

**CONSENT AGREEMENT  
BETWEEN  
TRACY TILLER M.D.,  
AND  
THE STATE MEDICAL BOARD OF OHIO**

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

Doctor Tiller enters into this Consent Agreement being fully informed of 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.

**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(A), 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 committing, "fraud, misrepresentation, or deception in applying for or securing any certificate to practice or certificate of registration issued by the board." The Board is also empowered by Section 4731.22(B)(5), 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 "[m]aking a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatry, or a limited branch of medicine; or in securing or attempting to secure any certificate to practice or certificate of registration issued by the board" and by Section 4731.22(B)(20), Ohio Revised Code, for "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."
  
- B. The Board enters into this Consent Agreement in lieu of formal proceedings based upon the violation of Sections 4731.22(A), (B)(5) and (B)(20), to wit: Section 4731.281, Ohio Revised Code, and Rules 4731-10-03 and 4731-10-08, Ohio Administrative Code, as detailed in Paragraphs E and F 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 Agreement.

- C. Doctor Tiller is licensed to practice medicine and surgery in the State of Ohio, License No. 35-052697.
- D. Doctor Tiller states that she is not licensed to practice medicine and surgery in any other state.
- E. Doctor Tiller admits that in completing her application card for renewal of her certificate to practice medicine or surgery for the 2001-2003 period, she certified that she had completed during the preceding biennium the requisite hours of continuing medical education, as required by Section 4731.281, Ohio Revised Code.
- F. Doctor Tiller admits that, in fact, she had completed only seventeen hours of the required forty hours of Category I CME during the applicable time period of July 2, 1999 through July 1, 2001. Doctor Tiller states, and the Board acknowledges receipt of information to support, that she has subsequently completed the additional twenty-three hours of Category I CME.

**AGREED CONDITIONS**

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, Doctor Tiller knowingly and voluntarily agrees with the Board to the following terms, conditions and limitations:

- 1. Doctor Tiller shall be and hereby is REPRIMANDED.
- 2. Doctor Tiller shall pay a FINE of \$1,000.00 to the State Medical Board of Ohio. This fine shall be paid no later than thirty days following the effective date of this Consent Agreement.
- 3. Doctor Tiller shall supply documentation acceptable to the Board of satisfactory completion of the requisite number of CME hours for the 2001-2003 CME acquisition period. These CME hours shall be in addition to the twenty-three hours which Doctor Tiller completed during 2001 and which have been accredited to the 1999-2001 CME acquisition period. Moreover, Doctor Tiller shall supply documentation acceptable to the Board of satisfactory completion of the requisite number of CME hours for the CME acquisition periods that correspond with Doctor Tiller's next two periods of active licensure thereafter. This documentation shall be due in the Board's offices within thirty days of the conclusion of each CME acquisition period.

**REQUIRED REPORTING BY LICENSEE**

- 4. Within thirty days of the effective date of this Consent Agreement, Dr. Tiller shall provide a copy of this Consent Agreement to all employers or entities with which she is under contract to provide health care services or is receiving training; and the Chief

of Staff at each hospital where she has privileges or appointments. Further, for a period of five years following the effective date of this Consent Agreement, Dr. Tiller shall provide a copy of this Consent Agreement to all employers or entities with which she contracts to provide health care services, or applies for or receives training, and the Chief of Staff at each hospital where she applies for or obtains privileges or appointments.

5. Within thirty days of the effective date of this Consent Agreement, Doctor Tiller 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 she currently holds any professional license. Further, for a period of five years following the effective date of this Consent Agreement, Doctor Tiller 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 she applies for any professional license or reinstatement of any professional license. Further, Doctor Tiller 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, Doctor Tiller 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**

Doctor Tiller acknowledges that she 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.

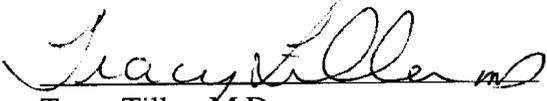
Any action initiated by the Board based on alleged violations of this Consent Agreement shall comply with the Administrative Procedure Act, Chapter 119., Ohio Revised Code.

Doctor Tiller hereby releases the Board, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

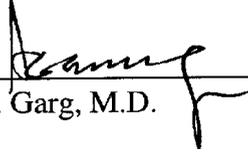
This Consent Agreement shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code, and may be reported to appropriate organizations, data banks, and governmental bodies. Doctor Tiller agrees to provide her social security number to the Board and hereby authorizes the 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.

  
Tracy Tiller, M.D.

11-20-02  
Date

  
Anand G. Garg, M.D.  
Secretary

12/11/02  
Date

  
Raymond J. Albert  
Supervising Member

12/11/02  
Date

  
Rebecca Albers  
Assistant Attorney General

12/11/02  
Date