

**BEFORE THE STATE MEDICAL BOARD OF OHIO**

IN THE MATTER OF

\*

\*

TRUDY J. NELSON, M.D.

\*

**ENTRY OF ORDER**

This matter came on for consideration before the State Medical Board of Ohio on July 12, 2000.

Upon the Report and Recommendation of R. Gregory Porter, State Medical Board Attorney Hearing Examiner, designated in this Matter pursuant to R.C. 4731.23, a true copy of which Report and Recommendation is attached hereto and incorporated herein, and upon the approval and confirmation by vote of the Board on the above date, the following Order is hereby entered on the Journal of the State Medical Board of Ohio for the above date.

It is hereby ORDERED that:

The certificate of Trudy J. Nelson, M.D., to practice medicine and surgery in the State of Ohio shall be PERMANENTLY REVOKED.

This Order shall become effective immediately upon the mailing of notification of approval by the Board.

(SEAL)

  
\_\_\_\_\_  
Anand G. Garg, M.D.  
Secretary

JULY 12, 2000  
Date

**MAY 23 2000**

**REPORT AND RECOMMENDATION  
IN THE MATTER OF TRUDY J. NELSON, M.D.**

The Matter of Trudy J. Nelson, M.D., was heard by R. Gregory Porter, Attorney Hearing Examiner for the State Medical Board of Ohio, on March 22, 2000.

**INTRODUCTION**

**I. Basis for Hearing**

- A. On January 12, 2000, the State Medical Board of Ohio [Board] sent a Notice of Immediate Suspension and Opportunity for Hearing to Trudy J. Nelson, M.D. The Board advised Dr. Nelson that the Shelby County Prosecuting Attorney had reported pursuant to Sections 2929.24 and/or 3719.12, Ohio Revised Code, that on or about December 28, 1999, in the Shelby County Common Pleas Court, Dr. Nelson pleaded guilty to the following felonies specified in the Ohio Revised Code: one count of violating Section 2923.02 as applied to Section 2925.02, Attempted Corrupting Another with Drugs; three counts of violating Section 2925.03, Trafficking in Drugs; one count of violating Section 2913.02, Theft of Drugs; and one count of violating Section 5747.19, Failure to File Tax Returns. The Board notified Dr. Nelson that, pursuant to Section 3719.121(C), Ohio Revised Code, her certificate to practice medicine and surgery in Ohio had been immediately suspended. The Board further advised Dr. Nelson that continued practice would be considered practicing medicine without a certificate, in violation of Section 4731.41, Ohio Revised Code.

Moreover, the Board notified Dr. Nelson that it had proposed to take disciplinary action against her certificate to practice medicine and surgery in Ohio based on the guilty pleas noted above.

The Board alleged that Dr. Nelson's guilty pleas constitute "[a] plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for treatment in lieu of conviction for, a felony," as that clause is used in Section 4731.22(B)(9), Ohio Revised Code."

The Board further alleged that Dr. Nelson's guilty pleas to one count of Attempted Corrupting Another with Drugs, three counts of Trafficking in Drugs, and one count of Theft of Drugs, constitute "[s]elling, giving away, personally furnishing, prescribing, or administering drugs for other than legal and legitimate therapeutic purposes or a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for treatment in lieu of conviction of, a violation of any federal or state

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law regulating the possession, distribution, or use of any drug,' as those clauses are used in Section 4731.22(B)(3), Ohio Revised Code.”

Accordingly, the Board advised Dr. Nelson of her right to request a hearing in this matter. (State's Exhibit 1A)

- B. On January 31, 2000, the Board received a written hearing request from Dr. Nelson. (State's Exhibit 1B)

## II. Appearances

- A. On behalf of the State of Ohio: Betty D. Montgomery, Attorney General, by Hanz R. Wasserburger, Assistant Attorney General.
- B. On behalf of the Respondent: Dr. Nelson, having previously been advised of her right to appear at the hearing in person or by representative, or to present her defense in writing, did not appear at the hearing or present a written defense.

## EVIDENCE EXAMINED

### I. Testimony Heard

No testimony was presented

### II. Exhibits Examined

- A. State's Exhibits 1A-1F: Procedural exhibits.
- B. State's Exhibits 2 and 3: Certified copies of documents from the Shelby County Court of Common Pleas, filed in the case captioned, *State of Ohio v. Trudy J. Nelson*, Case Number 99CR000121. [Note: At the request of the State, Dr. Nelson's Social Security Number was redacted from State's Exhibit 3 after the hearing.]

## SUMMARY OF THE EVIDENCE

All exhibits and transcripts of testimony, even if not specifically mentioned, were thoroughly reviewed and considered by the Hearing Examiner prior to preparing this Report and Recommendation.

- 1. On December 28, 1999, in the Common Pleas Court of Shelby County, Ohio, Trudy J. Nelson, M.D., executed a Petition to Enter a Plea of Guilty to the following offenses

MAY 23 2000

specified in the Ohio Revised Code, in the case captioned *State of Ohio v. Trudy J. Nelson*, Case Number 99CR000121 [*State v. Nelson*]:

- a. one count of violating Section 2923.02 as applied to Section 2925.02, Attempted Corrupting Another with Drugs, a felony of the third degree;
- b. one count of violating Section 2913.02, Theft of Drugs, a felony of the fourth degree;
- c. three counts of violating Section 2925.03, Trafficking in Drugs, a felony of the fourth degree; and
- d. one count of violating Section 5747.19, Failure to File Tax Returns, a felony of the fifth degree.

(State's Exhibits [St. Exs.] 2 and 3) Moreover, Dr. Nelson made the following statement, among others, in her petition: "I know that the Court will not, and cannot permit anyone to plead guilty who maintains his/her innocence. Because I am 'Guilty' and do not believe that I am innocent, I respectfully request the Court to accept my plea of 'Guilty[.]'" (St. Ex. 2)

The court accepted Dr. Nelson's pleas of guilty, and referred the matter to the court's Adult Probation Department for a presentence investigation. (St. Ex. 2)

2. On February 16, 2000, the court filed a Judgment Entry of Sentencing in *State v. Nelson*. The court sentenced Dr. Nelson to five years in prison for Attempted Corrupting Another with Drugs, to be served consecutively to one year for Theft of Drugs. In addition, the court sentenced Dr. Nelson to one year in prison for each of three counts of Trafficking in Drugs, and for Failure to File Tax Returns. Those sentences are to be served concurrently with each other and with the sentences for Attempted Corrupting Another with Drugs and Theft of Drugs. Moreover, the court ordered Dr. Nelson to pay a fine of \$1,300.00, in addition to the costs of prosecution and court-appointed counsel. (St. Ex. 3)

The court made the following findings, among others, in the Judgment Entry of Sentencing:

- a. "The shortest prison term will demean the seriousness of [Dr. Nelson's] conduct[.]"
- b. "Consecutive sentences are necessary to protect the public from future crime or to punish [Dr. Nelson] and [are] not disproportionate to the seriousness of [Dr. Nelson's] conduct and the danger [Dr. Nelson] poses to the public."
- c. "The harm caused by [Dr. Nelson] was so great or unusual that no single prison term for any of the offenses committed as part of a single course of conduct adequately reflects the seriousness of [Dr. Nelson's] conduct."

(St. Ex. 3)

**MAY 23 2000**

**FINDINGS OF FACT**

On December 28, 1999, in the Court of Common Pleas for Shelby County, Ohio, Trudy J. Nelson, M.D., pleaded guilty to the following felonies specified in the Ohio Revised Code: one count of violating Section 2923.02 as applied to Section 2925.02, Attempted Corrupting Another with Drugs; three counts of violating Section 2925.03, Trafficking in Drugs; one count of violating Section 2913.02, Theft of Drugs; and one count of violating Section 5747.19, Failure to File Tax Returns.

**CONCLUSIONS OF LAW**

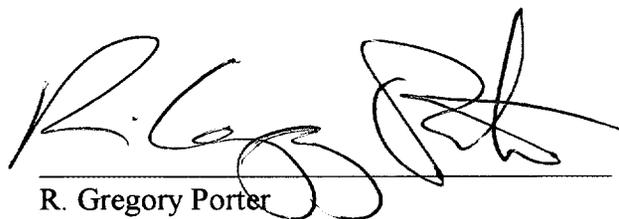
1. The guilty pleas of Trudy J. Nelson, M.D., as set forth in the Findings of Fact, constitute “[a] plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for treatment in lieu of conviction for, a felony,” as that clause is used in Section 4731.22(B)(9), Ohio Revised Code.
2. Dr. Nelson’s guilty pleas to one count of Attempted Corrupting Another with Drugs, three counts of Trafficking in Drugs, and one count of Theft of Drugs, as set forth in the Findings of Fact, constitute “a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for treatment in lieu of conviction of, a violation of any federal or state law regulating the possession, distribution, or use of any drug,” as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

**PROPOSED ORDER**

It is hereby ORDERED that:

The certificate of Trudy J. Nelson, M.D., to practice medicine and surgery in the State of Ohio shall be PERMANENTLY REVOKED.

This Order shall become effective immediately upon the mailing of notification of approval by the Board.



R. Gregory Porter  
Attorney Hearing Examiner



# State Medical Board of Ohio

77 S. High Street, 17th Floor • Columbus, Ohio 43266-0315 • 614/ 466-3934 • Website: [www.state.oh.us/med/](http://www.state.oh.us/med/)

## NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING

January 12, 2000

Trudy J. Nelson, M.D.  
2251 Shenk Road  
Elida, OH 45807

Dear Doctor Nelson:

In accordance with Sections 2929.24 and/or 3719.12, Ohio Revised Code, the Office of the Prosecuting Attorney of Shelby County, Ohio reported that on or about December 28, 1999, in the Court of Common Pleas for Shelby County, Ohio, you pleaded guilty to one (1) felony count of Attempted Corrupting Another with Drugs, three (3) felony counts of Trafficking in Drugs, and one (1) felony count of Theft of Drugs, in violation of, respectively, Section 2923.02 to wit: Section 2925.02; Section 2925.03; and Section 2913.02, Ohio Revised Code.

Therefore, pursuant to Section 3719.121(C), Ohio Revised Code, you are hereby notified that your license to practice medicine and surgery in the State of Ohio is immediately suspended. Continued practice after this suspension shall be considered practicing medicine without a certificate in violation of Section 4731.41, Ohio Revised Code.

Furthermore, 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) On or about December 28, 1999, in the Court of Common Pleas for Shelby County, Ohio, you pleaded guilty to one (1) felony count of Attempted Corrupting Another with Drugs, three (3) felony counts of Trafficking in Drugs, one (1) felony count of Theft of Drugs, and one (1) felony count of Failure to File Tax Returns, in violation of, respectively, Section 2923.02, to wit: Section 2925.02; Section 2925.03; Section 2913.02; and Section 5747.19, Ohio Revised Code.

*Mailed 1/13/00*

Your pleas of guilty or the judicial finding of guilt as alleged in paragraph (1) above, individually and/or collectively, constitute “[a] plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for treatment in lieu of conviction for, a felony,” as that clause is used in Section 4731.22(B)(9), Ohio Revised Code.

Further, your pleas of guilty or the judicial finding of guilt to one (1) felony count of Attempted Corrupting Another with Drugs, three (3) felony counts of Trafficking in Drugs, and one (1) felony count of Theft of Drugs, as alleged in paragraph (1) above, individually and/or collectively, constitute “[s]elling, giving away, personally furnishing, prescribing, or administering drugs for other than legal and legitimate therapeutic purposes or a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for treatment in lieu of conviction of, a violation of any federal or state law regulating the possession, distribution, or use of any drug,” as those clauses are used in Section 4731.22(B)(3), Ohio Revised 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, 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 (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, permanently revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation.

Please note that, whether or not you request a hearing, Section 4731.22(L), Ohio Revised Code, effective March 9, 1999, 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.”

Suspension  
Trudy J. Nelson, M.D.  
Page 3

Copies of the applicable sections are enclosed for your information.

Very truly yours,

A handwritten signature in black ink, appearing to read "Anand Garg", written over a vertical line.

Anand G. Garg, M.D.  
Secretary

AGG/bjs  
Enclosures

CERTIFIED MAIL #P 152 983 708  
RETURN RECEIPT REQUESTED

STATE MEDICAL BOARD  
OF OHIO  
94 AUG -8 PM 4:24

**CONSENT AGREEMENT  
BETWEEN  
TRUDY J. NELSON, M.D.  
AND  
THE STATE MEDICAL BOARD OF OHIO**

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

TRUDY J. NELSON, M.D. enters into this Agreement being fully informed of her 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 is entered into on the basis of the following stipulations, admissions and understandings:

- A. THE STATE MEDICAL BOARD OF OHIO is empowered 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 "publishing a false, fraudulent, deceptive, or misleading statement" and/or "the obtaining of, or attempting to obtain, money or anything of value by fraudulent misrepresentations in the course of practice" by Sections 4731.22(B)(5) and (B)(8), respectively, Ohio Revised Code.
- B. TRUDY J. NELSON, M.D., is licensed to practice medicine and surgery in the State of Ohio.
- C. DOCTOR NELSON'S certificate to practice medicine and surgery in the State of Ohio is currently suspended for an indefinite period of time, but not less than thirty (30) days, pursuant to the terms of a CONSENT AGREEMENT which DOCTOR NELSON previously entered into with the STATE MEDICAL BOARD OF OHIO on June 16, 1994 (a copy of which is attached hereto and fully incorporated herein). Also pursuant to the terms of said prior CONSENT AGREEMENT, DOCTOR NELSON was to supply documentation of 175 hours of Continuing Medical Education, including at least 70 hours of Category I, and submit an application for reinstatement, accompanied by appropriate fees.

- D. DOCTOR NELSON did supply documentation of 175 hours of Continuing Medical Education, including at least 70 hours of Category I, and submit an application for reinstatement, accompanied by appropriate fees.
- E. DOCTOR NELSON, in completing her renewal card for the 1994-1996 biennium, which served as her application for reinstatement under said prior CONSENT AGREEMENT, responded affirmatively to questions 5 and 6 which ask "AT ANY TIME SINCE SIGNING YOUR LAST APPLICATION FOR RENEWAL OF YOUR CERTIFICATE HAVE YOU:
- 5) Had any disciplinary action taken or initiated against you by any state licensing board other than the State Medical Board of Ohio?
  - 6) Surrendered, or consented to limitation upon:
    - a) A license to practice medicine; or
    - b) State or federal privileges to prescribe controlled substances?"

DOCTOR NELSON, when asked to explain her affirmative responses to questions 5 and 6 on her renewal card, responded in part as follows: "In reference to questions #5 and #6, I voluntarily surrendered my West Virginia license in April, 1994 due to similar circumstances with lack of CME-I credits."

- F. DOCTOR NELSON ADMITS that in completing her application form for renewal of her certificate to practice medicine and surgery in the State of West Virginia in or about 1993, she certified that she had completed the requisite hours of Continuing Medical Education as required by the provisions of Chapter 30, Article 3, Section 12 of the West Virginia Code.
- G. DOCTOR NELSON further ADMITS that, in fact, she had not completed the requisite hours of Continuing Medical Education as required by the provisions of Chapter 30, Article 3, Section 12 of the West Virginia Code, at the time of certification.
- H. DOCTOR NELSON further ADMITS that she surrendered her license to practice medicine and surgery in West Virginia to the West Virginia Board of Medicine effective on or about April 15, 1994, after its initiation of an action alleging that DOCTOR NELSON had renewed her license to practice medicine and

**CONSENT AGREEMENT  
TRUDY J. NELSON., M.D.  
PAGE 3**

surgery by fraudulent misrepresentations and making a false statement in connection with a licensure application.

- I. 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)(5) and (B)(8), Ohio Revised Code, and 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 AGREEMENT.

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

1. The certificate of TRUDY J. NELSON, M.D., to practice medicine and surgery in the State of Ohio shall be SUSPENDED for an indefinite period of time, but not less than sixty (60) days, such time to be calculated from June 16, 1994, the effective date of said prior CONSENT AGREEMENT.
2. The STATE MEDICAL BOARD shall not consider reinstatement of TRUDY J. NELSON, M.D.'S certificate to practice medicine and surgery unless and until all of the following conditions are met:
  - a. TRUDY J. NELSON, M.D. shall submit an application for reinstatement, accompanied by appropriate fees, if any.
  - b. TRUDY J. NELSON, M.D. shall supply documentation acceptable to the BOARD of satisfactory completion of 100 hours of approved Continuing Medical Education, at least 40 hours of which shall be in Category I, for each complete biennium, if any, during which her certificate remains suspended.
  - c. In the event that TRUDY J. NELSON, M.D. has not been engaged in the active practice of medicine for a period of more than two years prior to her application for reinstatement, TRUDY J. NELSON, M.D. shall take and pass the SPEX examination or any similar written examination which the BOARD may deem appropriate to assess her clinical competency.

**CONSENT AGREEMENT  
TRUDY J. NELSON., M.D.  
PAGE 4**

3. Upon reinstatement, TRUDY J. NELSON, M.D.'S certificate shall be subject to the following PROBATIONARY terms, conditions and limitations:
  - a. TRUDY J. NELSON, M.D. shall submit documentation, acceptable to the BOARD, of satisfactory completion of the requisite hours of Continuing Medical Education within thirty (30) days after the end of each of the next three (3) biennial registration periods following reinstatement of her license.
4. TRUDY J. NELSON, M.D. shall notify the BOARD in writing if she should elect not to renew her Ohio license during the duration of this agreement. Periods of time during which TRUDY J. NELSON, M.D. does not maintain her license as current will not apply to the reduction of the three (3) biennial registration periods for which documentation must be submitted.

TRUDY J. NELSON, M.D. acknowledges that she 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.

TRUDY J. NELSON, M.D. 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 shall become effective upon the last date of signature below.

STATE MEDICAL BOARD  
OF OHIO  
94 AUG -8 PM 4:24

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

Trudy J. Nelson M.D.  
TRUDY J. NELSON, M.D.  
8/2/94  
DATE

Carla S. O'Day  
CARLA S. O'DAY, M.D.  
Secretary 8/10/94  
DATE

Raymond J. Albert  
RAYMOND J. ALBERT  
Supervising Member  
8/10/94  
DATE

Anne C. Berry  
ANNE C. BERRY, ESQ.  
Assistant Attorney General  
8/10/94  
DATE

**CONSENT AGREEMENT  
BETWEEN  
TRUDY J. NELSON, M.D.  
AND  
THE STATE MEDICAL BOARD OF OHIO**

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

TRUDY J. NELSON, M.D., enters into this Agreement being fully informed of her 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 is entered into on the basis of the following stipulations, admissions and understandings:

- A. THE STATE MEDICAL BOARD OF OHIO, pursuant to Section 4731.22(A), Ohio Revised Code, may revoke or may 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 license or certificate issued by the board." Further, THE STATE MEDICAL BOARD OF OHIO is empowered 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 "publishing a false, fraudulent, deceptive, or misleading statement" and/or "the obtaining of, or attempting to obtain, money or anything of value by fraudulent misrepresentations in the course of practice" by Sections 4731.22(B)(5) and (B)(8), respectively, Ohio Revised Code.
- B. THE STATE MEDICAL BOARD OF OHIO enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violations of Sections 4731.22(A), (B)(5) and (B)(8), Ohio Revised Code, 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.

94 JUN - 7 PM

STATE MEDICAL BOARD  
OF OHIO

CONSENT AGREEMENT  
TRUDY J. NELSON, M.D.  
PAGE 2

- C. TRUDY J. NELSON, M.D., is licensed to practice medicine and surgery in the State of Ohio.
- D. TRUDY J. NELSON, M.D., ADMITS that in completing her application card for registration for her certificate to practice medicine or surgery for the 1991-1992 biennial registration period, she certified that she had completed the requisite hours of Continuing Medical Education during the preceding biennium, as required by Section 4731.281, Ohio Revised Code.
- E. TRUDY J. NELSON, M.D., ADMITS that, in fact, she had not completed the requisite hours of Continuing Medical Education as required by Section 4731.281, Ohio Revised Code, at the time of certification.
- F. TRUDY J. NELSON, M.D., states that she is aware that any Continuing Medical Education hours undertaken after the end of a registration period and utilized for purposes of registering or reinstating a suspended license cannot also be utilized to meet the Continuing Medical Education requirement for any other registration period, as expressed in 4731-10-04(D), Ohio Administrative Code.

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

1. The certificate of TRUDY J. NELSON, M.D., to practice medicine and surgery in the State of Ohio shall be SUSPENDED for an indefinite period of time, but not less than thirty (30) days.
2. The STATE MEDICAL BOARD shall not consider reinstatement of DOCTOR NELSON'S certificate to practice medicine and surgery unless and until all of the following conditions are met:
  - a. DOCTOR NELSON shall submit an application for reinstatement, accompanied by appropriate fees, if any.
  - b. DOCTOR NELSON shall provide documentation acceptable to the Board of her satisfactory completion of 75 hours of Continuing Medical Education credits for the 1991-1992 biennium, at least thirty hours of which shall be

- in Category I. It shall be DOCTOR NELSON'S responsibility to work with appropriate BOARD staff to ascertain what will be considered as satisfactory documentation to obtain the same.
- c. DOCTOR NELSON shall supply documentation acceptable to the BOARD of satisfactory completion of 100 hours of approved Continuing Medical Education, at least 40 hours of which shall be in Category I, for the period from July 1, 1992 to June 30, 1994, and for each complete biennium, if any, during which her certificate remains suspended after the 1991-1992 biennium.
  - d. In the event that DOCTOR NELSON has not been engaged in the active practice of medicine for a period of more than two years prior to her application for reinstatement, DOCTOR NELSON shall take and pass the SPEX examination or any similar written examination which the BOARD may deem appropriate to assess her clinical competency.
3. Upon reinstatement, DOCTOR NELSON'S certificate shall be subject to the following PROBATIONARY terms, conditions and limitations:
- a. DOCTOR NELSON shall submit documentation, acceptable to the BOARD, of satisfactory completion of the requisite hours of Continuing Medical Education within thirty (30) days after the end of each of the next three (3) biennial registration periods following reinstatement of her license.
4. DOCTOR NELSON shall notify the BOARD in writing if she should elect not to renew her Ohio license during the duration of this agreement. Periods of time during which TRUDY J. NELSON, M.D. does not maintain her license as current will not apply to the reduction of the three (3) biennial registration periods for which documentation must be submitted.

DOCTOR NELSON acknowledges that she 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.

CONSENT AGREEMENT  
TRUDY J. NELSON, M.D.  
PAGE 4

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 NELSON 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 shall become effective upon the last date of signature below.

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

Trudy J. Nelson  
TRUDY J. NELSON, M.D.  
6 June 94  
DATE

Carla S. O'Day  
CARLA S. O'DAY, M.D.  
Secretary  
6/14/94  
DATE

Raymond J. Albert  
RAYMOND J. ALBERT  
Supervising Member  
6/14/94  
DATE

Anne C. Berry  
ANNE C. BERRY, ESQ.  
Assistant Attorney General  
6/14/94  
DATE

STATE MEDICAL BOARD  
94 JUN -7 PM 3:51