

**CONSENT AGREEMENT
BETWEEN
DAMODARAN ARUL SELVAM, M.D.
AND
THE STATE MEDICAL BOARD OF OHIO**

This Consent Agreement is entered into by and between DAMODARAN ARUL SELVAM, M.D., and THE STATE MEDICAL BOARD OF OHIO, a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

DAMODARAN ARUL SELVAM, M.D., voluntarily 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.

This Consent Agreement contains the entire Consent Agreement between the parties, there being no other Consent Agreement of any kind, verbal or otherwise, which varies the terms of this Consent Agreement.

BASIS FOR ACTION

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), 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 any of the enumerated violations.
- B. THE STATE MEDICAL BOARD OF OHIO enters into this Consent Agreement in lieu of further formal proceedings based upon the violations of Section 4731.22, Ohio Revised Code, set forth in the Notice of Opportunity for Hearing issued by the BOARD on August 14, 2002, attached hereto as Exhibit A and incorporated herein by this reference. The BOARD expressly reserves the right to institute additional 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 Consent Agreement.
- C. DAMODARAN ARUL SELVAM, M.D., is licensed to practice medicine and surgery in the State of Ohio, License No. 35-070620 A. DAMODARAN ARUL SELVAM, M.D., states that he is licensed to practice medicine or surgery in the State of Washington, License No. MD00034978, and that he is licensed to practice medicine or surgery in the State of Oregon, License No. MD23316.

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during which time DAMODARAN ARUL SELVAM, M.D., shall submit documentation acceptable to the BOARD of satisfactory completion of the requisite hours of CME. This documentation shall be due in the BOARD'S offices within thirty (30) days of the conclusion of each CME acquisition period.

ACKNOWLEDGMENTS/LIABILITY RELEASE

DAMODARAN ARUL SELVAM, M.D. 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 and hereby waives any rights of appeal related to this agreement.

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.

DAMODARAN ARUL SELVAM, 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. Further, this information may be reported to appropriate organizations, data banks and governmental bodies. DAMODARAN ARUL SELVAM, M.D. acknowledges that his social security number will be used if this information is so reported, and DAMODARAN ARUL SELVAM, M.D. agrees to provide his social security to the BOARD for such purposes.

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- D. DAMODARAN ARUL SELVAM, M.D., ADMITS that he failed to timely submit a complete log listing his Continuing Medical Education for the time period July 1, 1998 through April 1, 2001, and that he failed to timely provide documentation that he had completed at least fifty-five (55) hours of Category I Continuing Medical Education when requested to do so by the Board, as set forth in paragraph two (2) of the Notice of Opportunity for Hearing issued by the Board on August 14, 2002. DAMODARAN ARUL SELVAM, M.D., FURTHER ADMITS that this conduct violates R.C. 4731.22(B)(20), to wit: R.C. 4731.281 and Ohio Adm. Code 4731-10-08 as set forth in the Notice of Opportunity for Hearing issued by the STATE MEDICAL BOARD OF OHIO on August 14, 2002.
- E. DAMODARAN ARUL SELVAM, M.D., states, and the BOARD acknowledges receipt of documentation showing, that he did, in fact, timely complete the required Continuing Medical Education for the July 1, 1998 through April 1, 2001 time period. The STATE MEDICAL BOARD OF OHIO stipulates that no action is being taken pursuant to R.C. 4731.22(A), R.C. 4731.22(B)(5), or R.C. 4731.22(B)(20), to wit: Ohio Adm.Code 4731-10-03 and 4731-10-05 and that these allegations are DISMISSED.

AGREED CONDITIONS

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any further formal proceedings at this time, DAMODARAN ARUL SELVAM, M.D., knowingly and voluntarily agrees with THE STATE MEDICAL BOARD OF OHIO, (hereinafter BOARD), to the following terms, conditions and limitations:

1. DAMODARAN ARUL SELVAM, M.D. is hereby **REPRIMANDED** for failure to timely submit documentation of compliance with Continuing Medical Education [CME] requirements for the July 1, 1998 through April 1, 2001 CME acquisition period.
2. The certificate of DAMODARAN ARUL SELVAM, M.D., to practice medicine and surgery in the State of Ohio shall be subject to mandatory audits of compliance with CME requirements for the current CME acquisition period, April 2, 2001 to April 1, 2003, and for two full CME acquisition periods thereafter,

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EFFECTIVE DATE

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



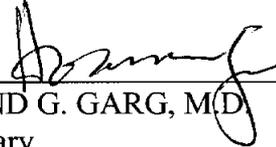
DAMODARAN ARUL SELVAM, M.D.

10 | 23 | 2002

DATE

Attorney for DR. ARUL SELVAM, M.D.

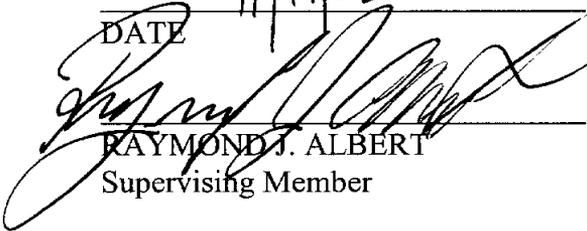
DATE



ANAND G. GARG, M.D.
Secretary

11/19/02

DATE



RAYMOND J. ALBERT
Supervising Member

11/17/02

DATE



MARK A. MICHAEL
Assistant Attorney General

11/20/02

DATE



State Medical Board of Ohio

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

August 14, 2002

Damodaran Arulsevnam, M.D.
3100, SE 168th Avenue #311
Vancouver, Washington 98683

Dear Doctor Arulsevnam:

In accordance with Chapter 119., Ohio Revised Code, 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 2001-2003 period, you certified that you had completed or would complete during the 1998-2001 registration period the requisite hours of Continuing Medical Education (CME) approved by the State Medical Board as required by Section 4731.281, Ohio Revised Code.
- (2) By a certified mail letter dated on or about March 6, 2002, the State Medical Board of Ohio informed you that you were required to complete a log listing your CME for the July 1, 1998 – April 1, 2001 period and to provide documentation that you had actually completed at least fifty-five hours of Category I CME credits. You have failed to submit a log listing your CME and documentation of the requisite number of CME credits completed for the above period.
- (3) In an April 1, 2002 letter to the Board, you requested that the Board extend the time frame for completion of the requisite hours of CME for the 1998-2001 period. In that letter, you stated that you had been “extremely busy” and admitted that you realized that you were behind in your CME. You included, with that letter, documentation for seven hours of Category I CME credits obtained in March 2002 and requested that this be applied to the 1998-2001 period. This Category I CME documentation does not fall within the July 1, 1998 – April 1, 2001 period.

Your acts, conduct and/or omissions in certifying to the State Medical Board that you had completed the statutorily required CME, as set forth in the above paragraph (1),

Mailed 8-15-02

when you had not, in fact, done so, 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 in certifying to the State Medical 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 "[p]ublishing a false, fraudulent, deceptive, or misleading statement," as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.

Further, your failure to obtain the requisite CME, and/or to submit documentation of same, as alleged in the above paragraphs (2) and (3) 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), Ohio Revised Code, to wit: Section 4731.281, Ohio Revised Code, and Rules 4731-10-03, 4731-10-05 and 4731-10-08, Ohio Administrative 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, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation.

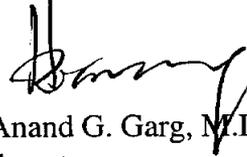
Please note that, whether or not you request a hearing, Section 4731.22(L), Ohio Revised Code, provides that "[w]hen the board refuses to grant a certificate to an applicant, revokes an individual's certificate to practice, refuses to register an applicant, or refuses to reinstate an individual's certificate 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."

Damodaran Arulsevram, M.D.

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Copies of the applicable sections are enclosed for your information.

Very truly yours,



Anand G. Garg, M.D.
Secretary

Enclosures

CERTIFIED MAIL #7000 0600 0024 5146 5486
RETURN RECEIPT REQUESTED

Duplicate Mailing to: 3100 SE 168th Ave., #269
Vancouver, WA 98683

CERTIFIED MAIL #7000 0600 0024 5146 5738
RETURN RECEIPT REQUESTED