STEP II
CONSENT AGREEMENT
BETWEEN
MARK THOMAS HALLE, M.D.
AND
THE STATE MEDICAL BOARD OF OHIO

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

MARK THOMAS HALLE, 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 for "impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice," as that clause is used in Section 4731.22(B)(26), Ohio Revised Code, and for "[i]nability to practice according to acceptable and prevailing standards of care by reason of mental illness or physical illness, including, but not limited to, physical deterioration that adversely affects cognitive, motor, or perceptive skills," as that clause is used in Section 4731.22(B)(19), Ohio Revised Code.

B. THE STATE MEDICAL BOARD OF OHIO enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violation of Section 4731.22(B)(26), Ohio Revised Code, as set forth in paragraphs D and E of the December 1998 Step I Consent Agreement between MARK THOMAS HALLE, M.D., and THE STATE MEDICAL BOARD OF OHIO, a copy of which is attached hereto and fully incorporated herein,

and paragraphs E, G, H, and I below, as well as the violation of Section 4731.22(B)(19), Ohio Revised Code, as set forth in paragraphs F and G below. THE STATE MEDICAL BOARD OF OHIO 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. MARK THOMAS HALLE, M.D., is applying for reinstatement of his license to practice medicine and surgery in the State of Ohio, which was suspended on October 1, 1998, for failure to renew and in December 1998 pursuant to the terms of the above referenced Step I Consent Agreement.

D. MARK THOMAS HALLE, M.D. STATES that he is not licensed to practice medicine and surgery in any other state or jurisdiction.

E. MARK THOMAS HALLE, M.D., ADMITS that on or about November 13, 1998, he entered Ignatia Hall Alcohol and Drug Treatment Program at St. Thomas Hospital, a BOARD approved treatment facility in Akron, Ohio, for inpatient detoxification and treatment for his alcohol dependence and withdrawal. DOCTOR HALLE further ADMITS that on or about November 20, 1998, he was discharged from Ignatia Hall to enter the intensive outpatient program at Talbot Hall at University Hospitals East, The Ohio State University, a BOARD approved treatment provider in Columbus, Ohio. DOCTOR HALLE further ADMITS that he thereafter participated in Talbot Hall's intensive outpatient program until in or about February 1999, at which time he began participation in Talbot Hall's continuing care program.

DOCTOR HALLE STATES, and the STATE MEDICAL BOARD OF OHIO ACKNOWLEDGES receipt of information to support, that he is currently in compliance with an advocacy contract entered into with the Ohio Physicians Effectiveness Program on January 28, 1999, and an aftercare contract entered into with Talbot Recovery Services. DOCTOR HALLE ADMITS that such advocacy and aftercare contracts remain in effect to date.

F. MARK THOMAS HALLE, M.D., ADMITS that he has been diagnosed with Major Depression, recurrent. DOCTOR HALLE further ADMITS that he has received treatment related to his depression from several psychiatrists, including Steven Dilsaver, M.D., Ernesto Vasquez, M.D., and Craig Pratt, M.D., and from Igor Janke, M.D., who currently sees DOCTOR HALLE once every three months solely to monitor DOCTOR HALLE's response to antidepressant pharmacotherapy. DOCTOR

HALLE further ADMITS that he is currently prescribed trazodone 600 mg. qhs, Wellbutrin SR 225 mg. bid, and desipramine 150 mg. qd., and STATES that he takes such medications as prescribed.

Further, DOCTOR HALLE STATES that although he was taking Antabuse prior to August 17, 2000, Dr. Janke determined that it was appropriate for DOCTOR HALLE to discontinue taking Antabuse pending re-evaluation of DOCTOR HALLE's reported symptoms of anesthesia of the soles of his feet and cold intolerance. DOCTOR HALLE further STATES that he is receiving treatment from neurologist Maureen Delphia, M.D., for his peripheral neuropathy and is being prescribed Neurontin by Dr. Delphia for pain control. DOCTOR HALLE further STATES that Dr. Delphia has also determined it appropriate for him to discontinue taking Antabuse, and ACKNOWLEDGES that Dr. Delphia recommends that the Antabuse be restarted if Dr. HALLE relapses.

G. MARK THOMAS HALLE, M.D., STATES, and the STATE MEDICAL BOARD OF OHIO ACKNOWLEDGES, that Tom H. Pepper, M.D., of Talbot Hall at University Hospitals East, The Ohio State University, in Columbus Ohio, a BOARD approved treatment provider, Craig T. Pratt, M.D., of Columbus, Ohio, and Karla Klein Voyten, Ph.D,. of Hilliard, Ohio, have provided written reports indicating that DOCTOR HALLE's ability to practice has been assessed and that he has been found capable of practicing medicine and surgery according to acceptable and prevailing standards of care, so long as certain treatment and monitoring requirements are in place.

H. MARK THOMAS HALLE, M.D., STATES, and THE STATE MEDICAL BOARD OF OHIO ACKNOWLEDGES, that DOCTOR HALLE has substantially fulfilled the conditions for reinstatement of his certificate to practice medicine and surgery in the State of Ohio, as established in the December 1998 Step I Consent Agreement between MARK THOMAS HALLE, M.D., and THE STATE MEDICAL BOARD OF OHIO.

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 MARK THOMAS HALLE, M.D., to practice medicine and surgery in the State of Ohio shall be reinstated, and MARK THOMAS HALLE, M.D., knowingly and voluntarily agrees with THE STATE MEDICAL BOARD OF OHIO, (hereinafter BOARD), to the following PROBATIONARY terms, conditions and limitations:

1. DOCTOR HALLE shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio;

2. DOCTOR HALLE shall submit quarterly declarations under penalty of BOARD disciplinary action or criminal prosecution, stating whether there has been compliance with all the conditions of this CONSENT AGREEMENT. The first quarterly declaration must be received in the BOARD's offices on the first day of the third month following the month in which the CONSENT AGREEMENT becomes effective, provided that if the effective date is on or after the 16th day of the month, the first quarterly declaration must be received in the BOARD's offices on the first day of the fourth month following. Subsequent quarterly declarations must be received in the BOARD's offices on or before the first day of every third month;

3. DOCTOR HALLE shall appear in person for quarterly interviews before the BOARD or its designated representative, or as otherwise directed by the BOARD.

   If an appearance is missed or is rescheduled for any reason, ensuing appearances shall be scheduled based on the appearance date as originally scheduled. (Example: The first quarterly appearance is scheduled for February, but based upon the doctor's serious personal illness he is permitted to delay appearance until April. The next appearance will still be scheduled for May, three months after the appearance as originally scheduled.) Although the BOARD will normally give DOCTOR HALLE written notification of scheduled appearances, it is DOCTOR HALLE's responsibility to know when personal appearances will occur. If he does not receive written notification from the BOARD by the end of the month in which the appearance should have occurred, DOCTOR HALLE shall immediately submit to the BOARD a written request to be notified of his next scheduled appearance;

4. In the event that DOCTOR HALLE should leave Ohio for three (3) continuous months, or reside or practice outside the State, DOCTOR HALLE must notify the BOARD in writing of the dates of departure and return. Periods of time spent outside Ohio will not apply to the reduction of this period under the CONSENT AGREEMENT, unless otherwise determined by motion of the BOARD in instances where the BOARD can be assured that probationary monitoring is otherwise being performed;

5. In the event DOCTOR HALLE is found by the Secretary of the BOARD to have failed to comply with any provision of this CONSENT AGREEMENT, and is so notified of that deficiency in writing, such period(s) of noncompliance will not apply to the reduction of the probationary period under the CONSENT AGREEMENT;

MONITORING OF REHABILITATION AND TREATMENT

Drug Associated Restrictions

6. Prior to prescribing any medications, DOCTOR HALLE shall obtain personalized prescription pads with carbons. In addition, DOCTOR HALLE shall prescribe medications only by utilizing such personalized prescription pads with carbons. Further, upon prescribing a medication, DOCTOR HALLE shall place the carbon in the appropriate patient record;

7. DOCTOR HALLE shall keep a log of all controlled substances prescribed. Such log shall be submitted in the format approved by the BOARD thirty (30) days prior to DOCTOR HALLE 's personal appearance before the BOARD or its designated representative, or as otherwise directed by the BOARD;

8. DOCTOR HALLE shall not, without prior BOARD approval, administer, personally furnish, or possess (except as allowed under Paragraph 9 below) any controlled substances as defined by state or federal law. In the event that the BOARD agrees at a future date to modify this CONSENT AGREEMENT to allow DOCTOR HALLE to administer or personally furnish controlled substances, DOCTOR HALLE shall keep a log of all controlled substances prescribed, administered or personally furnished. Such log shall be submitted in the format approved by the BOARD thirty (30) days prior to DOCTOR HALLE's personal appearance before the BOARD or its designated representative, or as otherwise directed by the BOARD;

Sobriety

9. DOCTOR HALLE shall abstain completely from the personal use or possession of drugs, except those prescribed, dispensed or administered to him by another so authorized by law who has full knowledge of DOCTOR HALLE's history of chemical dependency;

10. DOCTOR HALLE shall abstain completely from the use of alcohol;

Self and Family Treating Limitations

11. DOCTOR HALLE shall refrain from self-treating and from treating family members, except in the event of a life-threatening emergency;

Drug and Alcohol Screens/Supervising Physician

12. DOCTOR HALLE shall submit to random urine screenings for drugs and alcohol on a weekly basis or as otherwise directed by the BOARD. DOCTOR HALLE shall ensure that all screening reports are forwarded directly to the BOARD on a quarterly basis. The drug testing panel utilized must be acceptable to the Secretary of the BOARD;

    Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR HALLE shall submit to the BOARD for its prior approval the name of a supervising physician to whom DOCTOR HALLE shall submit the required urine specimens. In approving an individual to serve in this capacity, the BOARD will give preference to a physician who practices in the same locale as DOCTOR HALLE. The supervising physician shall ensure that the urine specimens are obtained on a random basis, that the giving of the specimen is witnessed by a reliable person, and that appropriate control over the specimen is maintained. In addition, the supervising physician shall immediately inform the BOARD of any positive screening results;

    DOCTOR HALLE shall ensure that the supervising physician provides quarterly reports to the BOARD, on forms approved or provided by the BOARD, verifying whether all urine screens have been conducted in compliance with this CONSENT AGREEMENT, whether all urine screenings have been negative, and whether the supervising physician remains willing and able to continue in his responsibilities;

    In the event that the designated supervising physician becomes unable or unwilling to so serve, DOCTOR HALLE must immediately notify the BOARD in writing, and make arrangements acceptable to the BOARD for another supervising physician as soon as practicable. DOCTOR HALLE shall further ensure that the previously designated supervising physician also notifies the BOARD directly of the inability to continue to serve and the reasons therefore;

    All screening reports and supervising physician reports required under this paragraph must be received in the BOARD's offices no later than the due date for DOCTOR HALLE's quarterly declaration. It is DOCTOR HALLE's responsibility to ensure that reports are timely submitted;

13. The BOARD retains the right to require, and DOCTOR HALLE agrees to submit, blood or urine specimens for analysis at DOCTOR HALLE's expense upon the BOARD's request and without prior notice. DOCTOR HALLE's refusal to submit a blood or urine specimen upon request of the BOARD shall result in a minimum of one year of actual license suspension;

Monitoring Physician

14. Before engaging in any medical practice, DOCTOR HALLE shall submit for the BOARD's prior approval the name of a monitoring physician, who shall review DOCTOR HALLE's patient charts and, for a period of at least one year following DOCTOR HALLE's return to active practice, provide supervision of DOCTOR HALLE's cases. The monitoring physician shall submit a written report of such review and supervision to the BOARD on a quarterly basis. In approving an individual to serve in this capacity, the BOARD will give preference to a physician who practices in the same locale as DOCTOR HALLE and who is engaged in the same or similar practice specialty. Such chart review may be done on a random basis, with the frequency and number of charts reviewed to be determined by the BOARD. It shall be DOCTOR HALLE's responsibility to ensure that the monitoring physician's quarterly reports are submitted to the BOARD on a timely basis;

    Further, the monitoring physician shall otherwise monitor DOCTOR HALLE and provide the BOARD with quarterly reports on the doctor's progress and status. DOCTOR HALLE shall ensure that such reports are forwarded to the BOARD on a quarterly basis. In the event that the designated monitoring physician becomes unable or unwilling to serve in this capacity, DOCTOR HALLE must immediately so notify the BOARD in writing, and make arrangements acceptable to the BOARD for another monitoring physician as soon as practicable. DOCTOR HALLE shall further ensure that the previously designated monitoring physician also notifies the BOARD directly of the inability to continue to serve and the reasons therefore;

    All monitoring physician reports required under this paragraph must be received in the BOARD's offices no later than the due date for DOCTOR HALLE's quarterly declaration. It is DOCTOR HALLE's responsibility to ensure that reports are timely submitted;

Rehabilitation Program

15. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR HALLE shall undertake and maintain participation in an alcohol and drug rehabilitation program, such as A.A., N.A., or Caduceus, no less than three (3) times per week. Substitution of any other specific program must receive prior BOARD approval;

    DOCTOR HALLE shall submit with each quarterly declaration required under Paragraph 2 of this CONSENT AGREEMENT acceptable documentary evidence of continuing compliance with this program;

Psychiatric Treatment

16. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR HALLE shall submit to the BOARD for its prior approval the name and qualifications of a psychiatrist of his choice. Upon approval by the BOARD, DOCTOR HALLE shall undergo and continue psychiatric treatment, to include psychodynamic individual psychotherapy at least once weekly for the first six months following his reinstatement and at least once every two weeks thereafter, or as otherwise directed by the BOARD; take medications as prescribed and/or ordered for his psychiatric disorder; and otherwise comply with his psychiatric treatment plan.

    DOCTOR HALLE shall ensure that psychiatric reports are forwarded by his treating psychiatrist to the BOARD on a quarterly basis, or as otherwise directed by the BOARD. The psychiatric reports shall contain information describing DOCTOR HALLE's current treatment plan and any changes that have been made to the treatment plan since the prior report; DOCTOR HALLE's compliance with his treatment plan; DOCTOR HALLE's mental status; DOCTOR HALLE's progress in treatment; and results of any laboratory studies that have been conducted since the prior report. DOCTOR HALLE shall ensure that his treating psychiatrist immediately notifies the Board of his failure to comply with his psychiatric treatment plan and/or any determination that DOCTOR HALLE is unable to practice. It is DOCTOR HALLE's responsibility to ensure that quarterly reports are received in the BOARD's offices no later than the due date for DOCTOR HALLE's quarterly declaration;

Aftercare

17. DOCTOR HALLE shall maintain continued compliance with the terms of the advocacy contract entered into with the Ohio Physicians

Effectiveness Program and with any aftercare contract entered into with his treatment provider, provided that, where terms of the advocacy contract or aftercare contract conflict with terms of this CONSENT AGREEMENT, the terms of this CONSENT AGREEMENT shall control;

Releases

18. DOCTOR HALLE shall provide continuing authorization, through appropriate written consent forms, for disclosure by his treatment providers to the BOARD, to treating and monitoring physicians, and to others involved in the monitoring process, of information necessary for them to fulfill their respective duties and obligations;

Employment

19. DOCTOR HALLE's medical practice shall be limited to the practice of psychiatry in a highly structured environment in which other psychiatrists and mental health professionals practice, such as a community mental health center.

    In addition, DOCTOR HALLE shall obtain the prior approval of the BOARD for any medical practice or employment related to the health care fields. The BOARD shall consider, among other factors, the adequacy and continuity of supervision and the feasibility of restricted access to controlled substances, which will ensure the protection of the public, prior to approval or disapproval of the proposed employment;

Required Reporting by Licensee

20. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR HALLE 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 HALLE 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;

21. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR HALLE 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 HALLE 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 HALLE shall provide this BOARD with a copy of the return receipt as proof of notification within thirty (30) days of receiving that return receipt;

VIOLATION OF PROBATIONARY TERMS

22. Any violation of Paragraph 9 or Paragraph 10 of this CONSENT AGREEMENT shall constitute grounds to revoke or permanently revoke DOCTOR HALLE's certificate. DOCTOR HALLE agrees that the minimum discipline for such a violation shall include actual license suspension. This paragraph does not limit the BOARD's authority to suspend, revoke or permanently revoke DOCTOR HALLE's certificate based on other violations of this CONSENT AGREEMENT;

23. DOCTOR HALLE AGREES that if any declaration or report required by this CONSENT AGREEMENT is not received in the BOARD's offices on or before its due date, DOCTOR HALLE shall cease practicing beginning the day next following receipt from the BOARD of notice of non-receipt, either by writing, by telephone, or by personal contact until the declaration or report is received in the BOARD offices. Any practice during this time period shall be considered unlicensed practice in violation of Section 4731.41 of the Revised Code;

24. DOCTOR HALLE AGREES that if, without prior permission from the BOARD, he fails to submit to random screenings for drugs and alcohol at least as frequently as required by Paragraph 12 of this CONSENT AGREEMENT, he shall cease practicing immediately upon receipt from the BOARD of notice of the violation and shall refrain from practicing for thirty (30) days for the first instance of a single missed screen. Practice during this time period shall be considered unlicensed practice in violation of Section 4731.41 of the Revised Code; and,

25. DOCTOR HALLE AGREES that if he fails to participate in an alcohol and drug rehabilitation program at least as frequently as required by Paragraph 15 of this CONSENT AGREEMENT, he shall cease practicing immediately upon receipt from the BOARD of notice of the violation, and shall refrain from practicing for fifteen (15) days following a first missed meeting. Practice during this time period shall be

considered unlicensed practice in violation of Section 4731.41 of the Revised Code.

FAILURE TO COMPLY

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

If the Secretary and Supervising Member of the BOARD determine that there is clear and convincing evidence that DOCTOR HALLE has violated any term, condition or limitation of this CONSENT AGREEMENT, DOCTOR HALLE agrees that the violation, as alleged, also constitutes clear and convincing evidence that his continued practice presents a danger of immediate and serious harm to the public for purposes of initiating a summary suspension pursuant to Section 4731.22(G), Ohio Revised Code.

DURATION/MODIFICATION OF TERMS

DOCTOR HALLE shall not request termination of this CONSENT AGREEMENT for a minimum of five (5) years. In addition, DOCTOR HALLE shall not request modification to the probationary terms, limitations and conditions contained herein for at least one (1) year. Otherwise, the above described terms, limitations and conditions may be amended or terminated in writing at any time upon the agreement of both parties.

ACKNOWLEDGMENTS/LIABILITY RELEASE

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

MARK THOMAS HALLE, M.D.

10/5/00
DATE

ANAND G. GARG, M.D.
Secretary

10/11/00
DATE

RAYMOND J. ALBERT
Supervising Member

10/11/00
DATE

ANNE B. STRAIT, ESQ.
Assistant Attorney General

10/11/00
DATE

STEP I
CONSENT AGREEMENT
BETWEEN
MARK THOMAS HALLE, M.D.
AND
THE STATE MEDICAL BOARD OF OHIO

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

MARK THOMAS HALLE, 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)(26), 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 "impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice."

B. THE STATE MEDICAL BOARD OF OHIO enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violation of Section 4731.22(B)(26), Ohio Revised Code, as set forth in Paragraphs D and 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 Agreement.

C. MARK THOMAS HALLE, M.D.'s license to practice medicine and surgery in the State of Ohio was suspended on October 1, 1998, for failure to renew.

D. MARK THOMAS HALLE, M.D., ADMITS that he has been drinking heavily for the last six months; that his current alcohol intake consists of binge drinking one to two bottles of wine every weekend; that he has been experiencing blackouts for the past two months; and that he has been exhibiting inappropriate behavior during these blackouts.

DOCTOR HALLE further ADMITS that he used Xanax during the time that he was in medical school. DOCTOR HALLE further ADMITS that between the time of his completion of medical school and the beginning of his residency in 1989, he detoxified himself from a dosage of Xanax 8 mg. per day. DOCTOR HALLE further ADMITS that during the time of his residency, he experienced panic attacks and treated himself by prescribing Xanax. DOCTOR HALLE further ADMITS that when he was advised that it was inappropriate for him to self-prescribe, he obtained Xanax prescriptions from a psychiatrist.

DOCTOR HALLE further ADMITS that his history includes the use and abuse of marijuana, cocaine, and crystal methamphetamine. DOCTOR HALLE STATES however, that he has not used these substances for the past year.

DOCTOR HALLE further ADMITS that he has been self-prescribing Trazadone and Desipramine since at least June 1997, and that he has routinely exceeded the recommended dosage for these medications.

DOCTOR HALLE STATES that on November 6, 1998, he voluntarily disclosed the aforementioned information to an investigator for the State Medical Board of Ohio.

E. DOCTOR HALLE further ADMITS that on November 10, 1998, he was assessed by Robert Liebelt, M.D., Medical Director of Ignatia Hall, St. Thomas Medical Center, a Board approved treatment provider in Akron, Ohio, and that Dr. Liebelt recommended that DOCTOR HALLE enter inpatient treatment.

AGREED CONDITIONS

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

SUSPENSION OF CERTIFICATE

1. The certificate of DOCTOR HALLE to practice medicine and surgery in the State of Ohio shall be SUSPENDED for an indefinite period of time but not less than six months;

Sobriety

2. DOCTOR HALLE shall abstain completely from the personal use or possession of drugs, except those prescribed, dispensed or administered to him

by another so authorized by law who has full knowledge of DOCTOR HALLE's history of chemical dependency;

3. DOCTOR HALLE shall abstain completely from the use of alcohol;

Releases; Quarterly Declarations and Appearances

4. DOCTOR HALLE shall provide authorization, through appropriate written consent forms, for disclosure of evaluative reports, summaries, and records, of whatever nature, by any and all parties that provide treatment or evaluation for DOCTOR HALLE's chemical dependency or related conditions, including psychiatric conditions, or for purposes of complying with the CONSENT AGREEMENT, whether such treatment or evaluation occurred before or after the effective date of this CONSENT AGREEMENT. The above-mentioned evaluative reports, summaries, and records are considered medical records for purposes of Section 149.43 of the Ohio Revised Code and are confidential pursuant to statute. DOCTOR HALLE further agrees to provide the BOARD written consent permitting any treatment provider from whom he obtains treatment to notify the BOARD in the event he fails to agree to or comply with any treatment contract or aftercare contract. Failure to provide such consent, or revocation of such consent, shall constitute a violation of this CONSENT AGREEMENT.

5. DOCTOR HALLE shall submit quarterly declarations under penalty of BOARD disciplinary action or criminal prosecution, stating whether there has been compliance with all the conditions of this CONSENT AGREEMENT. The first quarterly declaration must be received in the Board's offices on the first day of the third month following the month in which the consent agreement becomes effective, provided that if the effective date is on or after the 16th day of the month, the first quarterly declaration must be received in the Board's offices on the first day of the fourth month following. Subsequent quarterly declarations must be received in the BOARD's offices on or before the first day of every third month;

6. DOCTOR HALLE shall appear in person for quarterly interviews before the BOARD or its designated representative, or as otherwise directed by the BOARD.

If an appearance is missed or is rescheduled for any reason, ensuing appearances shall be scheduled based on the appearance date as originally scheduled. (Example: The first quarterly appearance is scheduled for February, but based upon the doctor's serious personal illness he is permitted to delay appearance until April. The next appearance will still be scheduled for May, three months after the appearance as originally scheduled.) Although the

BOARD will normally give DOCTOR HALLE written notification of scheduled appearances, it is DOCTOR HALLE's responsibility to know when personal appearances will occur. If he does not receive written notification from the BOARD by the end of the month in which the appearance should have occurred, DOCTOR HALLE shall immediately submit to the BOARD a written request to be notified of his next scheduled appearance;

Drug & Alcohol Screens; Supervising Physician

7. DOCTOR HALLE shall submit to random urine screenings for drugs and alcohol on a weekly basis or as otherwise directed by the BOARD. DOCTOR HALLE shall ensure that all screening reports are forwarded directly to the BOARD on a quarterly basis. The drug testing panel utilized must be acceptable to the Secretary of the Board;

Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR HALLE shall submit to the BOARD for its prior approval the name of a supervising physician to whom DOCTOR HALLE shall submit the required urine specimens. The supervising physician shall ensure that the urine specimens are obtained on a random basis, that the giving of the specimen is witnessed by a reliable person, and that appropriate control over the specimen is maintained. In addition, the supervising physician shall immediately inform the BOARD of any positive screening results;

DOCTOR HALLE shall ensure that the supervising physician provides quarterly reports to the BOARD, on forms approved or provided by the BOARD, verifying whether all urine screens have been conducted in compliance with this CONSENT AGREEMENT, whether all urine screens have been negative, and whether the supervising physician remains willing and able to continue in his responsibilities;

In the event that the designated supervising physician becomes unable or unwilling to so serve, DOCTOR HALLE must immediately notify the BOARD in writing, and make arrangements acceptable to the BOARD for another supervising physician as soon as practicable. DOCTOR HALLE shall further ensure that the previously designated supervising physician also notifies the BOARD directly of the inability to continue to serve and the reasons therefore;

All screening reports and supervising physician reports required under this paragraph must be received in the BOARD's offices no later than the due date for DOCTOR HALLE's quarterly declaration. It is DOCTOR HALLE's responsibility to ensure that reports are timely submitted;

CONDITIONS FOR REINSTATEMENT

8. The BOARD shall not consider reinstatement of DOCTOR HALLE's certificate to practice medicine and surgery unless and until all of the following conditions are met:

   a. DOCTOR HALLE shall submit an application for reinstatement, accompanied by appropriate fees, if any;

   b. DOCTOR HALLE shall demonstrate to the satisfaction of the BOARD that he can resume practice in compliance with acceptable and prevailing standards of care under the provisions of his certificate. Such demonstration shall include but shall not be limited to the following:

      i. Certification from a treatment provider approved under Section 4731.25 of the Revised Code that DOCTOR HALLE has successfully completed any required inpatient treatment;

      ii. Evidence of continuing full compliance with an aftercare contract or consent agreement and psychiatric treatment plan;

      iii. Two written reports indicating that DOCTOR HALLE'S ability to practice has been assessed and that he has been found capable of practicing according to acceptable and prevailing standards of care;

      One report shall be made by an individual or provider approved by the BOARD under Section 4731.25, Ohio Revised Code, for making such assessments. Prior to the assessment, DOCTOR HALLE shall provide the evaluator with copies of patient records from any evaluations and/or treatment that he has received, and a copy of this Consent Agreement. The report from the evaluator shall include any recommendations for treatment, monitoring, or supervision of DOCTOR HALLE, and any conditions, restrictions, or limitations that should be imposed on DOCTOR HALLE's practice. The report shall also describe the basis for the evaluator's determinations;

      One report shall be made by a psychiatrist, approved in advance by the BOARD, who shall conduct a psychiatric examination of DOCTOR HALLE that includes psychological and neuropsychological testing. Prior to the examination, DOCTOR HALLE shall provide the psychiatrist with copies of patient

records from any evaluations and/or treatment that he has received, and a copy of this Consent Agreement. The report from the evaluating psychiatrist shall include the psychiatrist's diagnoses and conclusions; any recommendations for care, counseling, and treatment for the psychiatric diagnoses; any conditions, restrictions, or limitations that should be imposed on DOCTOR HALLE's practice; and the basis for the psychiatrist's determinations.

c. DOCTOR HALLE shall enter into a written consent agreement including probationary terms, conditions and limitations as determined by the BOARD or, if the BOARD and DOCTOR HALLE are unable to agree on the terms of a written CONSENT AGREEMENT, then DOCTOR HALLE further agrees to abide by any terms, conditions and limitations imposed by Board Order after a hearing conducted pursuant to Chapter 119. of the Ohio Revised Code.

Further, upon reinstatement of DOCTOR HALLE's certificate to practice medicine and surgery in this state, the BOARD shall require continued monitoring which shall include, but not be limited to, compliance with the written consent agreement entered into before reinstatement or with conditions imposed by Board Order after a hearing conducted pursuant to Chapter 119. of the Revised Code and, upon termination of the consent agreement or Board Order, submission to the BOARD for at least two years of annual progress reports made under penalty of BOARD disciplinary action or criminal prosecution stating whether DOCTOR HALLE has maintained sobriety.

9. In the event that DOCTOR HALLE has not been engaged in the active practice of medicine and surgery for a period in excess of two years prior to application for reinstatement, the BOARD may exercise its discretion under Section 4731.222, Ohio Revised Code, to require additional evidence of DOCTOR HALLE's fitness to resume practice.

REQUIRED REPORTING BY LICENSEE

10. Within thirty (30) days of the effective date of this Agreement, DOCTOR HALLE 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 a license to practice. DOCTOR HALLE 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 licensure or reinstatement of licensure. Further, DOCTOR HALLE shall provide this

BOARD with a copy of the return receipt as proof of notification within thirty (30) days of receiving that return receipt.

11. Within thirty (30) days of the effective date of this Agreement, DOCTOR HALLE shall provide a copy of this CONSENT AGREEMENT to all employers or entities with which he is under contract to provide physician services or is receiving training; and the Chief of Staff at each hospital where he has privileges or appointments.

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 STATE MEDICAL BOARD OF OHIO, DOCTOR HALLE appears to have violated or breached any term or condition of this Agreement, THE STATE MEDICAL BOARD OF OHIO 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.

ACKNOWLEDGMENTS/LIABILITY RELEASE

DOCTOR HALLE acknowledges that he has had an opportunity to ask questions concerning the terms of this 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 HALLE 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.

MARK T. HALLE, M.D.

11/13/98
DATE

ANAND G. GARG, M.D.
Secretary

12/09/98
DATE

RAYMOND J. ALBERT
Supervising Member

12/9/98
DATE

ANNE B. STRAIT, ESQ.
Assistant Attorney General

12/9/98
DATE