("Board") and Michael John Brunzman, M.D. ("Respondent") the parties agree to the following disposition of this matter.

1. Respondent acknowledges that he has read this Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Consent Order; and, he is aware of and understands the content of this document.

2. Respondent acknowledges that any violation of this Order constitutes unprofessional conduct within A.R.S. § 32-1401(25)(r) (Violating a formal order, probation, consent agreement or stipulation issued or entered into by the board or its executive director under the provisions of this chapter).

3. Respondent understands that by entering into this Consent Agreement for the issuance of the foregoing Consent Order, Respondent voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged or to challenge this Consent Agreement and the Consent Order in its entirety as issued by the Board and waives any other cause of action related thereto or arising from said Order.

APR 20 2001  
RECEIVED

1           4.       Respondent acknowledges and understands that this Consent Agreement  
2 and the Consent Order will not become effective until approved by the Board and  
3 signed by its Executive Director.

4           5.       All admissions made by Respondent are solely for final disposition of this  
5 matter and any subsequent related administrative proceedings or civil litigation involving  
6 the Board and Respondent. Therefore, said admissions by Respondent are not  
7 intended or made for any other use, such as in the context of another state or federal  
8 government regulatory agency proceeding, civil or criminal court proceeding, in the  
9 State of Arizona or any other state or federal court.

10          6.       Respondent acknowledges and agrees that, upon signing this agreement  
11 and returning this document (or a copy thereof) to the Board's Executive Director,  
12 Respondent may not revoke his acceptance of the Consent Agreement and Consent  
13 Order or make any modifications to the document, although the Consent Agreement  
14 has not yet been accepted by the Board and issued by the Executive Director. Any  
15 modifications to this original document are ineffective and void unless mutually  
16 approved by the parties.

17          7.       Respondent further understands that this Consent Agreement and  
18 Consent Order, once approved and signed, shall constitute a public record document,  
19 which may be publicly disseminated as a formal action of the Board.

20          8.       If any part of the Consent Agreement and Consent Order is later declared  
21 void or otherwise unenforceable, the remainder of the Consent Order in its entirety shall  
22 remain in force and effect.

23   
24 \_\_\_\_\_  
25 MICHAEL JOHN BRUNSMAN, M.D.

Dated: 4-19-01

STATE OF ARIZONA  
DEPARTMENT OF HEALTH  
OFFICE OF THE ATTORNEY GENERAL  
PHOENIX, ARIZONA

**FINDINGS OF FACT**

1  
2 1. The Board is the duly constituted authority for the regulation and control of  
3 the practice of allopathic medicine in the State of Arizona.

4 2. Michael J. Brunsman, M.D. is the holder of License No. 26483 for the  
5 practice of allopathic medicine in the State of Arizona.

6 3. The investigation in case number MD-00-0768 was initiated when the  
7 Board received information from a Federation of State Medical Boards' employee  
8 ("Complainant") on November 28, 2000, alleging that Respondent prescribed  
9 prescription-only medication, via an internet website without conducting a physical  
10 examination or having established a prior doctor-patient relationship with the person.

11 4. The prescription only medication was ordered, via an internet website, on  
12 October 30, 2000. Complainant received the medication on or about November 1,  
13 2000. Respondent's name appeared on the medication as the prescribing physician.

14 5. Respondent in his letter to the Board, received on December 18, 2000,  
15 admitted that he prescribed the prescription-only medication to Complainant after only  
16 reviewing the Complainant's chief medical complaint and medical history.

17 6. Respondent did not conduct a physical examination and there was no  
18 prior established doctor-patient relationship. Additionally, Respondent did not attempt  
19 to contact Complainant's primary care physician.

20 **CONCLUSIONS OF LAW**

21 1. The Board possesses jurisdiction over the subject matter hereof and over  
22 Michael John Brunsman, M.D.

23 2. The conduct and circumstances described above constitute  
24 unprofessional conduct pursuant to A.R.S. § 32-1401(25)(q) (Any conduct or practice  
25 which is or might be harmful or dangerous to the health or public).

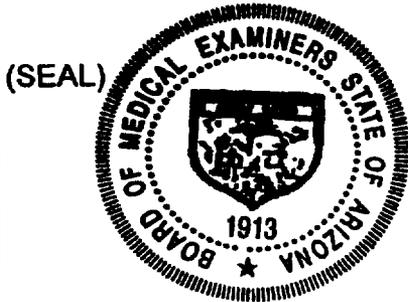


1 engaging in the practice of medicine. Periods of temporary or permanent residence or  
2 practice outside Arizona or of non-practice within Arizona, will not apply to the reduction  
3 of the probationary period.

4 4. The Board retains jurisdiction to take further action if Respondent fails to  
5 comply with the terms and conditions of this Order.

7 DATED and effective this 25<sup>th</sup> day of April, 2001

9 BOARD OF MEDICAL EXAMINERS  
OF THE STATE OF ARIZONA



11 By Claudia Foutz  
12 CLAUDIA FOUTZ  
13 Executive Director  
14 TOM ADAMS  
15 Deputy Director

16 ORIGINAL of the foregoing filed this  
17 26 day of April, 2001 with:

18 The Arizona Board of Medical Examiners  
19 9545 E. Doubletree Ranch Road  
20 Scottsdale, Arizona 85258-5514

21 EXECUTED COPY of the foregoing mailed by  
22 Certified Mail this 26 day of April, 2001 to:

23 Michael J. Brunsman, M.D.  
24 300 S. Willard St. Ste. 106  
25 Cottonwood, AZ 86326-0000

[  
Sandra Waitt  
Lisa Maxie-Mullins, Legal Coordinator  
Board Operations  
Sandra Waitt, Management Analyst

2001 JUN 15 2 3 15  
STATE BOARD OF MEDICAL EXAMINERS