

**CONSENT AGREEMENT
BETWEEN
ROBERT D. REIS, M.D.
AND
THE STATE MEDICAL BOARD OF OHIO**

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

Dr. Reis 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)(5), Ohio Revised Code, to limit, revoke, suspend a certificate, refuse to register or reinstate an applicant, or reprimand or place on probation the holder of a certificate for "[m]aking a false, fraudulent, deceptive or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatry, or a limited branch of medicine; or in securing or attempting to secure any certificate to practice or certificate of registration issued by the board."
- B. The Board is also empowered by Section 4731.22(B)(20), Ohio Revised Code, to limit, revoke, suspend a certificate, refuse to register or reinstate an applicant, or reprimand or place on probation the holder of a certificate for "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation or, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board."
- C. Additionally, the Board is empowered by Section 4731.281(E), Ohio Revised Code to impose a civil penalty of not more than five thousand dollars on an individual whom the Board finds did not complete the requisite Continuing Medical Education [CME] during the applicable time period.
- D. Dr. Reis is licensed to practice medicine and surgery in the State of Ohio, License # 35-062000.

- E. Dr. Reis states that he is not licensed to practice medicine and surgery in any other jurisdiction.
- F. On or about June 14, 2007, the Board issued to Dr. Reis a Notice of Opportunity for Hearing ["June 2007 Notice"], a copy of which is attached hereto and fully incorporated herein.
- G. Dr. Reis admits to the factual and legal allegations as set forth in the June 2007 Notice.
- H. Dr. Reis states, and the Board acknowledges receipt of acceptable documentation to support, that he has completed 100 hours of CME, of which at least 40 hours were Category I CME, during the current 2006-2008 CME period, which will be applied towards his credit deficiency in the 2004-2006 period. The Board agrees that Dr. Reis has now satisfied his CME requirement for the 2004-2006 CME period.

AGREED CONDITIONS

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

Reprimand

- 1. Dr. Reis shall be and is hereby **REPRIMANDED**.

Fine

- 2. Dr. Reis shall pay a fine of five thousand dollars to the Board within thirty days of the effective date of this Consent Agreement.

Documentation of CME

- 3. Dr. Reis shall supply documentation acceptable to the Board of satisfactory completion of the requisite number of CME hours for the January 2, 2006 through January 1, 2008 CME period. These CME hours will be in addition to the hours that Dr. Reis completed after January 2, 2006, that have been credited to the 2004 – 2006 CME period. Moreover, Dr. Reis shall supply documentation acceptable to the Board of satisfactory completion of the requisite number of CME hours for the two CME periods that correspond with Dr. Reis's next two periods of active licensure thereafter. This documentation must be received in the Board's Offices within thirty days of the conclusion of each CME period, unless otherwise determined by the Board.

Required Reporting by Licensee

4. Within thirty days of the effective date of this Consent Agreement, Dr. Reis 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. Reis 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. This requirement shall continue for two years from the effective date of this Consent Agreement.
5. Within thirty days of the effective date of this Consent Agreement, Dr. Reis 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. Reis 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. Reis shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt. This requirement shall continue for two years from the effective date of this Consent Agreement.

ACKNOWLEDGMENTS/LIABILITY RELEASE

Dr. Reis acknowledges that he has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

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

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

This Consent Agreement shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code. Further, this information may be reported to appropriate organizations, data banks and governmental bodies. Dr. Reis acknowledges that his social security number will be used if this information is so reported and agrees to provide his social security number to the Board for such purposes.

EFFECTIVE DATE

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



ROBERT D. REIS, M.D.

12/22/07

DATE



LANCE A. TALMAGE, M.D.
Secretary

1-9-08

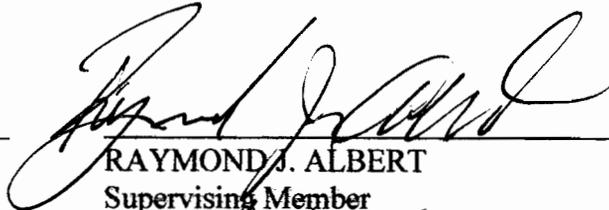
DATE



KEVIN BYERS
Attorney for Robert D. Reis, M.D.

12/21/07

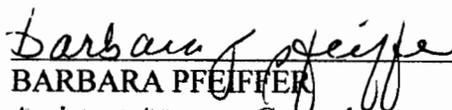
DATE



RAYMOND J. ALBERT
Supervising Member

1/9/08

DATE



BARBARA PFEIFFER
Assistant Attorney General

01/04/08

DATE



State Medical Board of Ohio

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

June 14, 2007

Robert D. Reis, M.D.
9401 Traceyton Drive
Dublin, OH 43017

Dear Dr. Reis:

In accordance with Chapter 119., Ohio Revised Code [O.R.C.], you are hereby notified that the State Medical Board of Ohio [Board] intends to determine whether or not to limit, revoke, permanently revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery, or to fine, reprimand or place you on probation for one or more of the following reasons:

- (1) In applying for registration of your certificate to practice medicine and surgery for the April 2, 2004, to April 1, 2006, period, you certified that you had completed during the 2004 to 2006 period (January 2, 2004 to January 1, 2006) the requisite hours of Continuing Medical Education [CME] as required by Section 4731.281, O.R.C.
- (2) By a certified mail letter dated July 27, 2006, the Board informed you that you were required to complete and submit a log demonstrating that you had completed at least 100 hours of CME during the 2004 to 2006 period and to provide documentation that you had actually completed at least 40 hours of Category I CME credits. In your August 24, 2006, response to the Board, you stated, "I regret that I failed to obtain the required 40 hrs. CME Category I for the above period. An unintentional oversight on my behalf, thinking I had participated in the PREP journal CME activity which I failed to mail in..." In fact, you failed to provide documentation of having completed any Category I CME.

Your acts, conduct and/or omissions in certifying to the Board that you had completed the statutorily required CME, as set forth in the above paragraph (1), when you had not, in fact, done so, constitute "[m]aking a false, fraudulent, deceptive, or misleading statement ... in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or a limited branch of medicine; or in securing or attempting to secure any certificate to practice or certificate of registration issued by the board," as that clause is used in Section 4731.22(B)(5), O.R.C.

Further, your failure to obtain the requisite CME, and/or to submit documentation of same, as alleged in the above paragraph (2) constitutes "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions

of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), O.R.C., to wit: Section 4731.281, O.R.C., and Rules 4731-10-02 and 4731-10-08, O.A.C.

Pursuant to Chapter 119., O.R.C., 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 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 Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, permanently revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery, or to fine, reprimand or place you on probation.

Please note that, whether or not you request a hearing, Section 4731.22(L), O.R.C., 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

Enclosures

CERTIFIED MAIL #7004 2510 0006 9802 0619
RETURN RECEIPT REQUESTED

Certified Letter Mailed 4-14-07



State Medical Board of Ohio

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

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Lance A. Talmage, M.D.
Secretary

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