

**CONSENT AGREEMENT
BETWEEN
DONALD LAUHLIN MCNEIL, M.D.
AND
THE STATE MEDICAL BOARD OF OHIO**

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

DONALD LAUHLIN MCNEIL, M.D., 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 STATE MEDICAL BOARD OF OHIO 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 who is in violation of Section 4731.22(B)(12), Ohio Revised Code, “[c]ommission of an act in the course of practice that constitutes a misdemeanor in this state, regardless of the jurisdiction in which the act was committed,” to wit: Sections 4730.02 and 4730.99, Ohio Revised Code; and Section 4731.22(B)(32), Ohio Revised Code, “[f]ailure of a physician supervising a physician assistant to maintain supervision in accordance with the requirements of Chapter 4730. Of the Revised Code and the rules adopted under that chapter.”
- B. THE STATE MEDICAL BOARD OF OHIO enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violations of Section 4731.22(B), Ohio Revised Code, as set forth in Paragraph D 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. DONALD LAUHLIN MCNEIL, M.D., is licensed to practice medicine and surgery in the State of Ohio.
- D. DONALD LAUHLIN MCNEIL, M.D., ADMITS that TY CHRISTIAN WARD, P.A., was in his employ from in or about January of 1999 until on or

about August 13, 1999. DOCTOR MCNEIL, further ADMITS that he was MR. WARD's supervising physician.

DONALD LAUHLIN MCNEIL, M.D., further ADMITS that he had a physician assistant utilization plan approved in or about July of 1998. DOCTOR MCNEIL further ADMITS that he did not file a supervision agreement with the STATE MEDICAL BOARD to authorize him to supervise TY CHRISTIAN WARD, P.A.

DONALD LAUHLIN MCNEIL, M.D., AFFIRMATIVELY STATES that this mistake was inadvertent. DOCTOR MCNEIL further STATES that he cooperated fully with the STATE MEDICAL BOARD'S investigation. DOCTOR MCNEIL further STATES that he has never previously been disciplined by the BOARD in any manner.

AGREED CONDITIONS

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, DONALD LAUHLIN MCNEIL, M.D., knowingly and voluntarily agrees with THE STATE MEDICAL BOARD OF OHIO, (hereinafter BOARD), to the following terms, conditions and limitations:

REPRIMAND

1. DONALD LAUHLIN MCNEIL, M.D., is hereby REPRIMANDED.

REQUIRED REPORTING BY LICENSEE

2. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR MCNEIL 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, DOCTOR MCNEIL 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.
3. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR MCNEIL 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. DOCTOR MCNEIL further agrees to 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 reinstatement of any professional license. Further,

DOCTOR MCNEIL shall provide this BOARD with a copy of the return receipt as proof of notification within thirty (30) 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 MCNEIL 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.

ACKNOWLEDGEMENTS/LIABILITY RELEASE

DOCTOR MCNEIL 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.

DOCTOR MCNEIL hereby releases THE STATE MEDICAL BOARD OF OHIO, 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.

Further, this information may be reported to appropriate organizations, data banks and governmental bodies.

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.

Donald

DONALD LAUHLIN MCNEIL, M.D.

2/4/00

DATE

Anand Garg

ANAND G. GARG, M.D.
Secretary

02/09/00

DATE

Raymond J. Albert

RAYMOND J. ALBERT
Supervising Member

2/9/00

DATE

Anne B. Strait

ANNE B. STRAIT, ESQ.
Assistant Attorney General

2/9/00

DATE