

**CONSENT AGREEMENT  
BETWEEN  
STEVE AMOILS, M.D.  
AND  
THE STATE MEDICAL BOARD OF OHIO**

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

Dr. Amoils 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 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(B)(6), 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 “[a] departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established.”
- B. The Board is empowered by Section 4731.22(B)(18), 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 certificate for a “[v]iolation of any provision of a code of ethics of the American medical association, the American osteopathic association, the American podiatric medical association, or any other national professional organizations that the board specifies by rule.”
- C. Dr. Amoils is licensed to practice medicine and surgery in the State of Ohio, License #35.059500.
- D. Dr. Amoils is not licensed to practice medicine and surgery or osteopathic medicine and surgery in any other jurisdiction.
- E. On June 8, 2005, the Board issued to Dr. Amoils a Notice of Opportunity for Hearing, a copy of which is attached hereto and fully incorporated herein.
- F. Dr. Amoils admits to the factual and legal allegations as set forth in the Notice of Opportunity for Hearing dated June 8, 2005.

*SA /u/1/05'*  
Initials/Date

### **AGREED CONDITIONS**

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

#### **SUSPENSION OF CERTIFICATE**

1. The certificate of Dr. Amoils to practice medicine and surgery in the State of Ohio shall be **SUSPENDED** for an indefinite period of time, but not less than 180 days .

#### **CONDITIONS FOR REINSTATEMENT**

2. The Board shall not consider reinstatement of Dr. Amoils's certificate to practice medicine and surgery until all of the following conditions are met:
  - a. Dr. Amoils shall submit an application for reinstatement, accompanied by appropriate fees, if any.

#### **Ethics Course**

- b. At the time he submits his application for reinstatement, Dr. Amoils shall provide documentation of successful completion of a professional ethics course or courses dealing specifically with the ethical principles Dr. Amoils violated in this matter. The exact number of hours and the specific content of the course or courses shall be subject to the prior approval of the Board or its designee. Any courses taken in compliance with this provision shall be in addition to the Continuing Medical Education requirements for relicensure for the Continuing Medical Education period(s) in which they are completed.

In addition, at the time Dr. Amoils submits the documentation of successful completion of a professional ethics course or courses, he shall also submit to the Board a written report describing the course, setting forth what he learned from the course, and identifying with specificity how he will apply what he has learned to his practice of medicine in the future.

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### **PROBATIONARY TERMS, CONDITIONS AND LIMITATIONS**

3. Upon reinstatement, Dr. Amoils's certificate to practice medicine and surgery shall be subject to the following PROBATIONARY terms, conditions and limitations for a period of at least three years:
  - a. Dr. Amoils shall obey all federal, state, and local laws, and all rules governing the practice of medicine in Ohio.

### **Quarterly Declarations and Appearances**

- b. Dr. Amoils shall submit quarterly declarations under penalty of Board disciplinary action or criminal prosecution, stating whether there has been compliance with all the probationary 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 probationary terms become effective. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.
- c. Dr. Amoils shall appear in person for an interview before the full Board or its designated representative during the third month following the month in which the probationary terms become effective. Subsequent personal appearances must occur ever three months thereafter, and/or as otherwise requested 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.
- d. In the event Dr. Amoils 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 this Consent Agreement.

### **REQUIRED REPORTING BY LICENSEE**

4. Within thirty days of the effective date of this Consent Agreement, Dr. Amoils 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. Dr. Amoils 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, Dr. Amoils shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.

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Initials/Date

5. Within thirty days of the effective date of this Consent Agreement, Dr. Amoils 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, Dr. Amoils 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.

#### **FAILURE TO COMPLY**

If, in the discretion of the Secretary and Supervising Member of the Board, Dr. Amoils appears to have violated or breached any terms 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.

#### **DURATION/MODIFICATION OF TERMS**

Dr. Amoils shall not request modification to the probationary terms, limitations, and conditions contained herein for at least one year following reinstatement of his certificate to practice medicine and surgery. Otherwise, the above-described terms, limitations and conditions may be amended or terminated in writing at any time upon the agreement of both parties.

#### **ACKNOWLEDGEMENTS/LIABILITY RELEASE**

Dr. Amoils 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., and Ohio Revised Code.

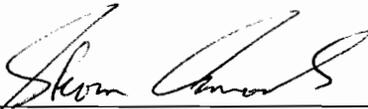
Dr. Amoils hereby releases the Board, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

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, date banks, and governmental bodies. Dr. Amoils agrees to provide his social security number to the Board and hereby authorizes the Board to utilize that number in conjunction with that reporting.

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Initials/Date

**EFFECTIVE DATE**

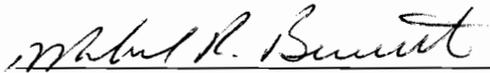
It is expressly understood that this Consent Agreement is subject to ratification by the Board prior to signature by the Secretary and Supervising Member and shall become effective upon the last date of signature below.

  
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STEVE AMOILS, M.D.

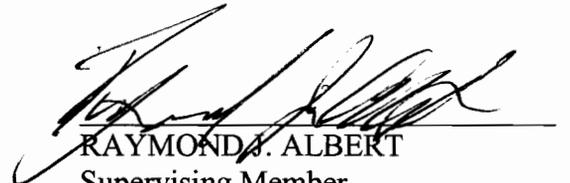
11-1-2005  
\_\_\_\_\_  
DATE

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

11-9-05  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
MICHAEL BARRETT  
Attorney for Dr. Amoils

November 1, 2005  
\_\_\_\_\_  
DATE

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

11/9/05  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
KEVIN KERNS  
Attorney for Dr. Amoils

November 2, 2005  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
BARBARA PFEIFFER  
Assistant Attorney General

November 3, 2005  
\_\_\_\_\_  
DATE



# State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 465-3934 • Website: [www.med.ohio.gov](http://www.med.ohio.gov)

June 8, 2005

Steve Amoils, M.D.  
9480 Bluewing Terrace  
Cincinnati, Ohio 45241

Dear Doctor Amoils:

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 reprimand you or place you on probation for one or more of the following reasons:

- (1) From in or about 1999 through in or about 2002, in the course of your medical practice, you treated Patient 1, identified in the attached Patient Key. The Patient Key is confidential and shall be withheld from public disclosure. Despite your ongoing physician-patient relationship with Patient 1, you engaged in sexual contact with Patient 1 on or about November 15, 2001.

Your acts, conduct, and/or omissions as alleged in paragraph (1) above, individually and/or collectively, constitute “[a] departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established,” as that clause is used in Section 4731.22(B)(6), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (1) above, individually and/or collectively, constitute “[v]iolation of any provision of a code of ethics of the American medical association, the American osteopathic association, the American podiatric medical association, or any other national professional organizations that the board specifies by rule,” as that clause is used in Section 4731.22(B)(18), Ohio Revised Code, to wit: Principles I, II and IV of the American Medical Association’s Principles of Medical Ethics.

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.

*Mailed 6-9-05*

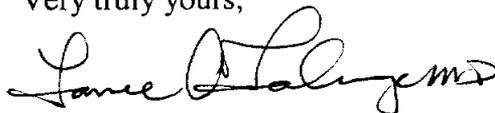
You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at 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 reprimand you 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.  
Secretary

LAT/blt  
Enclosures

CERTIFIED MAIL # 7003 0500 0002 4340 7339  
RETURN RECEIPT REQUESTED

CC: Wijdran Jreisat, Esq.  
Katz, Teller, Brant & Hild  
255 East Fifth Street, Suite 2400  
Cincinnati, OH 45202

CERTIFIED MAIL # 7003 0500 0002 4340 7322  
RETURN RECEIPT REQUESTED