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STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
OFFICE OF HEALTH SERVICES
BOARD OF OSTEOPATHIC MEDICINE AND SURGERY
DISCIPLINARY SUBCOMMITTEE

In the Matter of

REGINALD D. SHARPE, D.O.
License Number: 51-01-010839

File Number: 51-98-0338-00
CONSENT ORDER AND STIPULATION

CONSEN. ORDER

An Administrative Complaint was issued on July 29, 1998, charging Reginald D. Sharpe, D.O., hereafter Respondent, with having violated sections 16221(a) and 16221(b)(i) of the Public Health Code, 1978 PA 368, as amended, and section 16215(1) of the Public Health Code, supra, and 1979 AC R 338.3170(1), which constitute violations of section 16221(g) of the Public Health Code, supra

Respondent has admitted, by Stipulation submitted herewith, that the facts alleged in the Administrative Complaint are true and constitute violations of the Public Health Code.

The Disciplinary Subcommittee of the Michigan Board of Osteopathic Medicine and Surgery, has reviewed the Stipulation and, based upon the matters asserted therein, agrees that the public interest is best served by resolution of the outstanding Complaint. Now therefore,

IT IS HEREBY FOUND that the allegations of fact and law set forth in the Administrative Complaint are true and constitute violations of sections 16221(a) and 16221(g) of the Public Health Code, supra.

Accordingly,

IT IS HEREBY ORDERED that, for the purpose of resolution of the outstanding Administrative Complaint, Count II, charging Respondent with violating section 16221(b)(1) of the Public Health Code, supra, is DISMISSED.

IT IS FURTHER ORDERED that, for the aforesaid violations of the Public Health Code, Respondent is placed on PROBATION for a period of one year, commencing on the effective date of this order. Reduction of the probationary period will only occur while Respondent is employed in a capacity for which an osteopathic medicine and surgery license is required. The terms of probation are as follows:

1. COURSE REQUIREMENT. Respondent will successfully complete 10 credit hours of a course or courses, pre-approved by the Disciplinary Subcommittee Chairperson, concerning the delegation of administration of controlled substances and the use and administration of controlled substances.

Prior to the end of the probationary period, Respondent will submit documentation evidencing successful completion of the course(s) to the Department of Consumer & Industry Services, Office of Health Services, Credentials Unit, P.O. Box 30670, Lansing, Michigan 48909.

2. COMPLIANCE WITH THE PUBLIC HEALTH CODE.
Respondent will comply with all applicable provisions of the Michigan Public Health Code and rules promulgated thereunder.
3. RESIDENCY AND PRACTICE OUTSIDE MICHIGAN.
Periods of residency and practice outside Michigan will not reduce the probationary period of this order. Respondent will report any change of residency or practice outside Michigan no more than 15 days after the change occurs. Compliance with this provision does not satisfy the requirements of section 16192(1) and 16221(f) of the Public Health Code, supra, regarding Respondent's duty to report name or mailing address changes to the Department.
4. COSTS. Respondent will be solely responsible for payment of all costs incurred in complying with the terms of this order.

IT IS FURTHER ORDERED that for the aforesaid violations of the Public Health Code, Respondent is assessed a FINE in the amount of \$2,500.00 to be paid to the State of Michigan within 60 days from the effective date of this order.

IT IS FURTHER ORDERED that the fine shall be mailed to the Department of Consumer and Industry Services, Office of Health Services, Credentials Unit, P.O. Box 30185, Lansing, MI 48909. The fine shall be paid by check or money order made payable to the State of Michigan, and the check or money order shall clearly display the formal complaint number 51-98-0338-00.

IT IS FURTHER ORDERED that timely payment of the fine as herein required shall be Respondent's responsibility, and should Respondent fail to pay the fine within the

time limitations herein provided, the Disciplinary Subcommittee may determine that Respondent has violated an order of the Disciplinary Subcommittee and may proceed pursuant to 1996 MR7, R 338.1632 and section 16221(g) of the Public Health Code, supra.

IT IS FURTHER ORDERED that Respondent will be automatically discharged from probation at the end of the probationary period, PROVIDED Respondent has complied with the terms of this order.

IT IS FURTHER ORDERED that in the event Respondent violates any provision of this order, and if such violation is deemed to constitute an independent violation of the Public Health Code or the rules promulgated thereunder, the Disciplinary Subcommittee may proceed to take disciplinary action based upon such violation.

IT IS FURTHER ORDERED that this order shall be effective 30 days from the date signed by the Disciplinary Subcommittee, as set forth below.

Dated: 12/3/98

MICHIGAN BOARD OF
OSTEOPATHIC MEDICINE AND SURGERY

By Michael K. Nelson
Chairperson, Disciplinary Subcommittee

CONTINUED ON PAGE 5

STIPULATION

1. Complainant agrees that Count II of the Administrative Complaint dated July 29, 1998, charging Respondent with violating section 16221(b)(i) of the Public Health Code, supra, may be dismissed by the Disciplinary Subcommittee.

2. The allegations of fact contained in the Administrative Complaint are true and constituted violations of sections 16221(a) and 16221(g) of the Public Health Code, supra.

3. Respondent understands and intends that by signing this Stipulation Respondent is waiving the right, pursuant to the Public Health Code, the rules promulgated thereunder, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq; MSA 3.560(101) et seq, to require Complainant to prove the charges set forth in the Administrative Complaint by presentation of evidence and legal authority, and to appear with an attorney and such witnesses as Respondent may desire to present a defense to said charges.

4. Factors considered in the formulation of the within Consent Order were as follows:

- a. Respondent substantiated to the Department that during the period in question Respondent practiced at WomansChoice Health Care Clinic approximately only two hours per week.

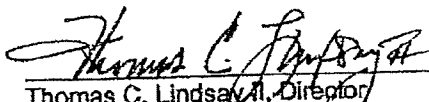
b. Respondent admitted to the Department that prior to the Department's investigation of this matter Respondent was unaware that medical assistants were administering controlled substances to patients at the clinic.

5. Lewin Wyatt, D.O., a member of the Board who supports this proposal, and Complainant's representative are both free to discuss this matter with the Disciplinary Subcommittee and recommend acceptance of the resolution set forth in the foregoing Consent Order.

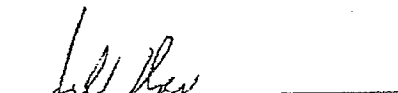
6. The foregoing Consent Order is approved as to form and substance by Respondent and Complainant and may be entered as the final order of the Disciplinary Subcommittee in said cause.

7. This proposal is conditioned upon acceptance by the Disciplinary Subcommittee, Respondent and Complainant expressly reserving the right to further proceedings without prejudice should the Consent Order be rejected.

AGREED TO BY:


Thomas C. Lindsay, Director
Office of Health Services
Complainant
Dated: November 9, 1998

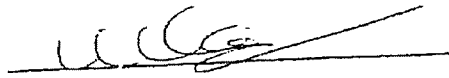
AGREED TO BY:


Reginald D. Sharpe, D.O.
Respondent
Dated: 11/2/98

State of Michigan)
County of WAYNE) ss

On the 2nd day of November, 1998, before me, a Notary Public in and for said county, appeared Reginald D. Sharpe, D.O., who, upon oath, stated that he has read the

foregoing Consent Order and Stipulation by him subscribed, that he knows the contents thereof to be true, and that the signing of said Consent Order and Stipulation is his free act and deed.



Notary Public, Washtenaw County
State of Michigan
My Commission expires 7/16/02

Approved as to form and substance by:



Michael J. Sharpe
Attorney for Respondent

This is the last and final page of a Consent Order and Stipulation in the matter of Reginald D. Sharpe, D.O., File Number 51-98-0338-00, before the Disciplinary Subcommittee of the Michigan Board of Osteopathic Medicine and Surgery, consisting of seven pages, this page included.

JEC