



State Medical Board of Ohio

77 S. High St., 10th Floor • Columbus, OH 43215-6127 • Tel: 466-5934 • Website: www.smb.ohio.gov

December 14, 2005

Steven John Shor, M.D.
231 Sleepy Hollow Drive
Amherst, OH 44001

Dear Doctor Shor:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of R. Gregory Porter, Esq., Hearing Examiner, State Medical Board of Ohio; and an excerpt of draft Minutes of the State Medical Board, meeting in regular session on December 14, 2005, including motions approving and confirming the Report and Recommendation as the Findings and Order of the State Medical Board of Ohio.

Section 119.12, Ohio Revised Code, may authorize an appeal from this Order. Such an appeal must be taken to the Franklin County Court of Common Pleas.

Such an appeal setting forth the Order appealed from and the grounds of the appeal must be commenced by the filing of an original Notice of Appeal with the State Medical Board of Ohio and a copy of the Notice of Appeal with the Franklin County Court of Common Pleas. Any such appeal must be filed within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12, Ohio Revised Code.

THE STATE MEDICAL BOARD OF OHIO

A handwritten signature in black ink, appearing to read "Lance A. Talmage, M.D.", is written over the printed name.

Lance A. Talmage, M.D.
Secretary

LAT:jam
Enclosures

CERTIFIED MAIL NO. 7003 0500 0002 4333 9562
RETURN RECEIPT REQUESTED

Mailed 12-16-05

CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; Report and Recommendation of R. Gregory Porter, State Medical Board Attorney Hearing Examiner; and excerpt of draft Minutes of the State Medical Board, meeting in regular session on December 14, 2005, including motions approving and confirming the Findings of Fact, Conclusions and Proposed Order of the Hearing Examiner as the Findings and Order of the State Medical Board of Ohio; constitute a true and complete copy of the Findings and Order of the State Medical Board in the matter of Steven John Shor, M.D., as it appears in the Journal of the State Medical Board of Ohio.

This certification is made by authority of the State Medical Board of Ohio and in its behalf.



Lance A. Talmage, M.D.

Secretary

(SEAL)

December 14, 2005

Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

*

*

STEVEN JOHN SHOR, M.D.

*

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio on December 14, 2005.

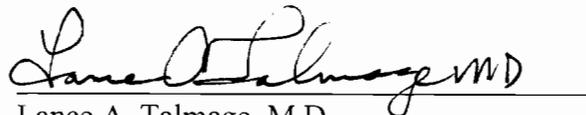
Upon the Report and Recommendation of R. Gregory Porter, State Medical Board Attorney Hearing Examiner, designated in this Matter pursuant to R.C. 4731.23, a true copy of which Report and Recommendation is attached hereto and incorporated herein, and upon the approval and confirmation by vote of the 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 Steven John Shor, M.D., to practice medicine and surgery in the State of Ohio shall be REVOKED.

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

(SEAL)



Lance A. Talmage, M.D.
Secretary

December 14, 2005

Date

2005 NOV 17 A 11: 00

**REPORT AND RECOMMENDATION
IN THE MATTER OF STEVEN JOHN SHOR, M.D.**

The Matter of Steven John Shor, M.D., was heard by R. Gregory Porter, Esq., Hearing Examiner for the State Medical Board of Ohio, on July 11, 2005.

INTRODUCTION

I. Basis for Hearing

- A. By letter dated April 13, 2005, the State Medical Board of Ohio [Board] notified Steven John Shor, M.D., that it had proposed to take disciplinary action against his certificate to practice medicine and surgery in Ohio. The Board based its proposed action on an allegation that Dr. Shor had failed to comply with the terms of a March 21, 2003, consent agreement with the Board. The Board further alleged that such conduct constitutes “[v]iolation of the conditions of limitation placed by the board upon a certificate to practice,” as that clause is used in Section R.C. 4731.22(B)(15).”

Accordingly, the Board advised Dr. Shor of his right to request a hearing in this matter. (State’s Exhibit 1A)

- B. By document received by the Board on May 4, 2005, Dr. Shor requested a hearing. (State’s Exhibit 1C)

II. Appearances

- A. On behalf of the State of Ohio: Jim Petro, Attorney General, by Kyle C. Wilcox, Assistant Attorney General.
- B. On behalf of the Respondent: Dr. Shor was not present at the hearing in person or by representative, but submitted his defense in writing.

EVIDENCE EXAMINED

I. Testimony Heard

Danielle C. Bickers

II. Exhibits Examined

A. Presented by the State

1. State's Exhibits 1A through 1F: Procedural exhibits.
2. State's Exhibit 2: Certified copy of Dr. Shor's 2003 consent agreement with the Board, and related documents, as maintained by the Board.
3. State's Exhibit 3: Copy of a January 14, 2005, Memorandum from Danielle C. Bickers, Compliance Officer, with attached printed copy of an e-mail sent to Ms. Bickers by Dr. Shor on January 10, 2005.
4. State's Exhibit 4: Copy of a March 10, 2005, Memorandum from Ms. Bickers with attached fax cover sheet and letter dated January 5, 2005, from Diab Almhana, M.D.

B. Presented by the Respondent

Respondent's Exhibit A: Copy of Dr. Shor's April 20, 2005, written defense with attached copy of his wallet certificate.

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 March 21, 2003, Steven John Shor, M.D., signed a consent agreement with the State Medical Board of Ohio [Board], in lieu of formal proceedings based upon his violation of Section 4731.22(B)(19), Ohio Revised Code. Dr. Shor's consent agreement became effective April 2, 2003. Among other things, the consent agreement imposed probationary terms, conditions, and limitations upon Dr. Shor's certificate to practice medicine and surgery in Ohio. (State's Exhibit [St. Ex.] 2)
2. Among the probationary terms, conditions, and limitations included in Dr. Shor's consent agreement, paragraph 3 states as follows:

Dr. Shor shall appear in person for an interview before the full Board or its designated representative during the third month following the effective date of this Consent Agreement. Subsequent personal appearances must occur every 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.

(St. Ex. 2 at 2-3) Moreover, paragraph 6 states as follows:

Within thirty days of the effective date of this Consent Agreement, Dr. Shor shall submit to the Board for its prior approval the name and qualifications of a psychiatrist of his choice. Upon approval by the Board, Dr. Shor shall undergo and continue psychiatric treatment at least once every two weeks or as otherwise directed by the Board. Dr. Shor shall comply with his psychiatric treatment plan, including taking medications as prescribed and/or ordered for his psychiatric disorder. * * *

Any request by Dr. Shor for modification of the frequency of his required psychiatric treatment as set forth in this paragraph shall be accompanied by documentation from his treating psychiatrist indicating that Dr. Shor has remained psychiatrically stable and that such treating psychiatrist supports Dr. Shor's request for modification. * * *

(St. Ex. 2 at 3-4)

3. Danielle C. Bickers testified on behalf of the Board. Ms. Bickers is the Board's Compliance Officer, and her job duties include monitoring licensees of the Board who are under the terms of Board orders and consent agreements. Moreover, Ms. Bickers testified that as a result of her job responsibilities she has become familiar with Dr. Shor. (Hearing Transcript [Tr.] at 9-10)
4. By Memorandum dated January 14, 2005, Ms. Bickers advised that Dr. Shor had been scheduled to attend an office conference on January 11, 2005, pursuant to the terms of his consent agreement. By e-mail dated January 10, 2005, Dr. Shor advised Ms. Bickers, in part, as follows:

Please inform the board that I do not intend to show up for my scheduled appointment on the 11th of January. It has become perfectly apparent to me that the charade of [maintaining] my medical license in any status is totally useless. I will send a letter giving it back soon. * * *

(St. Ex. 3)

5. Ms. Bickers testified that Dr. Shor failed to appear for the January 11, 2005, conference. (Tr. at 11-12)
6. By Memorandum dated March 10, 2005, Ms. Bickers advised that she had received by fax a letter from Diab Almhana, M.D., Dr. Shor's treating psychiatrist. By letter dated

January 5, 2005, and faxed to the Board on March 9, 2005, Dr. Almhana advised, in part, as follows: “We are writing to you regarding Steven Shor. Dr. Shor informed us that he will not be following [through] with the Medical Board recommendations, but will be following through with our office. He is aware that he will lose his medical license.” (St. Ex. 4)

7. Ms. Bickers testified that it is her understanding that, if Dr. Shor wanted to change the terms of his consent agreement, he had to request and obtain approval from the Board. Ms. Bickers further testified that Dr. Shor had wanted to change the frequency of his psychiatric sessions and see his psychiatrist on a less frequent basis than what the Board previously approved. Ms. Bickers testified that, during office conferences, Dr. Shor had been informed that if his psychiatrist recommended a reduction in the frequency of the sessions then the Board might approve that. However, Ms. Bickers testified that Dr. Shor failed to follow through with that requirement. (Tr. at 12-14)
8. In an April 20, 2005, letter, Dr. Shor presented his written defense. He enclosed his wallet certificate with his letter. Dr. Shor stated that he had not wanted a hearing, but instead had wanted to be able to give up his license “without prejudice,” meaning “that [it] would be voluntary and hence not be held against [him] if in the future [he] was ever in the position of thinking of applying for a new one.” (Respondent’s Exhibit [Resp. Ex.] A)

Referring to Dr. Almhana’s letter to the Board, Dr. Shor stated, “Regardless of what he wrote to you, I never intended anyone to interpret that to mean that I wanted my license ‘taken away,’ or that I was aware that I would ‘lose’ my license without my consent.” (Resp. Ex. A)

Further, Dr. Shor’s letter states, in part,

I have known what the consent agreement required all along, and I know I’m not supposed to just change the way I interpret it myself, but honestly, if I cannot practice medicine then why should I subject myself in any way to the requirements of the medical board? If I am not going to be a licensed physician, then so be it, the medical board might as well have no authority over me.

* * *

So in lieu of coming to Columbus, here is my ‘position, arguments, or contentions in writing.’ I’ve no intention of even trying to practice medicine in the foreseeable future here or in any other state. I am continuing to see my physician/therapist but on my schedule. I want to just turn in voluntarily my license in Ohio and do so in such a way as it isn’t just stripped from me. I want the option some day of being allowed to apply for a new license, if and when I am able to practice medicine. I know that the process and outcome of

doing so would be up to the board. I know there would no doubt be many requirements to follow. I suspect this will never happen.

If instead the board decides to force me to give up the license and then decides to use any of those things available in the last paragraph of [your] letter to me there is frankly little I can or am going to do about it.

I do not understand the nature of the relationship between the Board and individuals who suffer terrible loss. You should just let the AG reps handle all of this, since in their words it was all my 'fault' anyway.

(Resp. Ex. A)

FINDINGS OF FACT

1. On March 21, 2003, Steven John Shor, M.D., signed a consent agreement with the Board in lieu of formal proceedings based upon his violation of Section 4731.22(B)(19), Ohio Revised Code. Dr. Shor's consent agreement became effective April 2, 2003. Among other things, the consent agreement imposed probationary terms, conditions, and limitations upon Dr. Shor's certificate to practice medicine and surgery in Ohio.
2. Among the probationary terms, conditions, and limitations included in Dr. Shor's consent agreement, paragraph 3 states as follows:

Dr. Shor shall appear in person for an interview before the full Board or its designated representative during the third month following the effective date of this Consent Agreement. Subsequent personal appearances must occur every 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.

Pursuant to the terms of his consent agreement, Dr. Shor had been scheduled to appear for an office conference on January 11, 2005. On January 10, 2005, Board staff received an e-mail from Dr. Shor that included the following statement:

Please inform the board that I do not intend to show up for my scheduled appointment on the 11th of January. It has become perfectly apparent to me that the charade of [maintaining] my medical license in any status is totally useless. I will send a letter giving it back soon. * * *

Dr. Shor failed to appear for the January 11, 2005, office conference.

3. Paragraph 6 of Dr. Shor's consent agreement states as follows:

Within thirty days of the effective date of this Consent Agreement, Dr. Shor shall submit to the Board for its prior approval the name and qualifications of a psychiatrist of his choice. Upon approval by the Board, Dr. Shor shall undergo and continue psychiatric treatment at least once every two weeks or as otherwise directed by the Board. Dr. Shor shall comply with his psychiatric treatment plan, including taking medications as prescribed and/or ordered for his psychiatric disorder. * * *

Any request by Dr. Shor for modification of the frequency of his required psychiatric treatment as set forth in this paragraph shall be accompanied by documentation from his treating psychiatrist indicating that Dr. Shor has remained psychiatrically stable and that such treating psychiatrist supports Dr. Shor's request for modification. * * *

By letter faxed to the Board on March 9, 2005, Diab Almhana, M.D., Dr. Shor's Board-approved treating psychiatrist, advised, in part, as follows: "Dr. Shor informed us that he will not be following through with the Medical Board recommendations, but will be following [through] with our office. He is aware that he will lose his medical license."

CONCLUSIONS OF LAW

The conduct of Steven John Shor, M.D., as set forth in Findings of Fact 2 and 3, above, constitutes a "[v]iolation of the conditions of limitation placed by the board upon a certificate to practice," as that clause is used in Section 4731.22(B)(15), Ohio Revised Code.

* * * * *

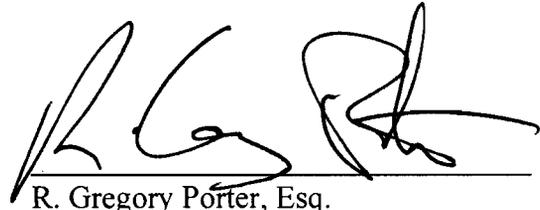
The evidence indicates that Dr. Shor's consent agreement with the Board arose as a result of an impairment issue. The evidence further indicates that Dr. Shor is currently either unwilling or unable to comply with his consent agreement, and does not wish to continue to practice medicine for the foreseeable future.

PROPOSED ORDER

It is hereby ORDERED that:

The certificate of Steven John Shor, M.D., to practice medicine and surgery in the State of Ohio shall be REVOKED.

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

A handwritten signature in black ink, consisting of stylized, cursive letters that appear to read 'R. Gregory Porter'.

R. Gregory Porter, Esq.
Hearing Examiner



State Medical Board of Ohio

175 South State Street • Columbus, OH 43215-4127 • 614-464-4434 • WebSite: www.smb.ohio.gov

EXCERPT FROM THE DRAFT MINUTES OF DECEMBER 14, 2005

REPORTS AND RECOMMENDATIONS

Dr. Davidson announced that the Board would now consider the findings and orders appearing on the Board's agenda. She asked whether each member of the Board had received, read, and considered the hearing records, the proposed findings, conclusions, and orders, and any objections filed in the matters of: Binh Quoc Doan, M.D.; Adam P. Hall, D.O.; James L. Kegler, M.D.; John Michael Lonergan, M.D.; Richard Daniel Price, M.D.; Craig L. Rich, M.D.; Charles Christian Rickey, P.A.; Steven John Shor, M.D.; and Robert Martin Stang, D.O. A roll call was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmage	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Kumar	- aye
	Mr. Browning	- aye
	Ms. Sloan	- aye
	Dr. Robbins	- aye
	Dr. Saxena	- aye
	Dr. Steinbergh	- aye
	Dr. Davidson	- aye

Dr. Davidson asked whether each member of the Board understands that the disciplinary guidelines do not limit any sanction to be imposed, and that the range of sanctions available in each matter runs from dismissal to permanent revocation. A roll call was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmage	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Kumar	- aye
	Mr. Browning	- aye
	Ms. Sloan	- aye
	Dr. Robbins	- aye
	Dr. Saxena	- aye
	Dr. Steinbergh	- aye
	Dr. Davidson	- aye

Dr. Davidson noted that, in accordance with the provision in Section 4731.22(F)(2), Revised Code, specifying that no member of the Board who supervises the investigation of a case shall participate in further adjudication of the case, the Secretary and Supervising Member must abstain from further participation in the adjudication of these matters. In the matters before the Board today, Dr. Talmage served as Secretary and Mr. Albert served as Supervising Member.

Dr. Davidson stated that, if there were no objections, the Chair would dispense with the reading of the proposed findings of fact, conclusions and orders in the above matters. No objections were voiced by Board members present.

The original Reports and Recommendations shall be maintained in the exhibits section of this Journal.

.....

STEVEN JOHN SHOR, M.D.

.....

MR. BROWNING MOVED TO APPROVE AND CONFIRM MR. PORTER'S PROPOSED FINDINGS OF FACT, CONCLUSIONS, AND ORDER IN THE MATTER OF STEVEN JOHN SHOR, M.D. DR. STEINBERGH SECONDED THE MOTION.

.....

A vote was taken on Mr. Browning's motion to approve and confirm:

Vote:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Talmage	- abstain
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Kumar	- aye
	Mr. Browning	- aye
	Ms. Sloan	- aye
	Dr. Robbins	- aye
	Dr. Saxena	- aye
	Dr. Steinbergh	- aye
	Dr. Davidson	- aye

The motion carried.



State Medical Board of Ohio

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

April 13, 2005

Steven John Shor, M.D.
231 Sleepy Hollow Drive
Amherst, Ohio 44001

Dear Doctor Shor:

In accordance with R.C. Chapter 119., you are hereby notified that the State Medical Board of Ohio 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) On or about March 21, 2003, you entered into a Consent Agreement with the State Medical Board of Ohio (Board), a copy of which is attached hereto and incorporated herein, in lieu of formal proceedings based upon the violation of R.C. 4731.22(B)(19), and providing probationary terms, conditions and limitations.
 - (a) The above probationary terms, conditions and limitations included the requirement found in paragraph 3:

* * *

Dr. Shor shall appear in person for an interview before the full Board or its designated representative during the third month following the effective date of this Consent Agreement. Subsequent personal appearances must occur every 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.

* * *

On or about January 11, 2005, you were scheduled for a subsequent personal appearance and failed to appear. On or about January 10, 2005, Board staff received an e-mail, which included the below statement:

* * *

Please inform the Board that I do not intend to show up for my scheduled appointment. It has become perfectly apparent to me that the charade of maintaining my medical license in any status is totally useless. I will send a letter giving it back soon.

* * *

MAILED 4-14-05

You have failed to comply with the probationary terms, conditions and limitations, as provided in paragraph 3 of the above Consent Agreement. The Board has not received any further correspondence from you.

- (b) The above probationary terms, conditions and limitations included the requirement found in paragraph 6:

* * *

Within thirty days of the effective date of this Consent Agreement, Dr. Shor shall submit to the Board for its prior approval the name and qualifications of a psychiatrist of your choice. Upon approval by the Board, Dr. Shor shall undergo and continue psychiatric treatment at least once every two weeks or as otherwise directed by the Board. Dr. Shor shall comply with his psychiatric treatment plan, including taking medications as prescribed and/or ordered for his psychiatric disorder.

* * *

Any request by Dr. Shor for modification of the frequency of his required psychiatric treatment as set forth in this paragraph shall be accompanied by documentation from his treating psychiatrist indicating that Dr. Shor has remained psychiatrically stable and that such treating psychiatrist supports Dr. Shor's request for modification.

* * *

On or about March 9, 2005, Board staff received by fax, a letter from your Board approved psychiatrist stating:

* * *

Dr. Shor informed us that he will not be following through with the Medical Board recommendations [apparently the probationary terms, conditions and limitations of the above Consent Agreement], but will be following though [sic] with our office. He is aware that he will lose his medical license.

* * *

You have failed to comply with the probationary terms, conditions and limitations, as provided in paragraph 6 of the above Consent Agreement.

Your acts, conduct, and/or omissions, as alleged in paragraph (1)(a) and (1)(b) above, individually and/or collectively, constitute a "[v]iolation of the conditions of limitation placed by the board upon a certificate to practice," as that clause is used in Section R.C. 4731.22(B)(15).

Pursuant to R.C. Chapter 119., 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 reprimand you or place you on probation.

Please note that, whether or not you request a hearing, R.C. 4731.22(L), 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/cw
Enclosures

CERTIFIED MAIL #
RETURN RECEIPT REQUESTED

**CONSENT AGREEMENT
BETWEEN
STEVEN JOHN SHOR, M.D.
AND
THE STATE MEDICAL BOARD OF OHIO**

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

Dr. Shor 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 Board 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 violation of Section 4731.22(B)(19), Ohio Revised Code, “[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.”
- B. The Board enters into this Consent Agreement in lieu of formal proceedings based upon the violation of Section 4731.22(B)(19), Ohio Revised Code, as set forth in Paragraphs E and F, 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 Consent Agreement.
- C. Dr. Shor is licensed to practice medicine and surgery in the State of Ohio, License # 35-060259.
- D. Dr. Shor states that he is not licensed to practice medicine and surgery in any other state or jurisdiction.

- E. Dr. Shor admits that he has experienced intervals of anxiety and chronic depression since approximately 1977, and that his mental disorders have contributed to his termination from three positions as an emergency room doctor and his problems with interpersonal relationships. Dr. Shor admits that he has been successfully treated for anxiety and chronic depression with medication, but that in the past he has elected to discontinue treatment even though efficacious.

Dr. Shor admits that the Board has received reports that, on or about January 16, 2002, while being transported for psychiatric evaluation after having been terminated from his position as a hospital emergency room physician, he made statements that included threats of violence to himself and others. Dr. Shor admits that he was treated for two days at an inpatient psychiatric unit and was subsequently released with a referral for intensive outpatient treatment and a course of antidepressant / anti-anxiety medication.

- F. Dr. Shor admits that he underwent a Board-ordered psychiatric evaluation on or about August 15, 2002, resulting in diagnoses of Generalized Anxiety Disorder, Dysthymic Disorder, and Major Depressive Disorder, Single Episode, in Remission. Dr. Shor further admits that the evaluating psychiatrist concluded that although Dr. Shor was incapable of practicing medicine and surgery according to acceptable and prevailing standards of care during the above-described early 2002 episode, Dr. Shor's mental disorders are amenable to treatment, and that he is currently capable of practicing medicine and surgery according to acceptable and prevailing standards of care, subject to treatment and monitoring conditions.

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. Shor knowingly and voluntarily agrees with the Board to the following PROBATIONARY terms, conditions and limitations:

1. Dr. Shor shall obey all federal, state, and local laws, and all rules governing the practice of medicine in Ohio.
2. Dr. Shor 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 this Consent Agreement becomes effective. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.
3. Dr. Shor shall appear in person for an interview before the full Board or its designated representative during the third month following the effective date of this Consent

Agreement. Subsequent personal appearances must occur every 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.

4. In the event that Dr. Shor should leave Ohio for three continuous months, or reside or practice outside the State, Dr. Shor 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 this 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 Dr. Shor 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.

MONITORING OF REHABILITATION AND TREATMENT

Psychiatric Treatment

6. Within thirty days of the effective date of this Consent Agreement, Dr. Shor shall submit to the Board for its prior approval the name and qualifications of a psychiatrist of his choice. Upon approval by the Board, Dr. Shor shall undergo and continue psychiatric treatment at least once every two weeks or as otherwise directed by the Board. Dr. Shor shall comply with his psychiatric treatment plan, including taking medications as prescribed and/or ordered for his psychiatric disorder. Dr. Shor 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 Dr. Shor's current treatment plan and any changes that have been made to the treatment plan since the prior report; Dr. Shor's compliance with his treatment plan; Dr. Shor's mental status; Dr. Shor's progress in treatment; and results of any laboratory studies that have been conducted since the prior report. Dr. Shor 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 Dr. Shor is unable to practice due to his psychiatric disorder. It is Dr. Shor's responsibility to ensure that quarterly reports are received in the Board's offices no later than the due date for Dr. Shor's quarterly declaration.

Any request by Dr. Shor for modification of the frequency of his required psychiatric treatment as set forth in this paragraph shall be accompanied by documentation from his treating psychiatrist indicating that Dr. Shor has remained

psychiatrically stable and that such treating psychiatrist supports Dr. Shor's request for modification. Dr. Shor shall not request that the frequency of his required psychiatric treatment be reduced to less than once per month.

7. The Board retains the right to require, and Dr. Shor agrees to submit, blood or urine specimens for analysis for therapeutic levels of medication that may be prescribed for Dr. Shor's psychiatric disorder, at Dr. Shor's expense, upon the Board's request and without prior notice. Dr. Shor'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

8. Within thirty days of the effective date of this Consent Agreement, Dr. Shor shall submit the name and curriculum vitae of a monitoring physician for prior written approval by the Secretary or Supervising Member of the Board. In approving an individual to serve in this capacity, the Secretary and Supervising Member will give preference to a physician who practices in the same locale as Dr. Shor and who is engaged in the same or similar practice specialty.

The monitoring physician shall monitor Dr. Shor and his medical practice, and shall review Dr. Shor's patient charts. The chart review may be done on a random basis, with the frequency and number of charts reviewed to be determined by the Board.

Further, the monitoring physician shall provide the Board with reports on the monitoring of Dr. Shor and his medical practice, and on the review of Dr. Shor's patient charts. Dr. Shor shall ensure that the reports are forwarded to the Board on a quarterly basis and are received in the Board's offices no later than the due date for Dr. Shor's quarterly declaration.

In the event that the designated monitoring physician becomes unable or unwilling to serve in this capacity, Dr. Shor must immediately so notify the Board in writing. In addition, Dr. Shor shall make arrangements acceptable to the Board for another monitoring physician within thirty days after the previously designated monitoring physician becomes unable or unwilling to serve, unless otherwise determined by the Board. Furthermore, Dr. Shor shall ensure that the previously designated monitoring physician also notifies the Board directly of his or her inability to continue to serve and the reasons therefore.

Releases

9. Dr. Shor shall provide continuing authorization, through appropriate written consent forms, for disclosure by his treatment provider 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.

Required Reporting by Licensee

10. Within thirty days of the effective date of this Consent Agreement, Dr. Shor 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. Shor 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.
11. Within thirty days of the effective date of this Consent Agreement, Dr. Shor 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. Shor 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 for reinstatement of any professional license. Further, Dr. Shor shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.

FAILURE TO COMPLY

If, in the discretion of the Secretary and Supervising Member of the Board, Dr. Shor 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 Dr. Shor has violated any term, condition or limitation of this Consent Agreement, Dr. Shor 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

Dr. Shor shall not request termination of this Consent Agreement for a minimum of two years. In addition, with the exception of the frequency of required psychiatric treatment as set forth in paragraph 6, to which Dr. Shor may request modification after 180 days, Dr. Shor shall not

