

**CONSENT AGREEMENT  
BETWEEN  
RAJINDER S. SEKHON, M.D.  
AND  
THE STATE MEDICAL BOARD OF OHIO**

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

RAJINDER S. SEKHON, M.D., enters into this 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.

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 by Section 4731.22(B)(26), 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 "impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice."
- B. THE STATE MEDICAL BOARD OF OHIO enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violation of Section 4731.22(B)(26), 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.
- C. RAJINDER S. SEKHON, M.D., is applying for licensure to practice medicine and surgery in the State of Ohio.
- D. RAJINDER S. SEKHON, M.D., ADMITS that he has suffered from opiate and cocaine dependence. DOCTOR SEKHON further admits that he received inpatient treatment at Shepherd Hill Hospital in Newark, Ohio,

a BOARD approved treatment facility, from July 11, 1992, through July 27, 1992.

DOCTOR SEKHON further ADMITS that he received subsequent treatment at the Central Ohio Recovery Residence, Shepherd Hill's extended residential care facility, from July 27, 1992, through October 16, 1992.

DOCTOR SEKHON further ADMITS that he entered into an UNDERTAKING with The College of Physicians and Surgeons of Ontario, wherein he agreed to undergo treatment under the care of Dr. Joe MacMillan for substance abuse, at such frequency as required by Dr. MacMillan, for a period of thirty-six (36) months commencing from August 23, 1994, until August 1997. A copy of the UNDERTAKING is attached hereto and fully incorporated herein.

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, RAJINDER S. SEKHON, M.D., shall be granted a certificate to practice medicine in the State of Ohio and knowingly and voluntarily agrees with THE STATE MEDICAL BOARD OF OHIO, (hereinafter BOARD), to the following probationary terms, conditions and limitations:

1. DOCTOR SEKHON shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio;
2. DOCTOR SEKHON 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;
3. DOCTOR SEKHON shall appear in person for quarterly interviews before the BOARD or its designated representative, or as otherwise directed by the BOARD;
4. In the event that DOCTOR SEKHON should leave Ohio for three (3) continuous months, or reside or practice outside the State, DOCTOR SEKHON 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 the 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;

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5. In the event DOCTOR SEKHON is found by the Secretary of the Board to have failed to comply with any provision of this 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 the CONSENT AGREEMENT;
6. DOCTOR SEKHON shall be ineligible to hold, and shall not apply for, registration with the D.E.A. to prescribe, dispense or administer controlled substances without prior BOARD approval;
7. DOCTOR SEKHON shall not prescribe, administer, dispense, order, write orders for, give verbal orders for, or possess (except as allowed under Paragraph 8 below) any controlled substances as defined by State or Federal law;
8. DOCTOR SEKHON shall abstain completely from the personal use or possession of drugs, except those prescribed, dispensed or administered to him by another so authorized by law who has full knowledge of DOCTOR SEKHON's history of chemical dependency;
9. DOCTOR SEKHON shall abstain completely from the use of alcohol;
10. DOCTOR SEKHON shall submit to random urine screenings for drugs and alcohol on a bi-weekly basis or as otherwise directed by the BOARD. DOCTOR SEKHON shall ensure that all screening reports are forwarded directly to the BOARD on a quarterly basis. The drug testing panel utilized must be acceptable to the Secretary of the Board;

Within thirty (30) days of the effective date of this Agreement, DOCTOR SEKHON shall submit to the BOARD for its prior approval the name of a supervising physician to whom DOCTOR SEKHON shall submit the required urine specimens. The supervising physician shall ensure that the urine specimens are obtained on a random basis, that the giving of the specimen is witnessed by a reliable person, and that appropriate control over the specimen is maintained. In addition, the supervising physician shall immediately inform the BOARD of any positive screening results;

DOCTOR SEKHON shall ensure that the supervising physician provides quarterly reports to the BOARD, on forms approved or provided by the BOARD, verifying whether all urine screens have been conducted in compliance with this CONSENT AGREEMENT, whether all urine

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screens have been negative, and whether the supervising physician remains willing and able to continue in his responsibilities.

In the event that the designated supervising physician becomes unable or unwilling to so serve, DOCTOR SEKHON must immediately notify the BOARD in writing, and make arrangements acceptable to the BOARD for another supervising physician as soon as practicable. DOCTOR SEKHON shall further ensure that the previously designated supervising physician also notifies the BOARD directly of the inability to continue to serve and the reasons therefor;

11. The BOARD retains the right to require, and DOCTOR SEKHON agrees to submit, blood or urine specimens for analysis upon request and without prior notice;
12. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR SEKHON shall submit for the BOARD's prior approval the name of a monitoring physician, who shall monitor DOCTOR SEKHON and provide the BOARD with quarterly reports on the doctor's progress and status. DOCTOR SEKHON shall ensure that such reports are forwarded to the BOARD on a quarterly basis. In the event that the designated monitoring physician becomes unable or unwilling to serve in this capacity, DOCTOR SEKHON must immediately so notify the BOARD in writing, and make arrangements acceptable to the BOARD for another monitoring physician as soon as practicable. DOCTOR SEKHON shall further ensure that the previously designated monitoring physician also notifies the BOARD directly of the inability to continue to serve and the reasons therefor;
13. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR SEKHON shall undertake and maintain participation in an alcohol and drug rehabilitation program, such as A.A., N.A., or Caduceus, approved in advance by the BOARD specifically for DOCTOR SEKHON, no less than three (3) times per week. Substitution of any specific program must receive prior BOARD approval. At his appearances before the BOARD or its designated representative, DOCTOR SEKHON shall submit acceptable documentary evidence of continuing compliance with this program;
14. DOCTOR SEKHON shall contact an appropriate impaired physicians committee, approved by the BOARD, to arrange for assistance in recovery or aftercare;

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15. DOCTOR SEKHON shall provide continuing authorization, through appropriate written consent forms, for disclosure by his treating and monitoring physicians to the BOARD, and to others involved in the monitoring process, of information necessary for them to fulfill their respective duties and obligations;
16. Within thirty (30) days of the effective date of this Agreement, DOCTOR SEKHON shall provide a copy of this CONSENT AGREEMENT to all employers or entities with which he is under contract to provide physician services or to receive training; and the Chief of Staff at each hospital where he has privileges or appointments. Further, DOCTOR SEKHON shall provide a copy of this CONSENT AGREEMENT to all employers or entities with which he contracts to provide physician services, or applies for or receives training, and the Chief of Staff at each hospital where he applies for or obtains privileges or appointments during the period in which this CONSENT AGREEMENT remains in force.

This Agreement shall remain in force for a minimum of two (2) years prior to any request for termination of said Agreement. Otherwise, the above described terms, limitations and conditions may be amended or terminated in writing at any time upon the agreement of both parties.

If, in the discretion of the Secretary and Supervising Member of THE STATE MEDICAL BOARD OF OHIO, DOCTOR SEKHON appears to have violated or breached any terms or conditions of this Agreement, THE STATE MEDICAL BOARD OF OHIO 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 Agreement.

DOCTOR SEKHON acknowledges that he 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.

DOCTOR SEKHON 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.

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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.

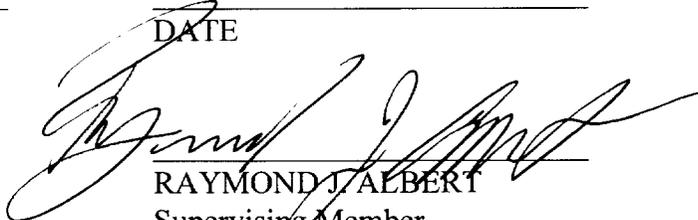
Further, this information may be reported to appropriate organizations, data banks and governmental bodies.

  
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RAJINDER S. SEKHON, M.D.

  
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THOMAS E. GRETTER, M.D.  
Secretary

Oct 30 1995  
DATE

11/7/95  
DATE

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

11/8/95  
DATE

  
\_\_\_\_\_  
ANNE C. BERRY STRAIT, ESQ.  
Assistant Attorney General

11/8/95  
DATE

**B E T W E E N:**

**THE COLLEGE OF PHYSICIANS AND SURGEONS  
OF ONTARIO**

**-and-**

**DR. RAJINDER SINGH SEKHON**

**RE: BOARD OF INQUIRY**

**U N D E R T A K I N G**

**WHEREAS** the Executive Committee of the College of Physicians and Surgeons of Ontario (the "Committee") has considered the Report of the Board of Inquiry related to Dr. R. S. Sekhon (the "Report"); and,

**WHEREAS** the Committee has resolved to accept the Report and the terms and conditions of the following undertaking in lieu of the continuation of proceedings against Dr. Sekhon; and,

**WHEREAS** the College has undertaken not to publish any information or facts with respect to the Report and the within undertaking, including any of the restrictions on Dr. Sekhon's license to practise, in any College notice or bulletin, and

**WHEREAS** Dr. Sekhon hereby acknowledges and undertakes as follows:

1. I, Dr. Rajinder Singh Sekhon, acknowledge that I was an incapacitated member, as defined in subparagraph 1(1) of the Regulated Health Professions Code, as at July, 1992.
2. (a) I shall undergo treatment under the care of Dr. Joe MacMillan, a physician with training and experience in the treatment of substance abuse, in such frequency as is required by Dr. MacMillan for a period of thirty-six (36) months, commencing from August 23, 1994 (the "Period"). Dr. MacMillan is acceptable to the Registrar as a physician with training and experience in the treatment of substance abuse.

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- (b) In the event that Dr. MacMillan should become unable or unavailable to treat me during the Period, I shall undergo treatment under the care of a physician recommended by Dr. MacMillan (the "Alternative Physician"). The Alternative Physician shall also have training and experience in the treatment of substance abuse and be acceptable to both myself and the Registrar.
3. During the said Period, I shall comply with all treatment recommendations or testing required by Dr. MacMillan or the Alternative Physician, if any.
4. During the said Period, I shall undertake to have Dr. MacMillan provide quarterly reports to the College of Physicians and Surgeons between August, 1994 until August, 1996. Thereafter, I shall undertake to have Dr. MacMillan provide a final report to the College in August, 1997.

Herthy D. Savage  
Witness

25-1-95  
Date

[Signature]  
Dr. Rajinder Sekhon

25-1-95  
Date

SEKON.ACK

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