

**CONSENT AGREEMENT  
BETWEEN  
SANTIAGO L. ROIG, M.D.  
AND  
THE STATE MEDICAL BOARD OF OHIO**

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

Dr. Roig., 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 Consent Agreement between the parties, there being no other Consent Agreement of any kind, verbal or otherwise, which varies the terms of this Consent Agreement.

**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 revoke or refuse to grant a certificate to a person found by the Board to have committed fraud, misrepresentation, or deception in applying for or securing any certificate to practice or certificate of registration issued by the Board.
- B. The Board is 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 securing or attempting to secure any certificate to practice or certificate of registration issued by the Board.”
- C. The Board 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 or attempting to violate, directly or indirectly, or assisting in or abetting the violation of conspiring to violate, any provisions of this chapter or any rule promulgated by the Board.”

- D. Additionally, the Board is empowered by Section 4731.281(E), Ohio Revised Code, to impose a civil penalty of not more than five thousand dollars on an individual whom the Board finds did not complete the requisite Continuing Medical Education [CME] during the applicable time period.
- E. The Board enters into this Consent Agreement in lieu of further formal proceedings based upon the violations of Sections 4731.22(A), 4731.22(B)(5), and 4731.22(B)(20), Ohio Revised Code, to wit: Section 4731.281, Ohio Revised Code, and Rules 4731-10-03, 4731-10-05, 4731-10-08, Ohio Administrative Code, as in effect prior to February 28, 2003, as set forth in the Notice of Opportunity for Hearing issued by the Board on April 13, 2005, a copy of which is attached hereto and fully incorporated herein, and paragraphs I-L. The Board expressly reserves the right to institute formal proceedings based upon any other violations of Chapter 4731 of the Ohio Revised Code whether occurring before or after the effective date of this Consent Agreement.
- F. Dr. Roig is licensed to practice medicine and surgery in the state of Ohio, License No. 35-057475.
- G. Dr. Roig states that he also currently holds an active license to practice medicine and surgery in the state of Florida, License No. ME13772.
- H. Dr. Roig states that his license to practice medicine and surgery in the state of Pennsylvania, License No. MD039915E, expired on December 31, 2000.
- I. Dr. Roig states that he holds no other licenses to practice medicine and surgery.
- J. Dr. Roig admits that, in applying for registration of his certificate to practice medicine and surgery for the April 2, 2004 - April 1, 2006 period, he certified that he had completed or would complete during the preceding January 2, 2002 – January 1, 2004 period the requisite hours of CME, as required by Section 4731.281, Ohio Revised Code.
- K. Dr. Roig admits that he failed to provide documentation that he had completed at least 40 hours of Category I CME after the Board requested the documentation and granted him an extension of time to obtain copies of the documentation.
- L. Dr. Roig admits that he has documentation for only 9.5 hours of the required 40 hours of Category I CME during the applicable 2002-2004

period. Dr. Roig further admits that, by signing his renewal application and attesting that he had completed the requisite 40 hours of Category I CME when, in fact, he failed to maintain detailed records for at least 40 CME hours, he engaged in an act of misrepresentation in violation of Sections 4731.22(A) and R.C. 4731.22(B)(5), Ohio Revised Code. Dr. Roig admits that he also violated Section 4731.22(B)(20), Ohio Revised Code, operating in conjunction with Sections 4731.281, Ohio Revised Code, and Rules 4731-10-03, 4731-10-05, 4731-10-08, Ohio Administrative Code, as in effect prior to February 28, 2003, by failing to obtain or submit documentation of the requisite CME.

- M. Dr. Roig states, and the Board acknowledges receipt of acceptable documentation showing, that he has completed 35.5 Category I CME credits during the current 2004-2006 CME period, which will be credited towards his 30.5 credit deficiency in the 2002-2004 period. The Board agrees that Dr. Roig has now satisfied his CME requirement for the 2002-2004 CME period.

#### **AGREED CONDITIONS**

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

#### **REPRIMAND**

1. Dr. Roig is hereby REPRIMANDED.

#### **FINE**

2. Dr. Roig will pay a fine to the Board in the amount of \$3,000.00 within thirty days of the effective date of this Consent Agreement.

#### **DCOUMENTATION OF CME**

3. Dr. Roig shall supply documentation acceptable to the Board of satisfactory completion of the requisite number of CME credits for the CME period of April 2, 2004 to April 1, 2006. These CME hours will be in addition to the 30.5 hours that Dr. Roig completed during the 2004-2006 CME period that have been credited to the 2002-2004 CME period. Moreover, Dr. Roig shall supply documentation acceptable to the Board of satisfactory completion of the requisite number of CME hours for the two CME periods that correspond with Dr. Roig'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 period, unless otherwise determined by the Board.

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

4. Within thirty days of the effective date of this Consent Agreement, Dr. Roig 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. Roig 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.
5. Within thirty days of the effective date of this Consent Agreement, Dr. Roig 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. Roig shall also 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 or restoration of any professional license. Further, Dr. Roig shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt, unless otherwise determined by the Board.

#### **FAILURE TO COMPLY**

If, in the discretion of the Secretary and Supervising Member of the Board, Dr. Roig 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**

Dr. Roig 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.

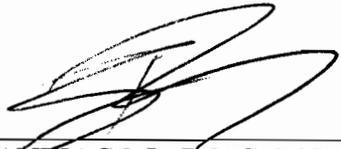
Any action initiated by the Board based on alleged violations of this Consent Agreement shall comply with the Administrative Procedure Act, Chapter 119., Ohio Revised Code.

Dr. Roig 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. Further, this information may be reported to appropriate organizations, data banks and governmental bodies. Dr. Roig acknowledges that his social security number will be used if this information is so reported and agrees to provide his social security number to the Board for such purposes.

**EFFECTIVE DATE**

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

  
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SANTIAGO L. ROIG, M.D.

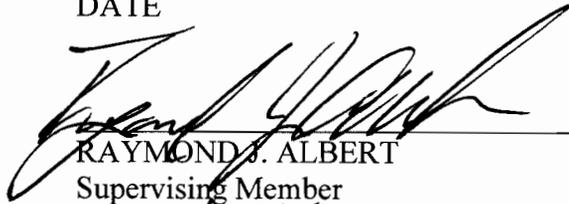
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JAMES MCGOVERN, Esq.  
Attorney for Dr. Roig

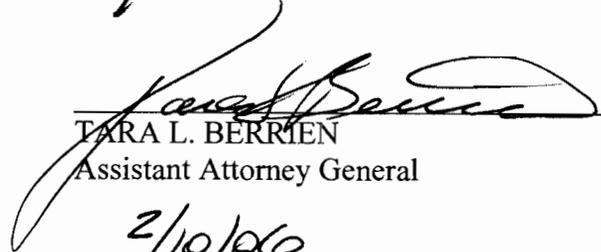
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\_\_\_\_\_  
LANCE A. TALMAGE, M.D.  
Secretary

2-8-06  
\_\_\_\_\_  
DATE

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

2/8/06  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
TARA L. BERRIEN  
Assistant Attorney General

2/10/06  
\_\_\_\_\_  
DATE



# State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: [www.med.ohio.gov](http://www.med.ohio.gov)

April 13, 2005

Santiago L. Roig, M.D.  
102 Brickbarn Court  
Oakdale, PA 15071

Dear Doctor Roig:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio [Board] intends to determine whether or not to limit, revoke, permanently revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery, or to fine, 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 and surgery for the April 2, 2004 – April 1, 2006 period, you certified on your renewal application, signed on March 30, 2004, that you had completed or would complete during the 2002 – 2004 period (January 2, 2002 – January 1, 2004) the requisite hours of Continuing Medical Education [CME] as required by Section 4731.281, Ohio Revised Code.
- (2) By a certified mail letter dated November 5, 2004, the Board informed you that you were required to complete and submit a log demonstrating that you had completed at least one hundred hours of CME during the 2002 – 2004 period and to provide documentation that you had actually completed at least forty hours of Category I CME credits. You responded by faxed letter on November 21, 2004, requesting an extension of time within which to obtain copies of the Category I CME documentation. By certified mail letter dated November 23, 2004, the Board granted an extension until December 13, 2004.

On December 13, 2004, the Board received your letter that began, "I respectfully admit that I have been negligent in the tracking of my C.M.E. for the stated period of renewal from the dates of January 2, 2002 til January 1, 2004." You included a log listing 79 Category II CME credits, documentation for 9.5 Category I CME credits for the 2002 – 2004 period, and documentation for 35.5 Category I CME credits that you obtained after the audited period.

MAILED 4-14-05

By certified mail letter dated January 11, 2005, the Board acknowledged receipt of documentation of 9.5 Category I CME credits, but stated that you needed to provide documentation of the remaining 30.5 hours of Category I CME credits for the 2002 – 2004 period. The Board has not received any further response or additional documentation pertaining to Category I CME credits.

Your acts, conduct and/or omissions in certifying to the 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 certificate to practice or certificate of registration issued by the board,” as that clause is used in Section 4731.22(A), Ohio Revised Code.

Further, your acts, conduct and/or omissions in certifying to the 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 “[m]aking a false, fraudulent, deceptive, or misleading statement,” as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.

Further, your failure to obtain the requisite CME, and/or to submit documentation of same, as alleged in the above paragraph (2) 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, 4731-10-05 and 4731-10-08, Ohio Administrative Code, as in effect prior to February 28, 2003.

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 days of the time of mailing of this notice.

You are further advised that, if you timely request a hearing, 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 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, permanently revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery, or to fine, reprimand or place you on probation.

Please note that, whether or not you request a hearing, Section 4731.22(L), Ohio Revised Code, provides that “[w]hen the board refuses to grant a certificate to an applicant, revokes an individual’s certificate to practice, refuses to register an applicant, or refuses to reinstate an individual’s certificate to practice, the board may specify that its action is permanent. An individual subject to a permanent action taken by the board is forever thereafter ineligible to hold a certificate to practice and the board shall not accept an application for reinstatement of the certificate or for issuance of a new certificate.”

Copies of the applicable sections are enclosed for your information.

Very truly yours,

*Lance A. Talmage, M.D.*  
Lance A. Talmage, M.D.  
Secretary

Enclosures

CERTIFIED MAIL #7000 0600 0024 5143 7469  
RETURN RECEIPT REQUESTED