



# State Medical Board of Ohio

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

December 13, 2006

Gretal Case Stephens, M.D.  
524 Harrisburg Hill Road  
Alexandria, KY 41001-7673

Dear Doctor Stephens:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of R. Gregory Porter, Esq., Hearing Examiner, State Medical Board of Ohio; and an excerpt of draft Minutes of the State Medical Board, meeting in regular session on December 13, 2006, including motions approving and confirming the Report and Recommendation as the Findings and Order of the State Medical Board of Ohio.

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

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

THE STATE MEDICAL BOARD OF OHIO

Lance A. Talmage, M.D.  
Secretary

LAT:jam  
Enclosures

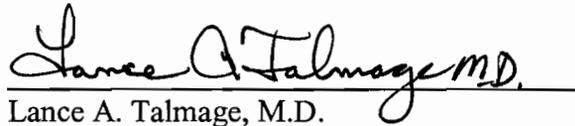
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RETURN RECEIPT REQUESTED

*Mailed 12-15-06*

CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; Report and Recommendation of R. Gregory Porter, State Medical Board Attorney Hearing Examiner; and excerpt of draft Minutes of the State Medical Board, meeting in regular session on December 13, 2006, including motions approving and confirming the Findings of Fact, Conclusions and Proposed Order of the Hearing Examiner as the Findings and Order of the State Medical Board of Ohio; constitute a true and complete copy of the Findings and Order of the State Medical Board in the matter of Gretel Case Stephens, 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.

  
Lance A. Talmage, M.D.  
Secretary

(SEAL)

December 13, 2006  
Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

\*

\*

GRETEL CASE STEPHENS, M.D.

\*

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio on December 13, 2006.

Upon the Report and Recommendation of R. Gregory Porter, State Medical Board Attorney Hearing Examiner, designated in this Matter pursuant to R.C. 4731.23, a true copy of which Report and Recommendation is attached hereto and incorporated herein, and upon the approval and confirmation by vote of the Board on the above date, the following Order is hereby entered on the Journal of the State Medical Board of Ohio for the above date.

It is hereby ORDERED that no further action be taken in the matter of Gretel Case Stephens, M.D.

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

(SEAL)

  
\_\_\_\_\_  
Lance A. Talmage, M.D.  
Secretary

December 13, 2006  
\_\_\_\_\_  
Date

2006 OCT 23 P 1: 04

**REPORT AND RECOMMENDATION  
IN THE MATTER OF GRETTEL CASE STEPHENS, M.D.**

The Matter of Gretel Case Stephens, M.D., was heard by R. Gregory Porter, Hearing Examiner for the State Medical Board of Ohio, on September 7, 2006.

**INTRODUCTION**

I. Basis for Hearing

- A. By letter dated April 12, 2006, the State Medical Board of Ohio [Board] notified Gretel Case Stephens, M.D.,<sup>1</sup> that it had proposed to discipline her certificate to practice medicine and surgery in Ohio. The Board based its proposed action on an alleged previous action taken by the Tennessee Board of Medical Examiners [Tennessee Board] against Dr. Stephens' license to practice in that state.

The Board further alleged that the Tennessee Board action constitutes “[a]ny of the following actions taken by the agency responsible for regulating the practice of medicine and surgery \* \* \* for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual’s license to practice; acceptance of an individual’s license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand,” as that clause is used in Section 4731.22(B)(22), Ohio Revised Code.”

Accordingly, the Board advised Dr. Stephens of her right to request a hearing in this matter. (State’s Exhibit 1A)

- B. By letter received by the Board on May 4, 2006, Dr. Stephens requested a hearing. (State’s Exhibit 1B)

II. Appearances

- A. On behalf of the State of Ohio: Jim Petro, Attorney General, by Damion M. Clifford, Assistant Attorney General.
- B. Dr. Stephens appeared *pro se*.

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<sup>1</sup> Dr. Stephens noted on the record that her full name is: Mona Gretel Case Harlan Stephens. (Hearing Transcript at 8)

## EVIDENCE EXAMINED

### I. Testimony Heard

Gretel Case Stephens, M.D.

### II. Exhibits Examined

#### A. Presented by the State

1. State's Exhibits 1A through 1G: Procedural exhibits.
2. State's Exhibit 2: Certified copies of documents maintained by the Tennessee Board concerning Dr. Stephens.

#### B. Presented by the Respondent

1. Respondent's Exhibit A: Copy of a January 19, 2005, news article from *The Tennessean*.
2. Respondent's Exhibit B: Copy of Dr. Stephens' 2005 application to renew her Tennessee medical license.
3. Respondent's Exhibit C: Copy of Dr. Stephens' September 26, 2005, Affidavit of Retirement from Practice in Tennessee.
4. Respondent's Exhibit D: Copy of the Tennessee Board's October 5, 2005, confirmation that Dr. Stephens' Tennessee medical license has been retired.
5. Respondent's Exhibit E: Copy of the Tennessee Board's July 27, 2005, Letter of Reprimand to Dr. Stephens, and copy of the envelope in which it had been mailed.
6. Respondent's Exhibit F: Copy of October 17, 2005, letter to Dr. Stephens regarding the Tennessee Board's assessment of civil penalties and costs, and copy of the envelope in which it had been mailed.
7. Respondent's Exhibit G: Copy of the Tennessee Board's Affidavit of Costs, and copy of the envelope in which it had been mailed.
8. Respondent's Exhibits H and I: Handwritten notes of Dr. Stephens.
9. Respondent's Exhibit J: August 16, 2005, letter from Dr. Stephens to opposing counsel in the Tennessee disciplinary action.

### SUMMARY OF THE EVIDENCE

All exhibits and the transcript, even if not specifically mentioned, were thoroughly reviewed and considered by the Hearing Examiner prior to preparing this Report and Recommendation.

1. Gretel Case Stephens, M.D., testified that she had received her medical degree from the University of Tennessee. She did a residency in anatomic and clinical pathology at the City of Memphis Hospitals and the University of Tennessee. (Hearing Transcript [Tr.] at 8-10)

After completing her medical education, Dr. Stephens worked as a pathologist at a hospital in the Memphis, Tennessee, area, during which time she also served as an assistant medical examiner in Shelby County, Tennessee, where Memphis is located. In 1983, she moved to Nashville where she worked as a pathologist at Nashville Memorial Hospital, and also worked as a part-time medical examiner for Davidson County, where Nashville is located. Dr. Stephens' husband at that time, Dr. Charles Harlan, was the medical examiner for Davidson County. In 1986, Dr. Stephens left her position at Nashville Memorial Hospital and began working full time as an assistant medical examiner. Subsequently, in 1994, she left that position and began doing locum tenens work. In 1998, Dr. Stephens moved to Johnson City, Tennessee, where she worked as a forensic pathologist at East Tennessee State University. Finally, in 2005, Dr. Stephens moved to the Cincinnati area where she is currently employed as a deputy coroner for Hamilton County, Ohio. (Tr. at 8-10, 13, 24-26)

Dr. Stephens testified that she obtained board certification in forensic pathology in 1994. Currently, Dr. Stephens is licensed in Ohio, and has inactive licenses in Tennessee and Mississippi. (Tr. at 11-12; State's Exhibit [St. Ex.] 2 at 6; Respondent's Exhibits [Resp. Exs.] B and C)

2. Dr. Stephens testified that, in June 1999, her marriage to Dr. Harlan had ended in divorce. Dr. Stephens had moved to Johnson City, Tennessee, at that time. Dr. Stephens stated that she had vacated the marital home in Nashville and allowed her husband to have it. Moreover, Dr. Stephens testified that the terms of the divorce required that, beginning three years after the divorce, and over a period of five years, her husband would reimburse her for half of their equity in the house as it had existed at the time of the divorce. (Tr. at 14)

Dr. Stephens testified that, in June 1999, at the time the divorce had become final, she had already moved her possessions out of the house. She thought that she had also removed all of her work-related materials from the house. (Tr. at 14)

Dr. Stephens testified that, in 2004, the house was sold. Because she was still a co-owner, she returned to Nashville to sign the necessary papers. Dr. Stephens testified that she had seen no reason at that time to go back to the house to look for anything. She did not realize that anything from the Davidson County medical examiner's office, or anything else that she would be interested in, remained in the house. Moreover, she had believed that her ex-

husband, who had had possession of the house, had gone through it and cleaned it out.  
(Tr. at 15)

3. Dr. Stephens testified that, in January 2005, while living in Johnson City, she had been contacted by friends from Nashville who told her that her former home had been on the news. Dr. Stephens then learned that the new residents had discovered some items that had been left behind in the house. (Tr. at 15-16, 21-22) A January 19, 2005, article in *The Tennessean* quoted the “Metro[] medical examiner,” Dr. Bruce Levy,<sup>2</sup> as stating, ““We have some original medical examiner case files from 10 to 15 years ago[.] \* \* \* We have some photocopies of files. We have glass slides. We have a jar of tissue in preservative.” (Resp. Ex. A) Although the article largely focused on issues concerning Dr. Harlan, it also stated that Dr. Levy had spoken to Dr. Stephens and that she had told him that the files had probably belonged to her. Moreover, the article stated that Dr. Stephens had advised Dr. Levy that the jar of tissue was probably from an autopsy of a pet dog, and that Dr. Levy had agreed that the size of the tissue was consistent with her explanation. (Resp. Ex. A)

Dr. Stephens testified that she had learned from Dr. Levy that her ex-husband had not cleaned out the house prior to its sale as she had believed he had. Moreover, she learned that the buyer of the house had rented it to a woman and her daughter with the agreement that part of the rent would be discounted if they would clean out the house. During the cleaning process, the tenants had found the items in question. Furthermore, Dr. Stephens testified that “what really assailed their sensibilities [were] three autopsy files that had photographs in them. And then, when they found the tissue samples, they thought they were human.” (Tr. at 21-22)

4. Dr. Stephens testified that, other than her conversation with Dr. Levy, she has never been provided with a list of the items that were found in the home. She further testified that she had contacted the Tennessee State’s attorney multiple times asking for that information. Moreover, Dr. Stephens testified that, when she was still working at East Tennessee State University, she had been interviewed by an investigator. During the interview, Dr. Stephens asked the investigator what had been found, and learned that the investigator had not received a list of those items either. Finally, Dr. Stephens testified that “apparently the only time anybody generated any kind of list or anything was for the news media.”<sup>3</sup> (Tr. at 24-25)
5. Dr. Stephens testified that the jar of tissue found in the home had probably come from autopsies of two of Dr. Stephens’ and Dr. Harlan’s dogs. Dr. Stephens stated that she had never taken human tissue home, except for slides. (Tr. at 16-18)

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<sup>2</sup> The article noted that Dr. Levy had succeeded Dr. Harlan as medical examiner and is a “chief critic of his predecessor.” Further, the article noted that Dr. Harlan “has been fighting a long-running state effort to strip him of his medical license” and that Dr. Harlan “has been accused of poor medical practices and unprofessional conduct.” Moreover, the article stated that the Tennessee Board had been hearing evidence concerning Dr. Harlan’s practice of forensic medicine during “monthly meetings, a few days at a time, since 2003.” (Resp. Ex. A)

<sup>3</sup> Dr. Stephens testified that she has learned that Dr. Harlan left other items behind in the house, including old tax records. (Tr. at 23)

Dr. Stephens further testified that, from the way a box of slides had been described to her, she believes that it had either contained slides from her dogs' autopsies or "recut slides from a couple of cases" on which Dr. Stephens had worked as a consultant, as well as peripheral blood smears. Moreover, Dr. Stephens testified that there may have been, at most, "two tissue slides on humans that were sectioned. There were probably four or five sections of dog autopsy tissues." (Tr. at 16-17)

Moreover, Dr. Stephens testified that she had had a box of peripheral blood smears that had been in her office at Nashville Memorial Hospital. Dr. Stephens stated that peripheral blood smears are typically discarded after one week. However, one of the physicians at the hospital who was treating leukemia patients needed to compare current slides with slides from earlier blood smears. Accordingly, she had retained slides of his patients and had "allowed those to stack up in [her] office." When she left Nashville Memorial Hospital, the box of slides had been inadvertently placed in a container with her belongings and she had taken them home. Dr. Stephens testified that the container "had never been completely emptied" and she had never returned the slides to the hospital or discarded them. Accordingly, Dr. Stephens testified that she believes that the majority of tissue samples referenced by the Tennessee Board had been peripheral blood smears. (Tr. at 18-19, 37)

In addition, Dr. Stephens testified that there had been copies of "ME sheets," which are reports of investigations by the county medical examiner. Dr. Stephens further testified that Dr. Levy had told her that these dated primarily from 1990 and 1991. Dr. Stephens testified that, at that time, she had started taking some work home with her to enable her to spend less time in the office and more time with her children, and that copies of some of the ME sheets that she had worked on at home may have remained in the house. However, Dr. Stephens stated that, under Tennessee law, such documents are considered public records. (Tr. at 20-21, 38)

Finally, Dr. Stephens testified that she had been told by Dr. Levy that there had been three out-of-county case files that included autopsy reports and crime scene photographs. Dr. Stephens testified that she believes that two of them had been her cases and the other had been Dr. Harlan's. Dr. Stephens stated that, at that time, Dr. Harlan had been the custodian of records for autopsies performed by the Davidson County Medical Examiner's office for outlying counties. Dr. Stephens testified:

When I was allowed to—to have those case files, he would bring them home and then I would go over them with attorneys in the cases, the prosecuting attorney and/or defense attorney, whoever had scheduled a pretrial conference, and then I would testify with that original record at that outlying county and then return it to Dr. Charles Harlan at the house.

(Tr. at 19) Dr. Stephens testified that, because she had returned the files to Dr. Harlan, she believes that it had been his responsibility to return the files to the medical examiner's office. (Tr. at 20)

6. Dr. Stephens testified that around August 5, 2005, after having relocated to the Cincinnati area, she had received a document entitled "Letter of Reprimand" from Thomas M. Miller, Assistant General Counsel for the Tennessee Department of Health. The letter was dated July 27, 2005, but Dr. Stephens testified that it had been delayed because it had been mailed to her former address in Johnson City. (Tr. at 25-26)

The Letter of Reprimand stated, in part,

The Department of Health's investigation revealed that numerous documents, including, but not limited to, autopsy reports and crime scene photographs [footnote: 'not including those out of county cases returned to Dr. Charles Harlan at the home.'], in addition to human tissue specimens and several miscellaneous items from dozens of cases all relating to [Dr. Stephens'] former position as Assistant Medical Examiner, were discovered in [her] vacated, former personal residence. This discovery was reported by a local news outlet on or about January 17, 2005.

(St. Ex. 2 at 2) Moreover, the letter stated,

This letter is to serve as a proposed settlement of this matter in lieu of a notice of charges and formal hearing. If you wish to **accept** this settlement, please sign where indicated on the last page and return to [Mr. Miller] by **Friday, August 4, 2005**. However, if you wish to reject this settlement, you are entitled to a contested case hearing pursuant to [Tennessee law].

As a condition of this reprimand, you shall be required to pay forty-eight (48) Type C Civil Penalties in the amount of fifty dollars (\$50.00) each, for a total amount of twenty-four hundred dollars (\$2,400.00) plus the assessment of costs. \* \* \*

\* \* \*

Upon your acceptance of this reprimand, this reprimand shall be presented to the [Tennessee Board] for ratification. If the [Tennessee] Board ratifies the reprimand it shall become final and placed in your official file.

(St. Ex. 2 at 3) (Emphases in the original) In the space provided, Dr. Stephens signed the letter accepting the reprimand. Finally, the letter states that the Tennessee Board ratified the reprimand on September 20, 2005. (St. Ex. 2 at 5)

7. Dr. Stephens testified that she has paid the civil penalties and costs to the Tennessee Board. (Tr. at 37)

8. Dr. Stephens testified that she did not receive the Letter of Reprimand until after the August 4, 2005, deadline for responding. At first she considered contesting the matter, and contacted a few attorneys she knew concerning representation, but none was able to take her case. She further testified that she had recently moved out of state and started a new job, and was concerned that the time she would have to invest could jeopardize her new job. Dr. Stephens also acknowledged that peripheral blood smears are human tissue and that she could not argue with that allegation. Dr. Stephens testified that she therefore contacted Mr. Miller, explained that she had not received the letter until the day following the response deadline, and that she was willing to accept the reprimand. Mr. Miller agreed to accept the late response. (Tr. at 25-29)

Dr. Stephens testified that she had asked that Mr. Miller remove from the factual allegations references to autopsy case files and photographs involving cases that did not occur in Davidson County, explaining that such files had been returned to the custodian of record, Dr. Harlan. Dr. Stephens testified that the footnote in the Letter of Reprimand reflects that modification. (St. Ex. 2 at 3; Resp. Ex. J; Tr. at 28-29)

9. Dr. Stephens testified that, after accepting the reprimand, and because she was no longer living or working in Tennessee, she had requested that the Tennessee Board allow her to retire her license. By notice dated October 5, 2005, the Tennessee Board acknowledged that it had placed her license in a retired status effective that date. The notice further advised that, if Dr. Stephens “should wish to return to practice in Tennessee [she] must reinstate [her] license and submit the current year renewal fees.” (Resp. Exs. B, C, and D; Tr. at 30-32)

### **FINDINGS OF FACT**

On or about September 20, 2005, the Tennessee Board of Medical Examiners [Tennessee Board] ratified a Letter of Reprimand that had been accepted by Gretel Case Stephens, M.D., in lieu of a notice of charges and a formal hearing. The underlying facts found by a Tennessee Department of Health investigation revealed that, among the items found in Dr. Stephens’ vacated, former personal residence were autopsy reports and crime scene photographs, not including those from out-of-county cases she had returned to her husband, Dr. Charles Harlan, the former Medical Examiner for Davidson County, Tennessee; human tissue specimens; and miscellaneous items from dozens of cases, all related to her former position as an Assistant Medical Examiner.

Further, the Tennessee Board required, as a condition of the reprimand, that Dr. Stephens be required to pay forty-eight civil penalties, for a total amount of \$2,400.00.

### CONCLUSIONS OF LAW

The Tennessee Board Letter of Reprimand concerning Gretel Case Stephens, M.D., as set forth in the Findings of Fact, above, constitutes “[a]ny of the following actions taken by the agency responsible for regulating the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or the limited branches of medicine in another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual’s license to practice; acceptance of an individual’s license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand,” as that clause is used in Section 4731.22(B)(22), Ohio Revised Code.

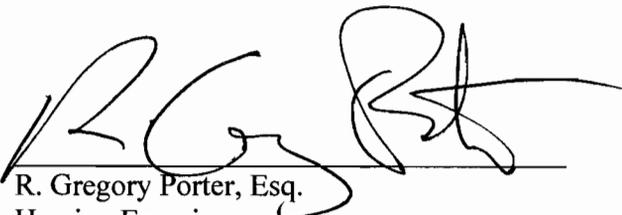
\* \* \* \* \*

The circumstances giving rise to this matter are very unusual. The evidence indicates that the people who discovered the abandoned material in Dr. Harlan’s and Dr. Stephens’ former residence were understandably very upset by what they had found. Nevertheless, to be fair, at least some of the responsibility for leaving that material behind must be attributed to another party and not just to Dr. Stephens. Further, the evidence is clear that Dr. Stephens has accepted responsibility for her role in the situation. Moreover, she agreed to the Tennessee Board’s reprimand and paid a significant monetary penalty. In addition, it is exceedingly unlikely that the conduct giving rise to this matter will ever be repeated. Accordingly, there appears to be no need for the Board to impose any further punitive and/or remedial measures.

### PROPOSED ORDER

It is hereby ORDERED that no further action be taken in the matter of Gretel Case Stephens, M.D.

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

  
R. Gregory Porter, Esq.  
Hearing Examiner



# State Medical Board of Ohio

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

## EXCERPT FROM THE DRAFT MINUTES OF DECEMBER 13, 2006

### REPORTS AND RECOMMENDATIONS

Dr. Robbins announced that the Board would now consider the Reports and Recommendations appearing on its agenda. He asked whether each member of the Board had received, read, and considered the hearing records, the proposed findings, conclusions, and orders, and any objections filed in the matters of: Ravi Chandra Ashwath, M.D.; Alexander M. Beylinson, M.D.; Harry Michael Condoleon, D.O.; Shaji Jaffrey Kazi, M.D.; Tera Jean Martin, M.T.; Lalsingh P. Rohira, M.D.; Robert Franklin Short, M.D.; and Gretel Case Stephens, M.D. A roll call was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmage	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Kumar	- aye
	Mr. Browning	- aye
	Ms. Sloan	- aye
	Dr. Davidson	- aye
	Dr. Steinbergh	- aye
	Dr. Robbins	- aye

Dr. Robbins asked whether each member of the Board understands that the disciplinary guidelines do not limit any sanction to be imposed, and that the range of sanctions available in each matter runs from dismissal to permanent revocation. A roll call was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmage	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Kumar	- aye
	Mr. Browning	- aye
	Ms. Sloan	- aye
	Dr. Davidson	- aye

Dr. Steinbergh - aye  
Dr. Robbins - aye

Dr. Robbins noted that, in accordance with the provision in Section 4731.22(F)(2), Revised Code, specifying that no member of the Board who supervises the investigation of a case shall participate in further adjudication of the case, the Secretary and Supervising Member must abstain from further participation in the adjudication of these matters. They may, however, participate in the matter of Dr. Beylinson, as that case is not disciplinary in nature and concerns only the doctor's qualifications for licensure. . In the matters before the Board today, Dr. Talmage served as Secretary and Mr. Albert served as Supervising Member.

The original Reports and Recommendations shall be maintained in the exhibits section of this Journal.

.....

GRETTEL CASE STEPHENS, M.D.

.....

**DR. STEINBERGH MOVED TO APPROVE AND CONFIRM MR. PORTER'S FINDINGS OF FACT, CONCLUSIONS, AND PROPOSED ORDER IN THE MATTER OF GRETTEL CASE STEPHENS, M.D. DR. VARYANI SECONDED THE MOTION.**

.....

A vote was taken on Dr. Steinbergh's motion to approve and confirm:

Vote:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Talmage	- abstain
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Kumar	- aye
	Mr. Browning	- aye
	Ms. Sloan	- aye
	Dr. Davidson	- aye
	Dr. Robbins	- aye

The motion carried.



# State Medical Board of Ohio

T.S. (Reg. No. 173-17) • C.S. (Reg. No. 43) • 43135-6122 • (614) 461-3131 • Website: [www.med.ohio.gov](http://www.med.ohio.gov)

April 12, 2006

Gretel Case Stephens, M.D.  
AKA Mona Gretel Case Harlan Stephens, M.D.  
524 Harrisburg Hill Road  
Alexandria, Kentucky 41001-7673

Dear Doctor Stephens:

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 reprimand you or place you on probation for one or more of the following reasons:

- (1) On or about September 20, 2005, the Tennessee Board of Medical Examiners [Tennessee Board] ratified a Letter of Reprimand in lieu of a notice of charges and a formal hearing. The underlying facts found by a Tennessee Department of Health investigation revealed that, among the items found in your vacated, former personal residence, were autopsy reports, crime scene photographs, human tissue specimens, and miscellaneous items from dozens of cases, all related to your former position as an Assistant Medical Examiner.

Further, the Tennessee Board required, as a condition of the reprimand, that you be required to pay forty-eight civil penalties, for a total amount of \$2,400.00. A copy of the Tennessee Board Letter of Reprimand is attached hereto and incorporated herein.

The Tennessee Board Letter of Reprimand as alleged in paragraph (1) above, constitutes "[a]ny of the following actions taken by the agency responsible for regulating the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or the limited branches of medicine in another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand," as that clause is used in Section 4731.22(B)(22), 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

*Mailed 4-13-06*

Gretel Case Stephens, M.D.  
AKA Mona Gretel Case Harlan Stephens, M.D.  
Page 2

be made in writing and must be received in the offices of the State Medical Board within thirty days of the time of mailing of this notice.

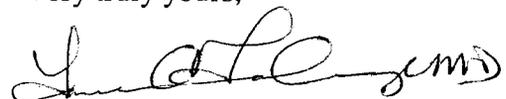
You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at 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 State Medical 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 reprimand you 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."

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Lance A. Talmage, M.D.  
Secretary

LAT/jjv  
Enclosures

CERTIFIED MAIL # 7003 0500 0002 8360  
RETURN RECEIPT REQUESTED



STATE OF TENNESSEE  
 DEPARTMENT OF HEALTH  
 OFFICE OF GENERAL COUNSEL  
 26<sup>th</sup> Floor of the Tennessee Tower  
 312 8<sup>th</sup> Avenue North  
 Nashville, TN 37243  
 (615) 741-1611 / Fax: (615) 532-3386

STATE MEDICAL BOARD  
 OF OHIO  
 2006 FEB 16 P 4: 24

PHIL BREDESEN  
 GOVERNOR

KENNETH S. ROBINSON, M.D.  
 COMMISSIONER

July 27, 2005

VIA UNITED STATES FIRST CLASS  
 CERTIFIED MAIL NUMBER 7004 1350 0000 2776 2466  
 RETURN RECEIPT REQUESTED

**LETTER OF REPRIMAND**

Gretel C. Stephens, M.D.  
 3434 Street Drive  
 Johnson City, Tennessee 37604



RE: Complaint filed regarding Tennessee Medical License No. 8872

Dear Dr. Stephens:

As a result of a complaint that was filed against you, an investigation was conducted and forwarded to the Board's consultant and me for disposition.

It is the position of the Board's consultant and myself that your conduct in this matter constitutes a violation of the Tennessee Code Annotated (TENN. CODE ANN.) § 63-6-101, *et seq.*

The Department of Health's investigation revealed that numerous documents, including, but not limited to, autopsy reports and crime scene photographs<sup>1</sup>, in addition to human tissue specimens and several miscellaneous items from dozens of cases all relating to your former position as Assistant Medical Examiner, were discovered in your vacated, former personal residence. This discovery was reported by a local news outlet on or about January 17, 2005.

Your conduct as a medical doctor in the State of Tennessee has been deemed inappropriate and may be considered a violation of TENN. CODE ANN. § 63-6-214(b)(1) and Rule 0880-2-.15(4)(e) and (g).

This conduct is not consistent with the high standards of professional practice which are requisite for a medical health care professional. Accordingly, this letter is to **REPRIMAND** you for engaging in such conduct. Should you further violate any statute, rule or regulation which

<sup>1</sup> not including those out of county cases returned to Dr. Charles Harlan at the home.

Gretel C. Stephens, M.D.  
Letter of Reprimand  
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governs your practice as a medical doctor, this reprimand may be used to enhance any punishment administered for such violation(s).

This letter is to serve as a proposed settlement of this matter in lieu of a notice of charges and formal hearing. If you wish to accept this settlement, please sign where indicated on the last page and return to me by **Friday, August 4, 2005**. However, if you wish to reject this settlement, you are entitled to a contested case hearing pursuant to the Uniform Administrative Procedures Act. TENN. CODE ANN. § 4-5-101 et seq.

As a condition of this reprimand, you shall be required to pay forty-eight (48) Type C Civil Penalties in the amount of fifty dollars (\$50.00) each, for a total amount of twenty-four hundred dollars (\$2,400.00), plus the assessment of costs. A certified check and/or cashiers check for this amount should be made payable to "State of Tennessee" and delivered within six (6) months of the date of this letter to:

Tennessee Department of Health  
Board of Medical Examiners  
ATTN: Disciplinary Coordinator  
425 5<sup>th</sup> Avenue North, 3<sup>rd</sup> Floor, Nashville, Tennessee 37247

Upon your acceptance of this reprimand, this reprimand shall be presented to the Tennessee Board of Medical Examiners (hereinafter the "Board") for ratification. If the Board ratifies the reprimand it shall become final and placed in your official file. This reprimand is a formal disciplinary action and is reportable to the Data Bank or similar agency. If the Board rejects this reprimand, further action will be required.

By accepting this reprimand you are also consenting to the disclosure of information concerning this matter sufficient for the Board to make an informed decision in the ratification process. You are also waiving your challenge to the Board as to the information disclosed should this matter eventually result in a hearing. You are encouraged to consult legal counsel on this matter. You may be eligible for free or low cost counsel from a legal service organization in your area.

However, should you choose not to accept this reprimand, please be advised that the Tennessee Department of Health, Division of Health Related Boards (hereinafter the "Agency") will institute administrative proceedings (formal charges) against you before the Board that may affect your license to perform as a medical doctor in the State of Tennessee. In accordance with TENN. CODE ANN. § 4-5-320(c), this letter then serves to give you notice of the facts or conduct which warrant the intended action and to provide you an opportunity to "show compliance with all lawful requirements for retention of your license" prior to the initiation of those proceedings.

Be further advised that TENN. CODE ANN. § 63-1-117 requires that the allegations against you remain confidential prior to the filing of formal charges. In addition, identifying information of a complainant, witness, patients, and medical/dental records are likewise confidential until introduced into the proceedings. Until then, this information cannot be made available to the public.

2005 FEB 15 10:00 AM  
STATE MEDICAL BOARD  
OF TENNESSEE  
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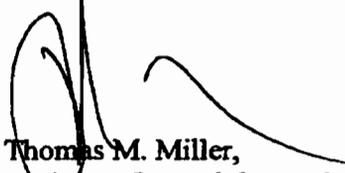
Gretel C. Stephens, M.D.  
Letter of Reprimand  
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Please respond before the close of business on **Friday, August 4, 2005** with either the return of this reprimand, signed and dated where shown, or with a written response that shows compliance with all lawful requirements for retention of your license.

If you do not accept this reprimand, or if I have not received a written response from you or your legal representative by the close of business on **Friday, August 4, 2005**, or if I do not feel that your response shows compliance with all lawful requirements, I will proceed with the case.

You are admonished that any further like conduct on your part could result in the filing of formal charges against you, which could result in the suspension or revocation of your license.

Sincerely,



Thomas M. Miller,  
Assistant General Counsel  
Tennessee Department of Health

STATE MEDICAL BOARD  
OF OHIO  
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I expressly accept the **REPRIMAND** as set forth herein.

Gretel C. Stephens, M.D.  
Gretel C. Stephens, M.D.  
Tennessee License No. 8872

August 16, 2005  
DATE

So RATIFIED on this 20<sup>th</sup> day of September, 2005 by a quorum of the  
Tennessee Board of Medical Examiners in open session.

David L. Cunningham  
Chairperson  
Tennessee Board of Medical Examiners

20 Sept 05  
DATE

STATE MEDICAL BOARD  
OF OHIO  
2005 FEB 16 P 4: 24



STATE OF TENNESSEE  
DEPARTMENT OF HEALTH  
HEALTH RELATED BOARDS  
FIRST FLOOR, CORDELL HULL BUILDING  
425 FIFTH AVENUE NORTH  
NASHVILLE, TENNESSEE 37247-1010  
tennessee.gov/health

TENNESSEE BOARD OF MEDICAL EXAMINERS  
1-800-778-4123

STATE MEDICAL BOARD  
OF OHIO

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February 14, 2006

GRETEL C STEPHENS, MD  
524 HARRISBURG HILL ROAD  
ALEXANDRIAT KY 41001-7673

TO WHOM IT MAY CONCERN:

The Tennessee Board of Medical Examiners is pleased to furnish the following information from our files:

PROFESSION: Medical Doctor  
NAME: GRETEL C STEPHENS  
LICENSE NUMBER: MD8872  
ISSUE DATE: 10/14/1974  
EXPIRATION DATE: 09/30/2005  
CURRENT STATUS: Voluntarily Retired  
STATUS DATE: 10/05/2005



COMMENTS: There is derogatory information in our files concerning this individual. The State of Tennessee only provides the above information. Any other information needed must be obtained from the licensee. The individual has been provided with copies of the materials and should make them available for your official review. If the materials have either been lost or destroyed, the licensee may contact our office regarding obtaining replacement copies.

Sincerely,

Board Administrator  
Tennessee Board of Medical Examiners

MD/LV1

To expedite the verification process, the above is the standard format used by the Medical Board of Tennessee.