



STATE MEDICAL BOARD OF OHIO

77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

February 16, 1996

Christopher R. Desley, M.D.
112 Bald Eagle Drive
Vacaville, CA 95688-1053

Dear Doctor Desley:

Please find enclosed a certified copy of the Findings, Order and Journal Entry approved and confirmed by the State Medical Board meeting in regular session on February 14, 1996.

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.

Very truly yours,

Thomas E. Gretter, M.D.
Secretary

TEG:em
Enclosures

CERTIFIED MAIL RECEIPT NO. P 348 887 178
RETURN RECEIPT REQUESTED

cc: Kevin P. Byers, Esq.

Certified Mail No. P &41 123 695
Return Receipt Requested

Mailed 2-29-96



STATE MEDICAL BOARD OF OHIO

77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

CERTIFICATION

I hereby certify that the attached copy of the Findings, Order and Journal Entry, approved by the State Medical Board, meeting in regular session on February 14, 1996, constitute a true and complete copy of the Findings, Order and Journal Entry in the matter of Christopher R. Desley, 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 of Ohio and in its behalf.

(SEAL)

Thomas F. Gretter, M.D.
Secretary

2/15/96

Date



STATE MEDICAL BOARD OF OHIO

77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

*

*

CHRISTOPHER R. DESLEY, MD

*

FINDINGS, ORDER AND JOURNAL ENTRY

This matter came on for consideration after a citation letter was mailed to Christopher Desley, M.D., by the State Medical Board of Ohio on September 7, 1995.

By letter dated September 6, 1995, notice was given to Christopher Desley, M.D., that the State Medical Board intended to consider disciplinary action regarding his license to practice medicine and surgery in Ohio, and that he was entitled to a hearing if such hearing was requested within thirty (30) days of the mailing of said notice. In accordance with Section 119.07, Ohio Revised Code, said notice was sent via certified mail, return receipt requested, to the last known address of Christopher Desley, M.D., that being

112 Bald Eagle Drive
Vacaville, CA 95688-1053

Doctor Desley responded to the Board's notice and requested a hearing, but by notice filed December 19, 1995, Doctor Desley withdrew that hearing request.

WHEREFORE, for the reasons outlined in the September 6, 1995, letter of notice, which is attached hereto and incorporated herein, it is hereby ORDERED that the license of Christopher Desley, M.D to practice medicine and surgery in the State of Ohio be REVOKED.

This Order shall become effective IMMEDIATELY.

This Order is hereby entered upon the Journal of the State Medical Board of Ohio for the 14th day of February, and the original thereof shall be kept with said Journal.

Thomas E. Gretter, M.D.
Secretary

(SEAL)

2/27/96

Date



STATE MEDICAL BOARD OF OHIO
77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

September 6, 1995

Christopher R. Desley, M.D.
112 Bald Eagle Drive
Vacaville, CA 95688-1053

Dear Doctor Desley:

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) On or about November 9, 1988, you entered into a Consent Agreement with the State Medical Board of Ohio, in which you admitted to certifying that you had completed the requisite hours of Continuing Medical Education (CME) for the preceding biennium when, in fact, you had not done so at the time. A copy of the Consent Agreement is attached hereto and fully incorporated herein.

This agreement required you to submit CME documentation acceptable to the Board of satisfactory completion of the requisite hours for the next three biennial registration periods. This submission was to be within thirty (30) days of the end of the registration period.

The registration period of the January 1, 1991 - September 30, 1992, biennium ended on September 30, 1992, with your report due to the Board by October 30, 1992.

Although you submitted some documents purporting to show completion of your Category I CME, none of your submitted hours were, in fact, acceptable Category I credits.

Thus, you failed to submit any documentation acceptable to the Board of satisfactory completion of any of the requisite hours of Category I CME credits.

Mailed 9/7/95

Christopher R. Desley, M.D.

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Your acts, conduct, and/or omissions as alleged in paragraph (1) above, individually and/or collectively, constitute a "(v)iolation of the conditions of limitation placed by the board upon a certificate to practice or violation of the conditions of limitation upon which a limited or temporary registration or certificate to practice is issued," as that clause is used in Section 4731.22(B)(15), Ohio Revised Code.

- (2) On or about June 29, 1992, in applying for renewal of the registration of your Certificate to Practice Medicine or Surgery, you certified that you completed during the registration period (January 1, 1991-September 30, 1992) the requisite hours of CME as required by Section 4731.281, Ohio Revised Code.

In fact, you failed to complete any of the required Category I CME for that period.

Your acts, conduct, and/or omissions as alleged in paragraph (2) above, individually and/or collectively, constitute "fraud, misrepresentation, or deception in applying for or securing any license or certificate issued by the board," as that clause is used in Section 4731.22(A), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (2) above, individually and/or collectively, constitute "publishing a false, fraudulent, deceptive, or misleading statement," as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.

Further, such failure to obtain the requisite Category I CME constitutes "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Section 4731.281, Ohio Revised Code.

Further, "Failure of any certificate holder to register and comply with this section (Continuing medical education) shall operate automatically to suspend his certificate to practice on the first day of October in the year registration is required (here October 1, 1992) and the continued practice after the suspension shall be considered as practicing without a license." Section 4731.281, Ohio Revised Code. Thus, your license in Ohio was automatically suspended October 1, 1992.

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.

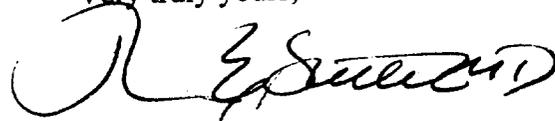
September 6, 1995

You are further advised that 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, 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,



Thomas E. Gretter, M.D.
Secretary

TEG/bjm
Enclosures

CERTIFIED MAIL # 348 886 943
RETURN RECEIPT REQUESTED

rev.2/15/95

OCT 31 1988

CONSENT AGREEMENT
BETWEEN

Christopher R. Desley
AND

THE STATE MEDICAL BOARD OF OHIO

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

Christopher Desley M.D. enters into this Agreement being fully informed of his/her 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:

1. Christopher Desley M.D. ADMITS that in completing his/her renewal application card for registration of his/her certificate to practice medicine or surgery for the 1987-1988 biennial registration period, he/she did certify that he/she completed during the preceding biennium the requisite hours of continuing medical education, as required by Section 4731.281, Revised Code.
2. Christopher Desley M.D. ADMITS that, in fact, he/she had not completed the requisite hours of continuing medical education as required by Section 4731.281, Revised Code, at the time of certification, but did complete the requisite hours subsequently.

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, Christopher Desley M.D. knowingly and voluntarily agrees with THE STATE MEDICAL BOARD OF OHIO to the following conditions and limitations:

- A. That within thirty (30) days after the end of each of the next three (3) biennial registration periods following the effective date of this agreement, Christopher Desley M.D. shall submit documentation acceptable to the Board of satisfactory completion of the requisite hours of continuing medical education.
- B. That should Christopher Desley M.D. elect not to renew his/her Ohio license during the duration of this agreement, Christopher Desley M.D. shall notify the BOARD in writing. Periods of time during which M.D. does not maintain his license as current will not apply to the reduction of the three (3) biennial registration periods for which documentation must be submitted.

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.

It is AGREED and UNDERSTOOD by and between both parties that this CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code.

Christopher Desley M.D. hereby releases THE STATE MEDICAL BOARD OF OHIO, its members, employees, agents, officers, and representatives individually and collectively, jointly and severally, from any and all liability arising from the within matter.

FOR THE STATE MEDICAL BOARD

Christopher R Desley MD

10-20-88
DATE

Henry G. Gramblett M.D. / gen
HENRY G. GRAMBLETT, M.D.
SECRETARY

11/9/88
DATE

John E. Rauch D.O.
JOHN E. RAUCH, D.O.
SUPERVISING MEMBER

11/9/88
DATE

Cheryl J. Nester / by Chris J. Costant
CHERYL J. NESTER
ASSISTANT ATTORNEY GENERAL

11/9/88
DATE

revised 10-11-88

OCT 31 1988