

**CONSENT AGREEMENT  
BETWEEN  
THOMAS ALLEN PAPIN, M.D.  
AND  
THE STATE MEDICAL BOARD OF OHIO**

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

Dr. Papin 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), 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 violation of Section 4731.22(B)(20), Ohio Revised Code, "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," to wit: Section 4731.41, Ohio Revised Code.
- B. The Board enters into this Consent Agreement in lieu of formal proceedings based upon the violation of Section 4731.22(B)(20), Ohio Revised Code, to wit: Section 4731.41, Ohio Revised Code, as set forth in Paragraph E 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. Dr. Papin has submitted an application for restoration of his license to practice medicine and surgery in the State of Ohio, License #35-052126, which lapsed on September 30, 1992, for failure to renew.
- D. Dr. Papin states that he is currently licensed to practice medicine and surgery in the State of Indiana and that he has inactive licenses, due to his having allowed such licenses to lapse, in the States of Michigan and Alabama.

- E. Dr. Papin admits that he practiced medicine, as defined in Section 4731.41, Ohio Revised Code, in Ohio from in or about December 2001 to in or about early March 2002, without an active license to practice medicine and surgery in Ohio. Further, Dr. Papin states, and the Board acknowledges, that he reported his conduct constituting the unauthorized practice of medicine on his application for restoration of his certificate to practice medicine and surgery in Ohio, or in materials submitted in conjunction with his application.

Dr. Papin further states that his having engaged in the unauthorized practice of medicine was unintentional. In addition, Dr. Papin states that before undertaking these activities, he consulted with his employer in Ohio and was advised that the lawyers for the employer had determined that his conduct and activities were appropriate and legal even though his license to practice medicine and surgery in Ohio had not yet been restored. Dr. Papin further states that he ceased practicing medicine upon being notified by the Board that his conduct, as reported in communications to the Board, appeared to constitute the unauthorized practice of medicine.

#### **AGREED CONDITIONS**

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, the certificate of Dr. Papin to practice medicine and surgery in the State of Ohio shall be restored upon receipt and appropriateness of necessary documentation, and Dr. Papin knowingly and voluntarily agrees with the Board to the following:

#### **REPRIMAND**

Dr. Papin shall be and hereby is REPRIMANDED.

#### **REQUIRED REPORTING BY LICENSEE**

Within thirty days of the effective date of this Consent Agreement, Dr. Papin 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, for a period of five years following the effective date of this Consent Agreement, Dr. Papin 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.

Within thirty days of the effective date of this Consent Agreement, Dr. Papin 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. Further, for a period of five years following the effective date of this Consent Agreement, Dr. Papin shall 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 for reinstatement of any professional license. Further, Dr. Papin shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.

### ACKNOWLEDGMENTS/LIABILITY RELEASE

Dr. Papin 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. Papin 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, and may be reported to appropriate organizations, data banks, and governmental bodies. Dr. Papin agrees to provide his social security number to the Board and hereby authorizes the Board to utilize that number in conjunction with that reporting.

### EFFECTIVE DATE

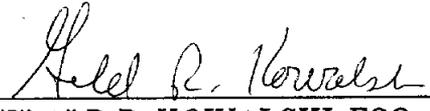
It is expressly understood that this Consent Agreement is subject to ratification by the Board prior to signature by the Secretary and Supervising Member and shall become effective upon the last date of signature below.

  
THOMAS ALLEN PAPIN, M.D.

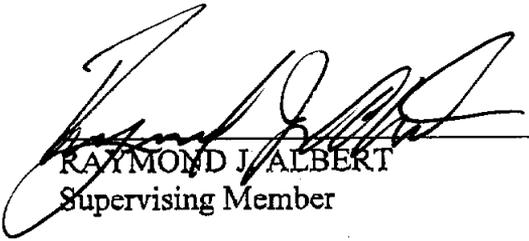
  
ANAND G. GARG, M.D.  
Secretary

3/13/02  
DATE

3/13/02  
DATE

  
\_\_\_\_\_  
GERALD R. KOWALSKI, ESQ.  
Attorney for Dr. Papin

3/13/02  
DATE

  
\_\_\_\_\_  
RAYMOND J. ALBERT  
Supervising Member

3/13/02  
DATE

  
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REBECCA J. ALBERS, ESQ.  
Assistant Attorney General

3/14/02  
DATE