

STATE OF MICHIGAN  
DEPARTMENT OF COMMUNITY HEALTH  
BUREAU OF HEALTH PROFESSIONS  
BOARD OF OSTEOPATHIC MEDICINE AND SURGERY  
DISCIPLINARY SUBCOMMITTEE

In the Matter of

Reginald D. Sharpe, D.O.  
\_\_\_\_\_ /

Complaint No. 51-05-98202

CONSENT ORDER AND STIPULATION

CONSENT ORDER

An administrative complaint was filed with the Disciplinary Subcommittee of the Board of Osteopathic Medicine and Surgery on March 30, 2005, charging Reginald D. Sharpe, D.O. (Respondent) with having violated sections 16221(a), (b)(i) and (b)(vi) of the Public Health Code, 1978 PA 368, as amended, MCL 333.1101 *et seq.*

Based on the administrative complaint and after consultation with the Chairperson of the Board of Osteopathic Medicine and Surgery, the Department summarily suspended Respondent's license to practice osteopathic medicine and surgery by order dated March 31, 2005.

The parties have stipulated that the Disciplinary Subcommittee may enter this consent order. The Disciplinary Subcommittee has reviewed the stipulation contained in this document and agrees that the public interest is best served by resolution of the outstanding complaint. Therefore, the Disciplinary Subcommittee finds that the allegations of fact contained in the complaint are true and that Respondent has violated sections 16221(a), (b)(i) and (b)(vi) of the Public Health Code.

Accordingly, for these violations, IT IS ORDERED:

The Order of Summary Suspension previously issued is DISSOLVED.

Respondent's license is SUSPENDED for a period of 120 days.

Respondent shall receive credit for the time during which the Order of Summary Suspension was in effect.

Respondent is placed on PROBATION for a period of one year commencing on the date the license is reinstated. Reduction of the probationary period shall occur only while Respondent is employed as an osteopathic physician. Respondent shall be automatically discharged from probation at the end of the probationary period provided Respondent has complied with the terms of this order. The terms and conditions of the probation, which Respondent must complete within the period of probation, are as follows:

A. MEETING WITH BOARD MEMBER. Respondent shall meet quarterly with a Board member designated by the Chairperson of the Disciplinary Subcommittee to review Respondent's professional practice. The initial meeting shall occur at the end of the third month of probation, and subsequent meetings shall occur every third month thereafter until the period of probation ends. Within thirty days of the effective date of this order, Respondent shall contact the Sanction Monitoring Unit of the Bureau of Health Professions, Department of Community Health as further provided in this order. The Sanction Monitoring Unit shall provide Respondent with the name of and contact information for the designated Board member. Respondent shall be responsible for scheduling the time and place of the meetings with the Board member.

B. RECORDS REVIEW. During the period of probation, the designated Board member shall review records of patients treated by Respondent as either outpatients or inpatients. This review may occur at the quarterly meetings described in the above paragraph.

C. COMPLIANCE WITH THE PUBLIC HEALTH CODE. Respondent shall comply with all applicable provisions of the Public Health Code and rules promulgated under the Public Health Code.

D. RESIDENCY AND PRACTICE OUTSIDE MICHIGAN. Periods of residency and practice outside Michigan shall not reduce the probationary period of this order. Respondent shall report any change of residency or practice outside Michigan to the Department within fifteen days after the change occurs. Compliance with this provision does not satisfy the requirements of section

16192(1) and 16171(f) of the Public Health Code regarding Respondent's duty to report name or mailing address changes to the Department.

E. CONTINUING EDUCATION CREDITS. Respondent shall successfully complete the Case Western Reserve University School of Medicine's "Intensive Course in Medical Ethics and Professionalism." This 16-hour course will be presented on September 8-9, 2005, in Cleveland, Ohio. The 16 credit hours shall not count toward the number of credit hours required for license renewal.

F. REPORTING PROCEDURE. Unless otherwise provided above, all reports required by the terms of probation shall be filed on a quarterly basis, the first report to be filed at the end of the third month of probation, and subsequent reports every three months until Respondent is discharged from probation. In addition to receiving reports as required above, the Department or its authorized representative may periodically contact the reporting individuals or agencies to inquire of Respondent's progress. By accepting the terms of this consent order and stipulation, Respondent has authorized the release of all necessary records and information.

Any violation of the Public Health Code by Respondent during the period of probation shall be deemed a violation of probation and constitute grounds for further disciplinary action.

Respondent is FINED \$5,000.00 to be paid by check, money order or cashier's check made payable to the State of Michigan (with complaint number 51-05-98202 clearly indicated on the check or money order) within 45 days from the effective date of this order. The timely payment of the fine shall be Respondent's responsibility.

Respondent shall direct any communications to the Department that are required by the terms of this order, except the payment of fines, to: Sanction Monitoring Unit, Bureau of Health Professions, Department of Community Health, P.O. Box 30670, Lansing, Michigan 48909. Respondent shall mail any fine required by the terms of this order to: Sanction Monitoring, Bureau of Health Professions, Department of Community Health, P.O. Box 30185, Lansing, Michigan 48909.

Respondent shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.

Respondent shall be responsible for the timely compliance with the terms of this consent order, including the timely filing of any documentation, and the failure to comply within the time limitations provided will constitute a violation of this order.

If Respondent violates any term or condition set forth in this order, Respondent will be in violation of 1996 AACRS, R 338.1632, and section 16221(h) of the Public Health Code.

This order shall be effective on the date signed by the Chairperson of the Disciplinary Subcommittee or the Disciplinary Subcommittee's authorized representative, as set forth below.

Signed on 6-9-05, 2005.

MICHIGAN BOARD OF OSTEOPATHIC  
MEDICINE AND SURGERY

By   
Chairperson, Disciplinary Subcommittee

#### STIPULATION

The parties stipulate as follows:

1. Respondent does not contest the allegations of fact and law in the complaint.

Respondent understands that, by pleading no contest, he does not admit the truth of the allegations but agrees that the Disciplinary Subcommittee may treat the allegations as true for resolution of the complaint and may enter an order treating the allegations as true.

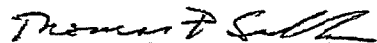
2. Respondent understands and intends that, by signing this stipulation, he is waiving the right under the Public Health Code, rules promulgated under the Public Health Code, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended, MCL 24.201 *et seq*, to require the Department to prove the charges set forth in the complaint by presentation of evidence and legal authority, and to present a defense to the charges before the Disciplinary Subcommittee or its authorized representative. Should the Disciplinary Subcommittee reject the proposed consent order, the parties reserve the right to proceed to hearing.

3. The Disciplinary Subcommittee may enter the above consent order, which Board conferee Frank D. Winters, D.O., supports. The Board conferee, the Department's representative, or the undersigned Assistant Attorney General are free to discuss this matter with the Disciplinary Subcommittee in order to recommend acceptance of this resolution.


4. The Board conferee and the parties considered the following factors in reaching this agreement:

At the compliance conference, Respondent acknowledged that he made a serious error in judgment when he left patient R.C. unattended, and expressed remorse for his conduct. Also, Respondent has provided the Board conferee with a corrective action plan assuring that a patient will never be left unattended.

AGREED TO BY:

  
Thomas P. Scallen (P22988)  
Assistant Attorney General  
Attorney for Complainant  
Dated: 5/24/05

AGREED TO BY:

  
Reginald D. Sharpe, D.O.  
Respondent  
Dated: 5/24/05

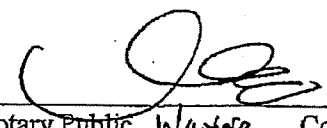


Michael J. Sharpe (P37633)  
Attorney for Respondent  
Dated: May 24, 2005

State of Michigan

County of Wayne

On May 25, 2005, 2005, I observed Reginald D. Sharpe, D.O., sign this stipulation.



Notary Public, Wayne County  
State of Michigan  
My commission expires: May 24, 2005.