

**PROBATIONARY
CONSENT AGREEMENT
BETWEEN
LAMBERTO T.R. GALANG, JR., M.D.,
AND
THE STATE MEDICAL BOARD OF OHIO**

OHIO STATE MEDICAL BOARD

AUG 23 2004

This Consent Agreement is entered into by and between Lamberto T.R. Galang, Jr., M.D., and the State Medical Board of Ohio [Board], a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

Dr. Galang, Jr., 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.

BASIS FOR ACTION

This Consent Agreement is entered into on the basis of the following stipulations, admissions and understandings:

- A. The Board is empowered by Section 4731.22(B)(13), 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 “[a] plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a misdemeanor involving moral turpitude.”
- B. The Board enters into this Consent Agreement in lieu of formal proceedings based upon the violations of Section 4731.22(B)(13), Ohio Revised Code, as set forth in Paragraph (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 Consent Agreement.
- C. Dr. Galang, Jr., holds a training certificate in the State of Ohio, Certificate # 57-004620.
- D. Dr. Galang, Jr., states that he does not hold a training certificate in any other state and that he is not licensed to practice medicine and surgery in any other state.
- E. Dr. Galang, Jr., admits that, or about October 21, 2002, he was arrested by Columbus Police Officers and charged with voyeurism, in violation of Columbus City Code Section 2307.08. Dr. Galang, Jr., further admits that, on or about February 25, 2004, in Franklin County Municipal Court, he was convicted of voyeurism, a misdemeanor of the third degree. Dr. Galang, Jr., also admits to a previous arrest for voyeurism in 2000, at which point he began to receive treatment from a psychologist.

Dr. Galang, Jr., admits that he has been in treatment with a psychiatrist and a licensed clinical counselor, since 2001, for the following diagnoses: dysthymia, social phobia and voyeurism. Dr. Galang, Jr., further admits that, as part of his 2004 application for a training certificate, he provided reports from both his psychiatrist and his counselor. Dr. Galang's psychiatrist noted that, although Dr. Galang, Jr., had a couple of relapses in his voyeuristic behavior in the last three years, he had been able to return to his normal functioning, apparently due to treatment with a SSRI and psychotherapy. The psychiatrist and the licensed clinical counselor both agree that Dr. Galang, Jr., can return to his medical training and can practice medicine according to acceptable and prevailing standards of care as long as he continues his current treatment for his psychiatric diagnoses.

Dr. Galang, Jr., further admits that, on or about April 26, 2003, he underwent a Board-ordered psychiatric evaluation, which resulted in a determination that Dr. Galang, Jr., demonstrated behavior patterns consistent with a diagnosis of voyeurism. Dr. Galang, Jr., also admits that the evaluating psychiatrist made the following recommendations for the treatment of his psychiatric diagnosis: see a therapist at least every other week during the next five years; see a psychiatrist once a month during the next five years; and attend at least two twelve-step meetings a week for the next five years.

AGREED CONDITIONS

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, Dr. Galang, Jr., knowingly and voluntarily agrees with the Board to the following PROBATIONARY terms, conditions and limitations:

1. Dr. Galang, Jr., shall obey all federal, state, and local laws, and all rules governing the practice of medicine in Ohio, and all terms of probation imposed by the Franklin County Municipal Court in criminal case number Case # 02 CR 27972.
2. Dr. Galang, Jr., 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 this Consent Agreement becomes effective. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.
3. Dr. Galang, Jr., shall appear in person for an interview before the full Board or its designated representative during the third month following the effective date of this Consent Agreement. Subsequent personal appearances must occur every three months thereafter, and/or as otherwise requested 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.

OHIO STATE MEDICAL BOARD

4. Dr. Galang, Jr., shall obtain permission from the Board for departures or absences from Ohio. Such periods of absence shall not reduce the probationary term, unless otherwise determined by motion of the Board for absences of three months or longer, or by the Secretary or the Supervising Member of the Board for absences of less than three months, in instances where the Board can be assured that probationary monitoring is otherwise being performed.
5. In the event Dr. Galang, Jr., 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 this Consent Agreement.

MONITORING AND TREATMENT

Psychiatric and Psychological Treatment

6. Within thirty days of the effective date of this Consent Agreement, Dr. Galang, Jr., shall submit to the Board for its prior approval the name and qualifications of a psychiatrist of his choice. Upon approval by the Board, Dr. Galang, Jr., shall undergo and continue psychiatric treatment, to include individual psychotherapy at least once a week or as otherwise directed by the Board. Dr. Galang, Jr., shall comply with his psychiatric treatment plan, including taking medications as prescribed and/or ordered by his approved treating psychiatrist for his psychiatric disorder.

Dr. Galang, Jr., shall ensure that psychiatric reports are forwarded by his treating psychiatrist to the Board on a quarterly basis, or as otherwise directed by the Board. The psychiatric reports shall contain information describing Dr. Galang, Jr.,’s current treatment plan and any changes that have been made to the treatment plan since the prior report; Dr. Galang, Jr.,’s compliance with his treatment plan; Dr. Galang, Jr.,’s mental status; Dr. Galang, Jr.,’s progress in treatment; and the results of any laboratory studies that have been conducted since the prior report. Dr. Galang, Jr., shall ensure that his treating psychiatrist immediately notifies the Board of his failure to comply with his psychiatric treatment plan and/or any determination that Dr. Galang, Jr., is unable to practice due to his psychiatric disorder. It is Dr. Galang, Jr.,’s responsibility to ensure that quarterly reports are received in the Board’s offices no later than the due date for Dr. Galang, Jr.,’s quarterly declaration.

The psychotherapy required pursuant to this paragraph may be delegated by Dr. Galang, Jr.,’s treating psychiatrist to an appropriately licensed mental health professional approved by the Board, so long as Dr. Galang, Jr.,’s treating psychiatrist oversees/supervises such psychotherapy; includes information concerning Dr. Galang, Jr.,’s participation and progress in psychotherapy in his or her reports; and continues to meet personally with Dr. Galang, Jr., at least once per month.

OHIO STATE MEDICAL BOARD

AUG 23 2004

Should the psychotherapy required pursuant to this provision be delegated to a licensed mental health professional, Dr. Galang, Jr., shall ensure that psychotherapy reports are forwarded by his treating licensed mental health professional to the Board on a quarterly basis, or as otherwise directed by the Board. The psychotherapy reports shall contain the following information: Dr. Galang, Jr.,'s current treatment plan and any changes that have been made to the treatment plan since the prior report; Dr. Galang, Jr.,'s compliance with his treatment plan; Dr. Galang, Jr.,'s mental status; Dr. Galang, Jr.,'s progress in treatment; and the results of any laboratory studies that have been conducted since the prior report. Dr. Galang, Jr., shall ensure that his treating licensed mental health professional immediately notifies the Board of his failure to comply with his psychotherapy treatment plan and/or any determination that Dr. Galang, Jr., is unable to practice. These psychotherapy reports shall be in addition to the psychiatric reports.

It is Dr. Galang, Jr.,'s responsibility to ensure that quarterly reports (psychiatric and psychotherapy, if applicable) are received in the Board's offices no later than the due date for Dr. Galang, Jr.,'s quarterly declaration.

In the event that the designated treating psychiatrist and/or the designated treating licensed mental health professional becomes unable or unwilling to serve in this capacity, Dr. Galang, Jr., must immediately so notify the Board in writing. In addition, Dr. Galang, Jr., shall make arrangements acceptable to the Board for another treating psychiatrist and/or another treating licensed mental health professional within thirty days after the previously designated treating psychiatrist and/or treating licensed mental health professional becomes unable or unwilling to serve, unless otherwise determined by the Board. Furthermore, Dr. Galang, Jr., shall ensure that the previously designated treating psychiatrist and/or treating licensed mental health professional also notifies the Board directly of his or her inability to continue to serve and the reasons therefore.

7. The Board retains the right to require, and Dr. Galang, Jr., agrees to submit, blood or urine specimens for analysis, as directed by his treating psychiatrist or upon the Board's request and without prior notice, for levels of any medication that is prescribed for his psychiatric disorder or for any other purpose. Any such collection and analysis shall be at Dr. Galang, Jr.,'s expense. Dr. Galang, Jr.,'s refusal to submit a specimen upon request of the Board shall result in a minimum of one year of actual license suspension. Such specimens shall be obtained by or under the direction and supervision of a representative designated by the Board, or Dr. Galang, Jr.,'s treating psychiatrist or another physician approved in advance by the Board.

Monitoring Physician

8. Within thirty days of the effective date of this Consent Agreement, Dr. Galang, Jr., shall submit the name and curriculum vitae of a monitoring physician for prior written

approval by the Secretary or Supervising Member of the Board. In approving an individual to serve in this capacity, the Secretary and Supervising Member will give preference to a physician who practices in the same locale as Dr. Galang, Jr., and who is engaged in the same or similar practice specialty.

The monitoring physician shall monitor Dr. Galang, Jr., and his medical practice, and shall review Dr. Galang, Jr.,'s patient charts. The chart review may be done on a random basis, with the frequency and number of charts reviewed to be determined by the Board.

Further, the monitoring physician shall provide the Board with reports on the monitoring of Dr. Galang, Jr., and his medical practice, and on the review of Dr. Galang, Jr.,'s patient charts. Dr. Galang, Jr., shall ensure that the reports are forwarded to the Board on a quarterly basis and are received in the Board's offices no later than the due date for Dr. Galang, Jr.,'s quarterly declaration.

In the event that the designated monitoring physician becomes unable or unwilling to serve in this capacity, Dr. Galang, Jr., must immediately so notify the Board in writing. In addition, Dr. Galang, Jr., shall make arrangements acceptable to the Board for another monitoring physician within thirty days after the previously designated monitoring physician becomes unable or unwilling to serve, unless otherwise determined by the Board. Furthermore, Dr. Galang, Jr., shall ensure that the previously designated monitoring physician also notifies the Board directly of his or her inability to continue to serve and the reasons therefore.

While Dr. Galang, Jr., participates in a residency program accredited by the ACGME, the Board shall accept, as satisfaction of the requirements of this paragraph, a quarterly statement, if timely submitted, from the director of Dr. Galang, Jr.,'s residency program addressing Dr. Galang, Jr.,'s performance (clinical and otherwise) in the residency program, as well as his progress and status. Should Dr. Galang, Jr., desire to utilize this option in lieu of having a monitoring physician while he participates in a residency program, Dr. Galang, Jr., shall so notify the Board by providing a writing, signed by both himself and his residency director, to the Board within thirty days of the effective date of this Consent Agreement. Further, should Dr. Galang, Jr., cease participation in an accredited residency or should he obtain full medical licensure in Ohio and desire to practice outside his residency, or should his residency director become unable or unwilling to serve, Dr. Galang, Jr., must immediately so notify the Board in writing and, within thirty days, make arrangements, acceptable to the Board, for another monitoring physician. All residency director reports required under this paragraph must be received in the Board's offices no later than the due date for Dr. Galang, Jr.,'s quarterly declaration. It is Dr. Galang, Jr.,'s responsibility to ensure that reports are timely submitted.

Practice Plan / Employment Restriction

9. Dr. Galang, Jr., shall not engage in solo practice during the duration of this Consent Agreement and shall obtain the approval of the Board for any medical practice or employment related to the health care fields. Dr. Galang, Jr., shall not engage in the practice of medicine, other than continuation of his current residency training program, unless and until such time that the Board has approved a practice plan, and thereafter, Dr. Galang, Jr.,'s practice of medicine shall be only in accordance with such practice plan. The Board shall consider, among other factors, the adequacy and continuity of supervision, which will ensure the protection of the public, prior to approval or disapproval of the proposed employment. Further, Dr. Galang, Jr., shall submit a revised practice plan to the Board and obtain the prior approval of the Board should he desire modification to any previously approved practice plan(s).

Further, during the time period(s) in which Dr. Galang, Jr., is affiliated with a residency training program, Dr. Galang, Jr., shall not engage in any other employment as a physician.

Rehabilitation Program

10. Within thirty days of the effective date of this Consent Agreement, Dr. Galang, Jr., shall undertake and maintain participation in a twelve-step rehabilitation program for sexual addiction no less than two times per week. Substitution of any other specific program must receive prior Board approval.

Dr. Galang, Jr., shall submit acceptable documentary evidence of continuing compliance with this program which must be received in the Board's offices no later than the due date for Dr. Galang, Jr.,'s quarterly declarations.

Releases

11. Dr. Galang, Jr., shall provide continuing authorization, through appropriate written consent forms, for disclosure by his 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.

Required Reporting by Licensee

12. Within thirty days of the effective date of this Consent Agreement, Dr. Galang, Jr., shall provide a copy of this Consent Agreement to all employers or entities with which he is under contract to provide health care services or is receiving training; and the Chief of Staff at each hospital where he has privileges or appointments. Further, Dr. Galang, Jr., shall provide a copy of this Consent Agreement to all employers or entities with which he contracts to provide health care services, or applies for or

receives training, and the Chief of Staff at each hospital where he applies for or obtains privileges or appointments.

13. Within thirty days of the effective date of this Consent Agreement, Dr. Galang, Jr., 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 he currently holds any professional license. Dr. Galang, Jr., 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 he applies for any professional license or for reinstatement of any professional license. Further, Dr. Galang, Jr., shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.
14. Dr. Galang, Jr., shall provide a copy of this Consent Agreement to all persons and entities that provide Dr. Galang, Jr., with treatment or monitoring pursuant to this Consent Agreement.

FAILURE TO COMPLY

If, in the discretion of the Secretary and Supervising Member of the Board, Dr. Galang, Jr., 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.

If the Secretary and Supervising Member of the Board determine that there is clear and convincing evidence that Dr. Galang, Jr., has violated any term, condition or limitation of this Consent Agreement, Dr. Galang, Jr., agrees that the violation, as alleged, also constitutes clear and convincing evidence that his 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(G), Ohio Revised Code.

DURATION/MODIFICATION OF TERMS

All subsequent training certificates or other certificates that may be granted by the Board to Dr. Galang, Jr., shall be subject to the same probationary terms, conditions and limitations, unless otherwise determined by the Board, until Dr. Galang, Jr., has completed at least a five-year probationary period with the Board. Dr. Galang, Jr., shall not request modification to the probationary terms, limitations and conditions contained herein for at least one year. Otherwise, the above-described terms, limitations and conditions may be amended or terminated in writing at any time upon the agreement of both parties.

OHIO STATE MEDICAL BOARD

AUG 23 2004

ACKNOWLEDGMENTS/LIABILITY RELEASE

Dr. Galang, Jr., 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.

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.

Dr. Galang, Jr., hereby releases the Board, 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. Dr. Galang, Jr., acknowledges that his social security number will be used if this information is so reported and agrees to provide his social security number to the Board for such purposes.

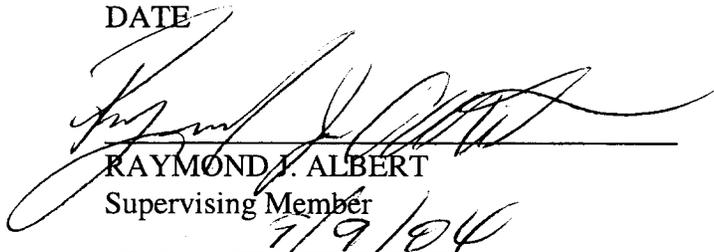
EFFECTIVE DATE

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.

OHIO STATE MEDICAL BOARD


LAMBERTO T.R. GALANG, JR., M.D.
8/23/04
DATE


LANCE A. TALMAGE, M.D.
Secretary 9-8-04
AUG 23 2004
DATE


RAYMOND J. ALBERT
Supervising Member 7/9/04
DATE


KATHLEEN S. PETERSON
Enforcement Attorney
8/24/04
DATE