

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF :  
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:  
MELANIE ANN STEPHENSON, M.D. :

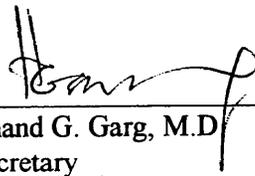
**ENTRY OF ORDER**

On December 28, 2000, Melanie Ann Stephenson, M.D. executed a Voluntary Surrender of his Certificate to practice medicine and surgery in the State of Ohio with a consent to revocation, which document is attached hereto and fully incorporated herein.

In consideration of the foregoing and of Dr. Stephenson's express waiver of the provision of Section 4731.22(B), Ohio Revised Code, requiring that six (6) Board members vote to revoke said certificate, it is hereby ORDERED that Certificate No. 35-072154 authorizing Melanie Ann Stephenson, M.D., to practice medicine be permanently REVOKED, effective January 10, 2001.

This Order is hereby entered upon the Journal of the State Medical Board of Ohio for the 10th day of January, 2001, and the original thereof shall be kept with said Journal.

(seal)

  
\_\_\_\_\_  
Anand G. Garg, M.D.  
Secretary

01/24/01  
\_\_\_\_\_  
Date

STATE MEDICAL BOARD  
DEC 29 2011

**STATE OF OHIO  
THE STATE MEDICAL BOARD  
SURRENDER OF CERTIFICATE  
TO PRACTICE MEDICINE AND SURGERY**

I, MELANIE ANN STEPHENSON, M.D., am aware of my rights to representation by counsel, the right of being formally charged and having a formal adjudicative hearing, and do hereby freely execute this document and choose to take the actions described herein.

I, MELANIE ANN STEPHENSON, M.D., do hereby voluntarily, knowingly, and intelligently surrender my certificate to practice medicine and surgery, No. 35-072154, to the State Medical Board of Ohio, thereby relinquishing all rights to practice medicine and surgery in Ohio.

I understand that as a result of the surrender herein that I am no longer permitted to practice medicine and surgery in any form or manner in the State of Ohio.

I agree that I shall be ineligible for, and shall not apply for, reinstatement of certificate to practice medicine and surgery No. 35-072154 or issuance of any other certificate pursuant to Chapters 4730., 4731., 4760. or 4762., Ohio Revised Code, on or after the date of signing this Surrender of Certificate to Practice Medicine and Surgery. Any such attempted reapplication shall be considered null and void and shall not be processed by the Board.

I hereby authorize the State Medical Board of Ohio to enter upon its Journal an Order permanently revoking my certificate to practice medicine and surgery, No. 35-072154, in conjunction with which I expressly waive the provision of Section 4731.22(B), Ohio Revised Code, requiring that six (6) Board Members vote to revoke said certificate, and further expressly and forever waive all rights as set forth in Chapter 119., Ohio Revised Code, including but not limited to my right to counsel, right to a hearing, right to present evidence, right to cross-examine witnesses, and right to appeal the Order of the Board revoking my certificate to practice medicine and surgery.

I, MELANIE ANN STEPHENSON, M.D., hereby release the State Medical Board of Ohio, its members, employees, agents and officers, jointly and severally, from any and all liability arising from the within matter.

This document shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code.

Surrender  
MELANIE ANN STEPHENSON, M.D.  
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Further, this information may be reported to appropriate organizations, data banks and governmental bodies.

I stipulate and agree that my urine screen collected on February 9, 2000, tested positive for tramadol, my drug of choice; that I have not submitted all of the urine specimens for testing as required by my September 1999 Consent Agreement; and that I have not submitted a urine specimen for testing since May of 2000. I further stipulate and agree that the above are violations of my September 1999 Consent Agreement.

I further stipulate and agree that, while my license to practice medicine is suspended under the terms of the September 1999 Consent Agreement, I phoned in prescriptions for controlled and non-controlled substances in the names of friends and family members to various pharmacies from October 1999 through June 2000. I further stipulate and agree that I am under investigation by the Drug Enforcement Administration due to my violations of federal law: obtaining controlled substances by fraud.

I stipulate and agree that I am taking the action described herein in lieu of formal disciplinary proceedings pursuant to Sections 4731.22(B)(10), (B)(15), and (B)(26), Ohio Revised Code, based upon the stipulations I made in the preceding two paragraphs.

Signed this 28<sup>th</sup> day of December, 2000.

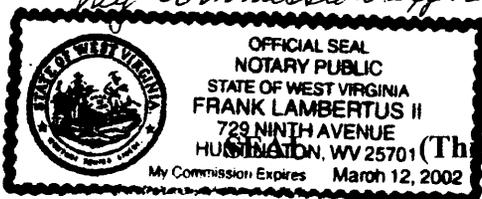
*Melanie A. Stephenson MD*  
Signature of Physician

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

Sworn to and subscribed before me this 28<sup>th</sup> day of December, 2000.

*Signed and Witnessed in West Virginia, County of Cabell.  
My Commission Expires March 12, 2002*

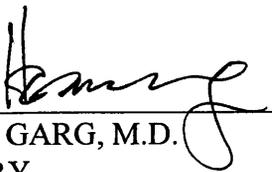


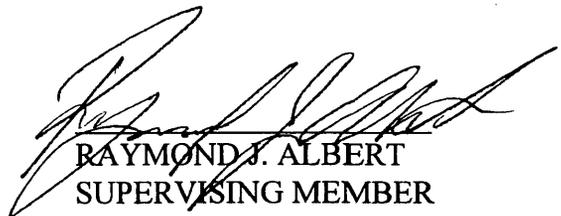
*Frank Lambertus II*  
Notary Public

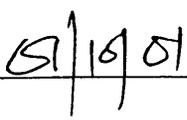
(This form must be either witnessed OR notarized)

Surrender  
MELANIE ANN STEPHENSON, M.D.  
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Accepted by the State Medical Board of Ohio:

  
\_\_\_\_\_  
ANAND G. GARG, M.D.  
SECRETARY

  
\_\_\_\_\_  
RAYMOND J. ALBERT  
SUPERVISING MEMBER

  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
DATE

**STEP I  
CONSENT AGREEMENT  
BETWEEN  
MELANIE ANN STEPHENSON, M.D.  
AND  
THE STATE MEDICAL BOARD OF OHIO**

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

MELANIE ANN STEPHENSON, M.D., enters into this CONSENT AGREEMENT being fully informed of her 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 STATE MEDICAL BOARD OF OHIO is empowered by Sections 4731.22(B)(15), (19), and (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 “violation of the conditions of limitation placed by the board upon a certificate to practice,” “inability 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,” and “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 Sections 4731.22(B)(15), (19), and (26), Ohio Revised Code, as set forth in Paragraphs E, F, G, H, and I 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 Agreement.

- C. MELANIE ANN STEPHENSON, M.D., is licensed to practice medicine and surgery in the State of Ohio.
- D. MELANIE ANN STEPHENSON, M.D., STATES that she is not licensed to practice medicine and surgery in any other state or jurisdiction.
- E. MELANIE ANN STEPHENSON, M.D., ADMITS that, in March 1997, she entered into a Consent Agreement with the STATE MEDICAL BOARD OF OHIO (hereinafter "BOARD") that was based upon DOCTOR STEPHENSON's violation of Sections 4731.22(B)(19) and (26), Ohio Revised Code, based upon her history of chemical dependency, depression, and post-traumatic stress disorder. The March 1997 Consent Agreement between DOCTOR STEPHENSON and the BOARD granted DOCTOR STEPHENSON a license to practice medicine and surgery in the State of Ohio under certain probationary terms, conditions, and limitations. A copy of the March 1997 Consent Agreement is attached hereto and incorporated herein.
- F. DOCTOR STEPHENSON ADMITS that she has violated the March 1997 Consent Agreement with the BOARD.

DOCTOR STEPHENSON ADMITS that she violated Paragraph 6 of the March 1997 Consent Agreement in that she began abusing Ultram in June 1999, when she obtained Ultram samples from another physician as a treatment for pain that she was experiencing due to deep vein thrombosis in her right knee. DOCTOR STEPHENSON further ADMITS that she did not inform the physician who provided her with the Ultram samples of her history of chemical dependency. DOCTOR STEPHENSON further ADMITS that from June 1999 through August 1999, she independently obtained and used Ultram samples.

- G. DOCTOR STEPHENSON further ADMITS that she had prior knowledge of her potential to abuse Ultram in that in August 1998, DOCTOR STEPHENSON and Jack Dodd, M.D., her BOARD approved treating psychiatrist, determined that DOCTOR STEPHENSON's use of Ultram at that time had triggered addictive behavior and that DOCTOR STEPHENSON should cease taking Ultram and completely abstain from it. This determination was based upon DOCTOR STEPHENSON's continued use of Ultram in the absence of pain. DOCTOR STEPHENSON further ADMITS that this matter was discussed in her September 1998 office conference.
- H. DOCTOR STEPHENSON further ADMITS that since January 1996, the treatment plan for her post-traumatic stress disorder has included the administration of Klonopin. DOCTOR STEPHENSON further ADMITS that her current psychiatric medications also include Prozac and Buspar.

DOCTOR STEPHENSON further ADMITS that in July 1999, she required inpatient hospitalization due to symptoms of withdrawal from Ultram and exacerbation of her post-traumatic stress disorder.

- I. DOCTOR STEPHENSON further ADMITS that in her office conference on September 7, 1999, she advised the BOARD of the aforementioned information. Further, DOCTOR STEPHENSON advised the BOARD that her treating psychiatrist had recommended that she seek inpatient treatment for Ultram abuse and psychiatric issues.

### AGREED CONDITIONS

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

### SUSPENSION OF CERTIFICATE

1. The certificate of DOCTOR STEPHENSON to practice medicine and surgery in the State of Ohio shall be SUSPENDED for an indefinite period of time, but not less than ninety days;

### Sobriety

2. DOCTOR STEPHENSON shall abstain completely from the personal use or possession of drugs, except those prescribed, dispensed or administered to her by another so authorized by law who has full knowledge of DOCTOR STEPHENSON's history of chemical dependency;
3. DOCTOR STEPHENSON shall abstain completely from the use of alcohol;

### Releases; Quarterly Declarations and Appearances

4. DOCTOR STEPHENSON shall provide authorization, through appropriate written consent forms, for disclosure of evaluative reports, summaries, and records, of whatever nature, by any and all parties that provide treatment or evaluation for DOCTOR STEPHENSON's chemical dependency, psychiatric diagnoses, or related conditions, or for purposes of complying with the CONSENT AGREEMENT, whether such treatment or evaluation occurred before or after the effective date of this CONSENT AGREEMENT. The above-mentioned evaluative reports, summaries, and records are considered medical records for purposes of Section 149.43 of the Ohio Revised Code and are confidential pursuant to statute. DOCTOR STEPHENSON further agrees

to provide the BOARD written consent permitting any treatment provider from whom she obtains treatment to notify the BOARD in the event she fails to agree to or comply with any treatment contract, aftercare contract, or psychiatric treatment plan. Failure to provide such consent, or revocation of such consent, shall constitute a violation of this CONSENT AGREEMENT.

5. DOCTOR STEPHENSON 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 the CONSENT AGREEMENT becomes effective, provided that if the effective date is on or after the 16th day of the month, the first quarterly declaration must be received in the BOARD's offices on the first day of the fourth month following. Subsequent quarterly declarations must be received in the BOARD's offices on or before the first day of every third month;
6. DOCTOR STEPHENSON shall appear in person for quarterly interviews before the BOARD or its designated representative, or as otherwise directed 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. (Example: The first quarterly appearance is scheduled for February, but based upon the doctor's serious personal illness she is permitted to delay appearance until April. The next appearance will still be scheduled for May, three months after the appearance as originally scheduled.) Although the BOARD will normally give DOCTOR STEPHENSON written notification of scheduled appearances, it is DOCTOR STEPHENSON's responsibility to know when personal appearances will occur. If she does not receive written notification from the BOARD by the end of the month in which the appearance should have occurred, DOCTOR STEPHENSON shall immediately submit to the BOARD a written request to be notified of her next scheduled appearance;

Drug & Alcohol Screens; Supervising Physician

7. DOCTOR STEPHENSON shall submit to random urine screenings for drugs, including Ultram, and alcohol on a weekly basis or as otherwise directed by the BOARD. DOCTOR STEPHENSON 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 CONSENT AGREEMENT, DOCTOR STEPHENSON shall submit to the BOARD for its prior approval

the name of a supervising physician to whom DOCTOR STEPHENSON shall submit the required urine specimens. In approving an individual to serve in this capacity, the BOARD will give preference to a physician who practices in the same locale as DOCTOR STEPHENSON. 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 STEPHENSON 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 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 STEPHENSON must immediately notify the BOARD in writing, and make arrangements acceptable to the BOARD for another supervising physician as soon as practicable. DOCTOR STEPHENSON shall further ensure that the previously designated supervising physician also notifies the BOARD directly of the inability to continue to serve and the reasons therefore;

All screening reports and supervising physician reports required under this paragraph must be received in the BOARD's offices no later than the due date for DOCTOR STEPHENSON's quarterly declaration. It is DOCTOR STEPHENSON's responsibility to ensure that reports are timely submitted;

### **Psychiatric Treatment**

8. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR STEPHENSON shall submit to the BOARD for its prior approval the name and qualifications of a psychiatrist of her choice. Upon approval by the BOARD, DOCTOR STEPHENSON shall undergo and continue psychiatric treatment weekly or as otherwise directed by the BOARD. DOCTOR STEPHENSON shall comply with her psychiatric treatment plan, including taking medications as prescribed and/or ordered for her psychiatric disorder. DOCTOR STEPHENSON shall ensure that psychiatric reports are forwarded by her treating psychiatrist to the BOARD on a quarterly basis, or as otherwise directed by the BOARD. The psychiatric reports shall contain information describing DOCTOR STEPHENSON's current treatment plan and any changes that have been made to the treatment plan since the prior report; DOCTOR STEPHENSON's compliance with her treatment plan; DOCTOR

STEPHENSON's mental status; DOCTOR STEPHENSON's progress in treatment; and results of any laboratory studies that have been conducted since the prior report. DOCTOR STEPHENSON shall ensure that her treating psychiatrist immediately notifies the Board of her failure to comply with her psychiatric treatment plan and/or any determination that DOCTOR STEPHENSON is unable to practice due to her psychiatric disorder. It is DOCTOR STEPHENSON's responsibility to ensure that quarterly reports are received in the BOARD's offices no later than the due date for DOCTOR STEPHENSON's quarterly declaration;

**CONDITIONS FOR REINSTATEMENT**

9. The BOARD shall not consider reinstatement of DOCTOR STEPHENSON's certificate to practice medicine and surgery unless and until all of the following conditions are met:
  - a. DOCTOR STEPHENSON shall submit an application for reinstatement, accompanied by appropriate fees, if any;
  - b. DOCTOR STEPHENSON shall demonstrate to the satisfaction of the BOARD that she can resume practice in compliance with acceptable and prevailing standards of care under the provisions of her certificate. Such demonstration shall include but shall not be limited to the following:
    - i. Certification from a treatment provider approved under Section 4731.25 of the Revised Code that DOCTOR STEPHENSON has successfully completed any required inpatient treatment;
    - ii. Evidence of continuing full compliance with an aftercare contract or consent agreement;
    - iii. Three written reports indicating that DOCTOR STEPHENSON's ability to practice has been assessed and that she has been found capable of practicing according to acceptable and prevailing standards of care.

Two reports shall be made by individuals or providers approved by the BOARD under Section 4731.25 of the Revised Code for making such assessments. The reports shall describe the bases for the individuals' or providers' determination and any recommendations for treatment, monitoring or supervision of DOCTOR STEPHENSON;

One report shall be made by a psychiatrist, approved in advance by the BOARD, who has conducted a psychiatric examination of DOCTOR STEPHENSON. Prior to the examination, DOCTOR STEPHENSON shall provide the psychiatrist with copies of her chemical dependency and psychiatric treatment records and a copy of this Consent Agreement. The report from the evaluating psychiatrist shall include the bases for the psychiatrist's determination and any recommendations for care, counseling, and treatment for DOCTOR STEPHENSON's psychiatric diagnoses;

- c. DOCTOR STEPHENSON shall enter into a written CONSENT AGREEMENT including probationary terms, conditions and limitations as determined by the BOARD or, if the BOARD and DOCTOR STEPHENSON are unable to agree on the terms of a written CONSENT AGREEMENT, then DOCTOR STEPHENSON further agrees to abide by any terms, conditions and limitations imposed by Board Order after a hearing conducted pursuant to Chapter 119. of the Ohio Revised Code.

Further, upon reinstatement of DOCTOR STEPHENSON's certificate to practice medicine and surgery in this state, the BOARD shall require continued monitoring which shall include, but not be limited to, compliance with the written consent agreement entered into before reinstatement or with conditions imposed by Board Order after a hearing conducted pursuant to Chapter 119. of the Revised Code and, upon termination of the consent agreement or Board Order, submission to the BOARD for at least two years of annual progress reports made under penalty of BOARD disciplinary action or criminal prosecution stating whether DOCTOR STEPHENSON has maintained sobriety and compliance with her psychiatric treatment plan.

10. In the event that DOCTOR STEPHENSON 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 DOCTOR STEPHENSON's fitness to resume practice.

#### **REQUIRED REPORTING BY LICENSEE**

11. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR STEPHENSON 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 she currently holds any

professional license. DOCTOR STEPHENSON 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 she applies for any professional license or reinstatement of any professional license. Further, DOCTOR STEPHENSON shall provide this BOARD with a copy of the return receipt as proof of notification within thirty (30) days of receiving that return receipt.

12. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR STEPHENSON shall provide a copy of this CONSENT AGREEMENT to all employers or entities with which she is under contract to provide health care services or is receiving training; and the Chief of Staff at each hospital where she has privileges or appointments. Further, DOCTOR STEPHENSON shall provide a copy of this CONSENT AGREEMENT to all employers or entities with which she contracts to provide health care services, or applies for or receives training, and the Chief of Staff at each hospital where she applies for or obtains privileges or appointments.

The above described terms, conditions and limitations may be amended or terminated in writing at any time upon the agreement of both parties.

#### **FAILURE TO COMPLY**

If, in the discretion of the Secretary and Supervising Member of the BOARD, DOCTOR STEPHENSON 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.

#### **ACKNOWLEDGMENTS/LIABILITY RELEASE**

DOCTOR STEPHENSON acknowledges that she 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.

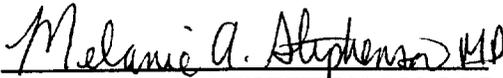
DOCTOR STEPHENSON hereby releases THE STATE MEDICAL BOARD OF OHIO, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

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.

**EFFECTIVE DATE**

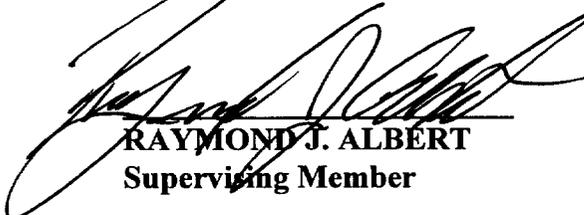
It is expressly understood that this CONSENT AGREEMENT is subject to ratification by the BOARD prior to signature by the Secretary and Supervising Member and shall become effective upon the last date of signature below.

  
MELANIE A. STEPHENSON, M.D.

9/8/99  
DATE

  
ANAND G. GARG, M.D.  
Secretary

9-8-99  
DATE

  
RAYMOND J. ALBERT  
Supervising Member

9/7/99  
DATE

  
ANNE B. STRAIT, ESQ.  
Assistant Attorney General

9/8/99  
DATE

STATE MEDICAL BOARD  
OF OHIO  
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**CONSENT AGREEMENT  
BETWEEN  
MELANIE STEPHENSON, M.D.  
AND  
THE STATE MEDICAL BOARD OF OHIO**

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

DOCTOR STEPHENSON enters into this CONSENT AGREEMENT being fully informed of her 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)(19) and (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 "(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," and "(i)mpairment 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)(19) and (26), Ohio Revised Code, as set forth in Paragraphs D and E 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 Agreement.
- C. MELANIE A. STEPHENSON, M.D., is applying for a certificate to practice medicine and surgery in the State of Ohio.

- D. MELANIE A. STEPHENSON, M.D., ADMITS that she voluntarily surrendered her license to practice medicine in the State of West Virginia in February 1993, because she was suffering from chemical dependency and depression.

DOCTOR STEPHENSON further ADMITS that following the surrender of her West Virginia license, she participated in inpatient and residential treatment at Anchor Hospital and Talbot-Marsh Recovery Center in Atlanta, Georgia, from March 9, 1993, through June 25, 1993, until she was referred to another treatment program. DOCTOR STEPHENSON further ADMITS that she chose not to finish the second treatment program.

DOCTOR STEPHENSON further ADMITS that she returned to West Virginia in July 1993, and received outpatient treatment from Michelle Young, L.I.S.W., and Jack Dodd, M.D., for chemical dependency, depression, and post-traumatic stress disorder until August 1994.

- E. DOCTOR STEPHENSON STATES that she did not engage in the practice of medicine from the time she surrendered her West Virginia license in February 1993, until August 1994, when she began a fellowship in addiction medicine under the direction of Ted Parran, M.D., at St. Vincent Charity Hospital, in Cleveland, Ohio.

DOCTOR STEPHENSON further STATES that in July 1994, prior to beginning her fellowship in addiction medicine at St. Vincent Charity Hospital, she entered into an advocacy contract for monitoring with the Ohio Physicians Effectiveness Program.

DOCTOR STEPHENSON STATES and the STATE MEDICAL BOARD OF OHIO ACKNOWLEDGES that she has submitted documentation from the Ohio Physicians Effectiveness Program stating that since July 1994, with the exception of one positive toxicology screen for Butalbital in June 1995, she has maintained sobriety and has complied with her monitoring contract.

DOCTOR STEPHENSON ADMITS that she submitted the positive toxicology screen after she ingested a Fiorinal tablet on May 28, 1995. DOCTOR STEPHENSON STATES that she used Fiorinal to self-medicate symptoms of her post-traumatic stress disorder.

97 FEB 18 PM 3:12

DOCTOR STEPHENSON STATES and the STATE MEDICAL BOARD OF OHIO ACKNOWLEDGES that following her relapse, she was assessed at Rosary Hall, St. Vincent Charity Hospital, a BOARD approved treatment facility in Cleveland, Ohio, whereupon she entered into treatment with Cynthia Downing, Ph.D. at Earthrise Recovery Services in Chagrin Falls, Ohio, and Diane H. Eden, M.D., at Access Behavioral Care, in Shaker Heights, Ohio.

DOCTOR STEPHENSON further STATES and the STATE MEDICAL BOARD OF OHIO ACKNOWLEDGES that she has submitted documentation from Cynthia Downing, Ph.D., of Earthrise Recovery Services, stating that she has participated in weekly aftercare since June 1995, and individual counseling since November 1995.

DOCTOR STEPHENSON further STATES and the STATE MEDICAL BOARD OF OHIO ACKNOWLEDGES that she has submitted documentation from Diane H. Eden, M.D., stating that she has been under Dr. Eden's care for post-traumatic stress disorder since July 1995, and that she has been open about her history of chemical dependency, and compliant with her treatment plan.

DOCTOR STEPHENSON further STATES that part of her treatment plan with Dr. Eden for the exacerbation of her post-traumatic stress disorder has included the administration of Klonopin. DOCTOR STEPHENSON STATES and the STATE MEDICAL BOARD OF OHIO ACKNOWLEDGES that Dr. Eden has submitted documentation explaining her treatment with Klonopin, and her goals for the use of and discontinuation of that treatment. Dr. Eden has also explained that DOCTOR STEPHENSON has been compliant with treatment and that the use of Klonopin has not jeopardized her recovery.

DOCTOR STEPHENSON further STATES and the STATE MEDICAL BOARD OF OHIO ACKNOWLEDGES that the Ohio Physician's Effectiveness Program, Cynthia Downing, and St. Vincent Charity Hospital, have all been advised of her treatment with Klonopin since it was initiated in January 1996.

DOCTOR STEPHENSON STATES and the STATE MEDICAL BOARD OF OHIO ACKNOWLEDGES that pursuant to the request of the Board, she was evaluated by Craig Pratt, M.D., Medical Director of the chemical dependency aspect of the Behavioral Medicine Program at Grant/Riverside Methodist Hospitals, a BOARD approved treatment facility in Columbus, Ohio.

AT 10:10 PM 3-12

DOCTOR STEPHENSON STATES and the STATE MEDICAL BOARD OF OHIO ACKNOWLEDGES that Dr. Pratt has opined that she is capable of practicing medicine, and recommends monitoring under a Board Consent Agreement with the requirements of continued individual psychotherapy, psychiatric medication management, and drug screens. Dr. Pratt has further opined that the use of Klonopin is appropriate and acceptable at this stage in Doctor Stephenson's therapy and recovery process.

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, MELANIE STEPHENSON, M.D., shall be granted a certificate to practice medicine and surgery 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 STEPHENSON shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio;
2. DOCTOR STEPHENSON 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 the consent agreement becomes effective, provided that if the effective date is on or after the 16th day of the month, the first quarterly declaration must be received in the Board's offices on the first day of the fourth month following. Subsequent quarterly declarations must be received in the BOARD's offices on or before the first day of every third month;
3. DOCTOR STEPHENSON shall appear in person for quarterly interviews before the BOARD or its designated representative, or as otherwise directed 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. (Example: The first quarterly appearance is scheduled for February, but based upon the doctor's serious personal illness she is permitted to delay appearance until April. The next appearance will still be scheduled for May, three months after the appearance as originally scheduled.) Although the BOARD will normally give DOCTOR

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STEPHENSON written notification of scheduled appearances, it is DOCTOR STEPHENSON's responsibility to know when personal appearances will occur. If she does not receive written notification from the BOARD by the end of the month in which the appearance should have occurred, DOCTOR STEPHENSON shall immediately submit to the BOARD a written request to be notified of her next scheduled appearance;

4. In the event that DOCTOR STEPHENSON should leave Ohio for three (3) continuous months, or reside or practice outside the State, DOCTOR STEPHENSON 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;
5. In the event DOCTOR STEPHENSON 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 the CONSENT AGREEMENT;
6. DOCTOR STEPHENSON shall abstain completely from the personal use or possession of drugs, except those prescribed, dispensed or administered to her by another so authorized by law who has full knowledge of DOCTOR STEPHENSON's history of chemical dependency;
7. DOCTOR STEPHENSON shall abstain completely from the use of alcohol;
8. DOCTOR STEPHENSON shall submit to random urine screenings for drugs and alcohol on a weekly basis or as otherwise directed by the BOARD. DOCTOR STEPHENSON 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 CONSENT AGREEMENT, DOCTOR STEPHENSON shall submit to the BOARD for its prior approval the name of a supervising physician to whom DOCTOR STEPHENSON 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

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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 STEPHENSON 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 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 STEPHENSON must immediately notify the BOARD in writing, and make arrangements acceptable to the BOARD for another supervising physician as soon as practicable. DOCTOR STEPHENSON 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;

All screening reports and supervising physician reports required under this paragraph must be received in the BOARD's offices no later than the due date for DOCTOR STEPHENSON's quarterly declaration. It is DOCTOR STEPHENSON's responsibility to ensure that reports are timely submitted;

9. The BOARD retains the right to require, and DOCTOR STEPHENSON agrees to submit, blood or urine specimens for analysis upon request and without prior notice. DOCTOR STEPHENSON'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;
10. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR STEPHENSON shall submit for the BOARD's prior approval the name of a monitoring physician, who shall monitor DOCTOR STEPHENSON and provide the BOARD with quarterly reports on the doctor's progress and status. DOCTOR STEPHENSON 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 STEPHENSON must immediately so notify the BOARD in writing, and make arrangements acceptable to the BOARD for another monitoring physician as soon as practicable. DOCTOR STEPHENSON shall further ensure that the

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DIVISION OF PROFESSIONAL REGULATION  
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previously designated monitoring physician also notifies the BOARD directly of the inability to continue to serve and the reasons therefor;

All monitoring physician reports required under this paragraph must be received in the BOARD's offices no later than the due date for DOCTOR STEPHENSON's quarterly declaration. It is DOCTOR STEPHENSON's responsibility to ensure that reports are timely submitted;

11. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR STEPHENSON shall undertake and maintain participation in an alcohol and drug rehabilitation program, such as A.A., N.A., or Caduceus, no less than two (2) times per week. Substitution of any specific program must receive prior BOARD approval;

DOCTOR STEPHENSON shall submit with each quarterly declaration required under Paragraph 2 of this CONSENT AGREEMENT acceptable documentary evidence of continuing compliance with this program;

12. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR STEPHENSON shall submit to the BOARD for its prior approval the name and qualifications of a psychiatrist or psychologist of her choice. Upon approval by the BOARD, DOCTOR STEPHENSON shall undergo and continue psychiatric treatment weekly, or as otherwise directed by the BOARD. DOCTOR STEPHENSON shall ensure that psychiatric reports are forwarded by her treating psychiatrist or psychologist to the BOARD on a monthly basis, or as otherwise directed by the BOARD. It is DOCTOR STEPHENSON's responsibility to ensure that monthly reports are received in the BOARD's offices by the first day of each month;

13. DOCTOR STEPHENSON shall maintain continued compliance with the terms of the aftercare contract entered into with her treatment provider, provided, that where terms of the aftercare contract conflict with terms of this CONSENT AGREEMENT, the terms of this CONSENT AGREEMENT shall control;

14. DOCTOR STEPHENSON shall provide continuing authorization, through appropriate written consent forms, for disclosure by her 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;

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15. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR STEPHENSON shall provide a copy of this CONSENT AGREEMENT to all employers or entities with which she is under contract to provide physician services or is receiving training; and the Chief of Staff at each hospital where she has privileges or appointments. Further, DOCTOR STEPHENSON shall provide a copy of this CONSENT AGREEMENT to all employers or entities with which she contracts to provide physician services, or applies for or receives training, and the chief of staff at each hospital where she applies for or obtains privileges or appointments; and,
16. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR STEPHENSON 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 she currently holds a license to practice. DOCTOR STEPHENSON 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 she applies for licensure or reinstatement of licensure. Further, DOCTOR STEPHENSON shall provide this BOARD with a copy of the return receipt as proof of notification within thirty (30) days of receiving that return receipt.
17. DOCTOR STEPHENSON AGREES that if any declaration or report required by this agreement is not received in the BOARD'S offices on or before its due date, DOCTOR STEPHENSON shall cease practicing beginning the day next following receipt from the BOARD of notice of non-receipt, either by writing, by telephone, or by personal contact, until the declaration or report is received in the BOARD offices. Any practice during this time period shall be considered unlicensed practice in violation of Section 4731.41 of the Revised Code.
18. DOCTOR STEPHENSON AGREES that if, without prior permission from the BOARD, she fails to submit to random screenings for drugs and alcohol at least as frequently as required by Paragraph 8 of this CONSENT AGREEMENT, she shall cease practicing immediately upon receipt from the BOARD of notice of the violation and shall refrain from practicing for thirty (30) days for the first instance of a single missed screen. Practice during this time period shall be considered unlicensed practice in violation of Section 4731.41 of the Revised Code.
19. DOCTOR STEPHENSON AGREES that if she fails to participate in an alcohol and drug rehabilitation program at least as frequently as required

CONSENT AGREEMENT  
STEPHENSON, M.D.  
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by Paragraph 11 of this CONSENT AGREEMENT, she shall cease practicing immediately upon receipt from the BOARD of notice of the violation, and shall refrain from practicing for fifteen (15) days following a first missed meeting. Practice during this time period shall be considered unlicensed practice in violation of Section 4731.41 of the Revised Code.

This CONSENT AGREEMENT shall remain in force for a minimum of five (5) years prior to any request for termination of said CONSENT 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 BOARD, DOCTOR STEPHENSON 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 Agreement.

If the Secretary and Supervising Member of the BOARD determine that there is clear and convincing evidence that DOCTOR STEPHENSON has violated any term, condition or limitation of this CONSENT AGREEMENT, DOCTOR STEPHENSON agrees that the violation, as alleged, also constitutes clear and convincing evidence that her 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(D), Ohio Revised Code.

DOCTOR STEPHENSON acknowledges that she 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.

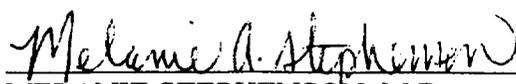
Any action initiated by the BOARD based on alleged violations of this CONSENT AGREEMENT shall comply with the Administrative Procedure Act, Chapter 119., Ohio Revised Code.

DOCTOR STEPHENSON 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.

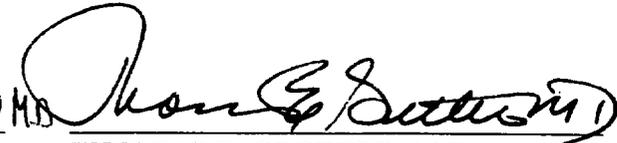
This CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code. It is expressly understood that this CONSENT AGREEMENT is subject to ratification by the BOARD prior to signature by the Secretary and Supervising Member and that it shall become effective upon the last date of signature below.

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

  
MELANIE STEPHENSON, M.D.

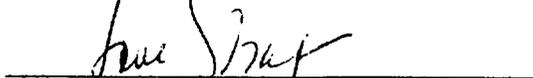
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DATE

  
THOMAS E. GRETTER, M.D.  
Secretary

3/2/97  
DATE

  
RAYMOND J. ALBERT  
Supervising Member

3/12/97  
DATE

  
ANNE C. BERRY STRAIT, ESQ.  
Assistant Attorney General

3/12/97  
DATE

State of Idaho  
March 12 1997