CONSENT AGREEMENT
BETWEEN
STEVEN L. SHEAKOSKI, M.D.
AND
THE STATE MEDICAL BOARD OF OHIO

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

STEVEN L. SHEAKOSKI, M.D., voluntarily 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.

This CONSENT AGREEMENT contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this CONSENT AGREEMENT.

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)(20), 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 violating any rule promulgated by THE STATE MEDICAL BOARD OF OHIO, to wit: Rule 4731-10-08, Ohio Administrative Code, which requires an applicant to submit documentation of compliance with the Continuing Medical Education (CME) requirements as THE STATE MEDICAL BOARD OF OHIO may require.

B. THE STATE MEDICAL BOARD OF OHIO enters into this CONSENT AGREEMENT in lieu of further formal proceedings based upon the violation of Section 4731.22(B)(20), Ohio Revised Code, set forth in the Notice of Opportunity for Hearing issued by the BOARD on December 5, 1995, attached hereto as Exhibit A and incorporated herein by this reference. The BOARD expressly

reserves the right to institute additional formal proceedings based upon any other violations of Chapter 4731., Ohio Revised Code, whether occurring before or after the effective date of this AGREEMENT.

C. STEVEN L. SHEAKOSKI, M.D., is licensed to practice medicine and surgery in the State of Ohio.

D. STEVEN L. SHEAKOSKI, M.D., ADMITS that, in completing his application card for registration of his certificate to practice medicine and surgery for the current registration period, he did certify that he had completed during the last biennial period of acquisition of CME (July 1, 1992 - June 30, 1994) the requisite hours of CME as required by Section 4731.281, Ohio Revised Code.

E. STEVEN L. SHEAKOSKI, M.D., ADMITS that he failed to respond to the audit notices served upon him by the BOARD and that he failed to submit satisfactory documentation of his CME as required by the audit notices.

F. STEVEN L. SHEAKOSKI, M.D., STATES that he had, in fact, timely completed the requisite hours of CME as required by Section 4731.281, Ohio Revised Code, and that he has now submitted documentation acceptable to the BOARD demonstrating such completion.

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

1. STEVEN L. SHEAKOSKI, M.D., is hereby REPRIMANDED for his failure to timely submit acceptable documentation to the BOARD of CME credits earned for the biennial period of acquisition of July 1, 1992 - June 30, 1994.

2. The certificate of STEVEN L. SHEAKOSKI, M.D., to practice medicine and surgery in the State of Ohio shall be subject to the following PROBATIONARY terms, conditions and limitations for the next three (3) biennial registration periods:

   (a) STEVEN L. SHEAKOSKI, M.D., shall submit documentation acceptable to the BOARD of satisfactory completion of the requisite hours of CME. Such

documentation shall be due in the BOARD's offices no later than thirty (30) days after the stated deadline for filing the application for renewal.

(b) Should STEVEN L. SHEAKOSKI, M.D., elect not to renew his Ohio certificate during the duration of this agreement, DOCTOR SHEAKOSKI shall notify the BOARD in writing prior to the date his CME documentation is due pursuant to paragraph 2(a). Periods of time during which DOCTOR SHEAKOSKI does not maintain his certificate as current will not apply to the reduction of the three (3) biennial registration periods for which documentation must be submitted. Further, if DOCTOR SHEAKOSKI's certificate remains inactive for more than two years, the Board may impose additional requirements for reinstate pursuant to Section 4731.222, Ohio Revised Code.

If, in the discretion of the Secretary and Supervising Member of the BOARD, DOCTOR SHEAKOSKI 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 Agreement.

DOCTOR SHEAKOSKI 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 SHEAKOSKI 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. 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 that it shall become effective upon the last date of signature below.

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

STEVEN L. SHEAKOSKI, M.D.

3/9/96
DATE

KPBYERS
KEVIN P. BYERS, ESQ.
Attorney for Dr. Sheakoski

3-11-96
DATE

THOMAS E. GRETTER, M.D.
Secretary

4/17/96
DATE

RAYMOND J. ALBERT
Supervising Member

4/17/96
DATE

PATRICK W. BEATTY, ESQ.
Assistant Attorney General

4/17/96
DATE

Revised 2/28/96

STATE MEDICAL BOARD OF OHIO

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

December 6, 1995

Steven Leon Sheakoski, M.D.
1161 Trailsedge
Hubbard, OH 44425

Dear Doctor Sheakoski:

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) In applying for registration of your certificate to practice medicine or surgery for the current registration period, you certified that you had completed during the last biennial period of acquisition of Continuing Medical Education (CME) (July 1, 1992 - June 30, 1994) the requisite hours of CME as required by Section 4731.281, Ohio Revised Code.

(2) In April 1995, the State Medical Board of Ohio informed you by a certified mail letter that you were required to complete a log listing your CME for the July 1, 1992 - June 30, 1994 period and to provide documentation that you had actually completed at least forty (40) hours of Category I CME credits. By certified mail letter dated July 27, 1995, for which your agent signed on July 31, 1995, the State Medical Board again requested that you submit documentation of your CME credits for the July 1, 1992 - June 30, 1994 period. You have not responded to either of the above notices. You have failed to submit any documentation of CME completed for the above period.

(3) Your lack of response to the notices as detailed in the above paragraph (2) rebuts the presumption that you did complete the requisite hours of CME, and/or demonstrates that you failed to keep detailed records of CME taken.

Your acts in certifying to the State Medical Board that you had completed the statutorily required CME, as set forth in the above paragraph (1), when you had not, in fact, done so, 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.

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Further, your acts in certifying to the State Medical Board that you had completed the statutorily required CME, as set forth in the above paragraph (1), when you had not, in fact, done so, 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 respond to the audit notices, to obtain the requisite CME and/or submit documentation of same 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, and Rules 4731-10-03 and 4731-10-08, Ohio Administrative Code.

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 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 # P 348 886 994
RETURN RECEIPT REQUESTED

rev.2/15/95