STATE MEDICAL BOARD OF OHIO
77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

September 16, 1994

Keith Albert Caughell, M.D.
333 Oulette, Suite 300
Windsor, Ontario N9A
4J1 Canada

Dear Doctor Caughell:

Please find enclosed a certified copy of the Findings, Order, and Journal Entry approved and confirmed by the State Medical Board meeting in regular session on September 14, 1994.

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

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

Very truly yours,

Carla S. O'Day, M.D.
Secretary

CSO:em
Enclosures

REGISTERED MAIL
RETURN RECEIPT REQUESTED

cc: James Andrew Porter, Esq.
CORRENT & MACRI
Le Chateau, Suite 300
333 Ouellette Avenue
Windsor, Ontario, Canada N9A 4J1

Mailed 9-16-94

STATE MEDICAL BOARD OF OHIO
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CERTIFICATION

I hereby certify that the attached copy of the Findings, Order and Journal Entry, approved by the State Medical Board, meeting in regular session on September 14, 1994, constitute a true and complete copy of the Findings, Order and Journal Entry in the matter of Keith Albert Caughell, 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.

(SEAL)

Carla S. O'Day, M.D.
Secretary

9/30/94
Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF *

*

KEITH ALBERT CAUGHELL, M.D. *

FINDINGS, ORDER AND JOURNAL ENTRY

This matter came on for consideration after a citation letter was mailed to Keith Albert Caughell, M.D. by the State Medical Board of Ohio on January 13, 1994, and July 27, 1994.

By letter dated January 12, 1994 notice was given to Keith Albert Caughell, M.D., that the State Medical Board intended to consider disciplinary action regarding his license to practice medicine and surgery in Ohio, and that he was entitled to a hearing if such hearing was requested within thirty (30) days of the mailing of said notice. In accordance with Section 119.09, Ohio Revised Code, said notice was sent via registered mail, return receipt requested, to the last known address of Keith Albert Caughell, M.D., that being 333 Oulette Avenue, Suite 300, Windsor, Ontario, N9A 4J1, Canada. Due to a typographical error in the address on the first mailing, the notice was resent via registered mail to the correct address of record on July 27, 1994.

Dr. Caughell, through counsel, responded to the Board's notice and requested a hearing, but such request was not filed in a timely manner, more than thirty days having elapsed since the second mailing of the notice.

WHEREFORE, for the reasons outlined in the January 12, 1994 letter of notice, which is attached hereto and incorporated herein, accordingly, it is hereby ORDERED that:

1. The certificate of Keith Albert Caughell, M.D., to practice medicine and surgery in the State of Ohio shall be SUSPENDED for an indefinite period of time.

2. The State Medical Board shall not consider reinstatement of Dr. Caughell's certificate to practice unless and until all of the following minimum requirements are met:

   A. Keith Albert Caughell, M.D., shall submit an application for reinstatement, accompanied by appropriate fees.

   B. In the event that any license held by Keith Albert Caughell, M.D., is restricted as a direct result of this Order, Keith Albert Caughell, M.D., shall so advise the Board and shall provide acceptable documentation verifying same. Keith Albert Caughell, M.D., shall provide written documentation acceptable to the Board verifying that he otherwise holds a full and unrestricted license to practice medicine and surgery in all other jurisdictions in which he is licensed at the time of application or has been in the past licensed, or that he would be entitled to such license but for the non-payment of renewal fees.

C. In the event that Keith Albert Caughell, M.D., has not been engaged in the active practice of medicine and surgery for a period in excess of two years prior to application for reinstatement, the Board may exercise its discretion under Section 4731.222, Ohio Revised Code, to require additional evidence of Dr. Caughell's fitness to resume practice.

3. Upon reinstatement by the State Medical Board of Ohio, Dr. Caughell's certificate will be fully restored.

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

This ORDER is hereby entered upon the Journal of the State Medical Board of Ohio for the 14th day of September, 1994, and the original thereof shall be kept with said Journal.

(SEAL)

Carla S. O'Day, M.D.
Secretary

Date

AFFIDAVIT

I, Debra L. Jones, being duly cautioned and sworn, do hereby depose and say:

1) That I am employed by the State Medical Board of Ohio (hereinafter, "The Board");

2) That I serve the Board in the position of Chief, Continuing Medical Education, Records, and Renewal;

3) That in such position I am the responsible custodian of all public licensee records maintained by the Board pertaining to individuals who have received certificates issued pursuant to Chapter 4731., Ohio Revised Code;

4) That I have this day carefully examined the records of the Board pertaining to Keith Albert Caughell, M.D.;

5) That based on such examination, I have found the last known address of record of Keith Albert Caughell, M.D., to be:

333 Oullette Avenue
Windsor, Ontario N9A 4J1
Canada

6) Further, Affiant Sayeth Naught.

Debra L. Jones, Chief
Continuing Medical Education,
Records and Renewal

Sworn to and signed before me, _____
Notary Public, this _____ day of _____, 19__

Notary Public

LAUREN LUBOW, Attorney At Law
NOTARY PUBLIC, STATE OF OHIO
My commission has no expiration date.
Section 147.03 R.C.

STATE MEDICAL BOARD OF OHIO

77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

January 12, 1994

Keith Albert Caughell, M.D.
33 Oulette Avenue
Windsor, Ontario N9A 4J1
CANADA

Dear Doctor Caughell:

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 November 6, 1991, you received notice that the Complaints Committee of the College of Physicians and Surgeons of Ontario had made a full inquiry and review of a complaint against you, and that they had, by formal motion, reached the decision that the complaint against you should be referred to the Discipline Committee of the College of Physicians and Surgeons of Ontario.

(2) On or about September 12, 1992, the Discipline Committee of the College of Physicians and Surgeons of Ontario notified you by Notice of Hearing that charges were being made against you and that a hearing would be held for the purpose of deciding whether the allegations made against you were true. Service of the Discipline Committee's Notice of Hearing was acknowledged by your attorney on October 2, 1992.

(3) In your application for medical licensure to the State Medical Board of Ohio, sworn and subscribed to by you on November 9, 1992, you stated that you answered all questions in compliance with the instructions and that all documents and forms furnished with respect to the application were strictly true in every respect. In the "Additional Information" checklist you responded "NO" to question ten which asked:

> Have you ever been requested to appear before any board, bureau, department, agency, or other body, including those in Ohio, concerning allegations against you?

Mailed 1/13/94

(4) In your application for medical licensure to the State Medical Board of Ohio, sworn and subscribed to by you on November 9, 1992, you stated that you answered all questions in compliance with the instructions and that all documents and forms furnished with respect to the application were strictly true in every respect. In the "Additional Information" checklist you responded "NO" to question twelve which asked:

> Have you ever been notified of any investigation concerning you by, or have you ever been notified of, any charges, allegations, or complaints filed against you with, any board, bureau, department, agency, or other body, including those in Ohio, with respect to a professional license?

Your acts, conduct, and/or omissions as alleged in paragraphs (3) and (4) above, individually and/or collectively, constitute "fraud, misrepresentation, or deception in applying for or securing any license or certificate issued by the board," as that clause is used in Section 4731.22(A), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (3) and (4) above, individually and/or collectively, constitute "publishing a false, fraudulent, deceptive, or misleading statement," as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (3) and (4) above, individually and/or collectively, constitute "obtaining of, or attempting to obtain money or anything of value by fraudulent misrepresentations in the course of practice," as that clause is used in Section 4731.22(B)(8), 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.

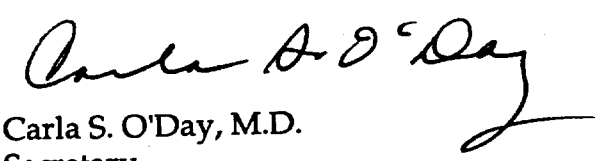
You are further advised that you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence 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, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation.

January 12, 1994

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Carla S. O'Day, M.D.
Secretary

CSO:jmb

Enclosures:

REGISTERED MAIL
RETURN RECEIPT REQUESTED