

**CONSENT AGREEMENT  
BETWEEN  
JUSTIN GREGOR FORD, M.D.  
AND  
THE STATE MEDICAL BOARD OF OHIO**

This Consent Agreement is entered into by and between Justin Gregor Ford, M.D., ["Dr. Ford"] and the State Medical Board of Ohio ["Board"], a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

Dr. Ford 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 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)(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 certificate for "impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice"
- B. The Board and Dr. Ford enter into this Consent Agreement in lieu of further formal proceedings based upon the allegations set forth in the Notice of Summary Suspension and Opportunity for Hearing issued on June 13, 2007, [June 2007 Notice], attached hereto as Exhibit A and incorporated herein by this reference. The Board expressly reserves the right to institute additional formal proceedings based upon any other violations of R.C. Chapter 4731., whether occurring before or after the effective date of this Consent Agreement.
- C. Dr. Ford holds Training Certificate #57.012537, which was suspended by issuance of the June 2007 Notice. Dr. Ford's training certificate expired June 29, 2007.
- D. Dr. Ford states that he is licensed as an intern/resident (License Number 0116019605) in the State of Virginia.

- E. Dr. Ford admits to the factual and legal allegations as set forth in the June 2007 Notice.

### **AGREED CONDITIONS**

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

### **CONDITIONS FOR APPLICATION**

1. The Board shall not consider reinstatement of Dr. Ford's training certificate or issuance of any other certificate pursuant to Chapters 4730., 4731., 4760., or 4762. until all of the following conditions are met:
  - a. Dr. Ford shall submit an application accompanied by appropriate fees, if any.
  - b. Dr. Ford shall demonstrate to the satisfaction of the Board that he can practice in compliance with acceptable and prevailing standards of care under the provisions of the certificate for which he has applied. 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 Dr. Ford has successfully completed any required inpatient treatment.
    - ii. Evidence of continuing full compliance with a post-discharge aftercare contract. If Dr. Ford resides in Ohio during the period of the aftercare contract, that contract must be with a treatment provider approved under Section 4731.25 of the Revised Code and the aftercare contract must comply with rule 4731-16-10 of the Administrative Code. If Dr. Ford resides or practices in another state during the period of the aftercare contract, such aftercare contract must comply with the requirements of rule 4731-16-12, Ohio Administrative Code. Evidence of full compliance shall include, but not be limited to, a copy of the signed aftercare contract.
    - iii. Evidence of continuing full compliance with this Consent Agreement.

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- iv. Two written reports indicating that Dr. Ford's ability to practice has been assessed and that he has been found capable of practicing according to acceptable and prevailing standards of care. The reports shall be made by physicians knowledgeable in the area of addictionology and who are either affiliated with a current Board-approved treatment provider or otherwise have been approved in advance by the Board to provide an assessment of Dr. Ford. Prior to the assessments, Dr. Ford shall provide the evaluators with copies of patient records from any evaluations and/or treatment that he has received, and a copy of this Consent Agreement. The reports from the evaluators shall include any recommendations for treatment, monitoring, or supervision of Dr. Ford, and any conditions, restrictions, or limitations that should be imposed on Dr. Ford's practice. The reports shall also describe the basis for the evaluator's determinations.

All reports required pursuant to this paragraph shall be based upon examinations occurring within the three months immediately preceding any application for reinstatement.

- v. Dr. Ford 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 Dr. Ford's chemical dependency or related conditions, 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. Failure to provide such consent, or revocation of such consent, shall constitute a violation of this Consent Agreement.
- c. In the event that Dr. Ford has not been engaged in the active practice of medicine and surgery for a period in excess of two years prior to his application, the Board may exercise its discretion under Section 4731.222, Ohio Revised Code, to require additional evidence of Dr. Ford's fitness to resume practice.

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**REQUIRED REPORTING BY LICENSEE**

2. Within thirty days of the effective date of this Consent Agreement, Dr. Ford 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. Ford 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 reinstatement of any professional license. Further, Dr. Ford shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt. This requirement shall continue for three years following the effective date of this Consent Agreement.
3. Within thirty days of the effective date of this Consent Agreement, Dr. Ford 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. Ford 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. This requirement shall continue for three years following the effective date of this Consent Agreement.

**FAILURE TO COMPLY**

If, in the discretion of the Secretary and Supervising Member of the Board, Dr. Ford appears to have violated or breached any terms 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.

**ACKNOWLEDGEMENTS/LIABILITY RELEASE**

Dr. Ford 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., and Ohio Revised Code.

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Dr. Ford 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, and may be reported to appropriate organizations, date banks, and governmental bodies. Dr. Ford agrees to provide his social security number to the Board and hereby authorizes the Board to utilize that number in conjunction with that reporting.

**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.

Justin G Ford, M.D.  
JUSTIN FORD, M.D.

Lance Talmage, M.D.  
LANCE TALMAGE, M.D.  
Secretary

9-21-07  
DATE

10-10-07  
DATE

KRIS DAWLEY  
Attorney for Dr. Ford

RAYMOND J. ALBERT  
Supervising Member

9-21-07  
DATE

10/10/07  
DATE

BARBARA JOFFEY  
Assistant Attorney General

September 25, 2007  
DATE



# 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)

June 13, 2007

Justin G. Ford, M.D.  
Kettering Medical Center  
Medical Education Department  
3535 Southern Boulevard  
Kettering, Ohio 45429

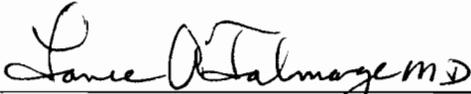
Dear Doctor Ford:

Enclosed please find certified copies of the Entry of Order, the Notice of Summary Suspension and Opportunity for Hearing, and an excerpt of the Minutes of the State Medical Board, meeting in regular session on June 13, 2007, including a Motion adopting the Order of Summary Suspension and issuing the Notice of Summary Suspension and Opportunity for Hearing.

You are advised that continued practice after receipt of this Order shall be considered practicing without a certificate, in violation of Section 4731.41, Ohio Revised Code.

Pursuant to Chapter 119, Ohio Revised Code, you are hereby advised that you are entitled to a hearing on the matters set forth in the Notice of Summary Suspension and Opportunity for Hearing. If you wish to request such hearing, that request must be made in writing and be received in the offices of the State Medical Board within thirty days of the time of mailing of this notice. Further information concerning such hearing is contained within the Notice of Summary Suspension and Opportunity for Hearing.

THE STATE MEDICAL BOARD OF OHIO

  
Lance A. Talmage, M.D., Secretary

LAT/DSZ/flb  
Enclosures

*Mailed 6-14-07*

**CERTIFICATION**

I hereby certify that the attached copies of the Entry of Order of the State Medical Board of Ohio and the Motion by the State Medical Board, meeting in regular session on June 13, 2007, to Adopt the Order of Summary Suspension and to Issue the Notice of Summary Suspension and Opportunity for Hearing, constitute true and complete copies of the Motion and Order in the Matter of Justin G. Ford, M.D., as they appear in the Journal of the State Medical Board of Ohio.

This certification is made under the authority of the State Medical Board of Ohio and in its behalf.



Lance A. Talmage, M.D., Secretary

(SEAL)

June 13, 2007

Date

**BEFORE THE STATE MEDICAL BOARD OF OHIO**

IN THE MATTER OF  
JUSTIN G. FORD, M.D.

:  
:  
:  
:

**ENTRY OF ORDER**

This matter came on for consideration before the State Medical Board of Ohio the 13<sup>th</sup> day of June, 2007.

Pursuant to Section 4731.22(G), Ohio Revised Code, and upon recommendation of Lance A. Talmage, M.D., Secretary, and Raymond J. Albert, Supervising Member; and

Pursuant to their determination, based upon their review of the information supporting the allegations as set forth in the Notice of Summary Suspension and Opportunity for Hearing, that there is clear and convincing evidence that Justin G. Ford, M.D., has violated Section 4731.22(B)(26), Ohio Revised Code, as alleged in the Notice of Summary Suspension and Opportunity for Hearing that is enclosed herewith and fully incorporated herein; and,

Pursuant to their further determination, based upon their review of the information supporting the allegations as set forth in the Notice of Summary Suspension and Opportunity for Hearing, that Dr. Ford's continued practice presents a danger of immediate and serious harm to the public;

The following Order is hereby entered on the Journal of the State Medical Board of Ohio for the 13<sup>th</sup> day of June, 2007:

It is hereby ORDERED that the training certificate of Justin G. Ford, M.D., in the State of Ohio be summarily suspended.

It is hereby ORDERED that Justin G. Ford, M.D., shall immediately cease participating in the residency program at Kettering Medical Center, Kettering, Ohio.

This Order shall become effective immediately.

(SEAL)

  
Lance A. Talmage, M.D., Secretary

June 13, 2007  
Date



# 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 JUNE 13, 2007

### SUMMARY SUSPENSIONS

#### JUSTIN G. FORD, M.D. ORDER OF SUMMARY SUSPENSION AND NOTICE OF OPPORTUNITY FOR HEARING

At this time the Board read and considered the proposed Order of Summary Suspension and Notice of Opportunity For Hearing in the above matter, a copy of which shall be maintained in the exhibits section of this Journal.

**DR. VARYANI MOVED TO ENTER AN ORDER OF SUMMARY SUSPENSION IN THE MATTER OF JUSTIN G. FORD, M.D., IN ACCORDANCE WITH SECTION 4731.22(G), OHIO REVISED CODE, AND TO ISSUE THE NOTICE OF SUMMARY SUSPENSION AND OPPORTUNITY FOR HEARING. DR. MADIA SECONDED THE MOTION. A vote was taken:**

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Ms. Sloan	- aye
	Dr. Amato	- aye
	Dr. Robbins	- aye

The motion carried.



# 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)

## NOTICE OF SUMMARY SUSPENSION AND OPPORTUNITY FOR HEARING

June 13, 2007

Justin G. Ford, M.D.  
Kettering Medical Center  
Medical Education Department  
3535 Southern Boulevard  
Kettering, Ohio 45429

Dear Doctor Ford:

The Secretary and the Supervising Member of the State Medical Board of Ohio [Board] have determined that there is clear and convincing evidence that you have violated Section 4731.22(B)(26), Ohio Revised Code, and have further determined that your continued practice presents a danger of immediate and serious harm to the public, as set forth in paragraphs (1) through (4), below.

Therefore, pursuant to Section 4731.22(G), Ohio Revised Code, and upon recommendation of Lance A. Talmage, M.D., Secretary, and Raymond J. Albert, Supervising Member, you are hereby notified that, as set forth in the attached Entry of Order, your training certificate in the State of Ohio is summarily suspended. Accordingly, at this time, you are no longer authorized to practice pursuant to your training certificate.

Furthermore, in accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the Board intends to determine whether or not to limit, revoke, permanently revoke, suspend, refuse to register or reinstate your training certificate, or to reprimand you or place you on probation for one or more of the following reasons:

- (1) By letter dated May 15, 2007, the Board notified you of its determination that it had reason to believe that you are in violation of Section 4731.22(B)(26), Ohio Revised Code, and ordered you to undergo a three-day inpatient examination to determine if you are in violation of Section 4731.22(B)(26), Ohio Revised Code. The Board's determination was based upon one or more of the reasons outlined in said notice, which included that on or about August 28, 2001, you pled no contest to Operating a Motor Vehicle under the Influence of Drugs and/or Alcohol [OMVI] and Failure to Stop after an Accident; that in or about October 2004, you were charged and eventually convicted of Disorderly Conduct as a result of an incident where you fell asleep in a local establishment following the consumption of alcoholic beverages;

- and that you admitted you had “personally sought out help with regards to alcohol abuse with an alcohol treatment counselor in Dayton, Ohio.”
- (2) By letter dated June 8, 2007, from Jess Tarr, M.D., of Glenbeigh Health Sources, a Board-approved treatment provider, the Board was notified that following the Board-ordered evaluation beginning Monday, June 4, 2007, you were determined to be impaired in your ability to practice according to acceptable and prevailing standards of care and to require residential treatment.
  - (3) The Board has not received information that you have entered treatment. Further, although you may have entered treatment, you have not completed the recommended/required treatment and entered into an aftercare contract with a Board-approved treatment provider. In addition, the Board has not received information that you have been determined to be capable of practicing pursuant to your training certificate in accordance with acceptable and prevailing standards of care.
  - (4) Section 4731.22(B)(26), Ohio Revised Code, provides that if the Board determines that an individual’s ability to practice is impaired, the Board shall suspend the individual’s certificate and shall require the individual, as a condition for continued, reinstated, or renewed certification to practice, to submit to treatment and, before being eligible to apply for reinstatement, to demonstrate to the Board the ability to resume practice in compliance with acceptable and prevailing standards of care, including completing required treatment, providing evidence of compliance with an aftercare contract or written consent agreement, and providing written reports indicating that the individual’s ability to practice has been assessed by individuals or providers approved by the Board and that the individual has been found capable of practicing according to acceptable and prevailing standards of care.

Further, Rule 4731-16-02(B)(3), Ohio Administrative Code, provides that if an examination discloses impairment, or if the Board has other reliable, substantial and probative evidence demonstrating impairment, the Board shall initiate proceedings to suspend the licensee, and may issue an order of summary suspension as provided in Section 4731.22(G), Ohio Revised Code.

Your acts, conduct, and/or omissions as alleged in paragraphs (1) through (3) above, individually and/or collectively, constitute “[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,” as that clause is used in Section 4731.22(B)(26), Ohio Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, and Chapter 4731., Ohio Revised Code, you are hereby advised that you are entitled to a hearing concerning these matters. If you wish

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

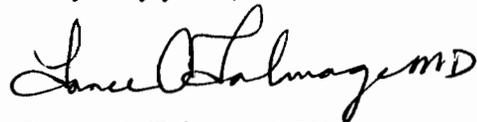
You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at 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 training certificate 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/DSZ/flb  
Enclosures

CERTIFIED MAIL #91 7108 2133 3931 8318 3701  
RETURN RECEIPT REQUESTED