

**SUPERSEDING CONSENT AGREEMENT
BETWEEN
MICHAEL B. MAUZY, D.O.,
AND
THE STATE MEDICAL BOARD OF OHIO**

This Consent Agreement is entered into by and between Michael B. Mauzy, D.O., [Dr. Mauzy], and the State Medical Board of Ohio [Board], a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

Dr. Mauzy 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), 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 violation of Section 4731.22(B)(26), Ohio Revised Code, 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. Dr. Mauzy is licensed to practice medicine and surgery in the State of Ohio, License number 34.006811.
- C. Dr. Mauzy states that he entered into a prior Consent Agreement with the Board with an effective date of July 12, 2023.

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. Mauzy knowingly and voluntarily agrees with the Board to the following terms, conditions and limitations:

TRANSFER OF MONITORING SUPERVISION

1. Dr. Mauzy probationary supervision by the Board will be transferred for monitoring to the monitoring organization.

GENERAL PROBATIONARY REQUIREMENTS

2. All other terms, conditions, and limitations of the prior consent agreement shall remain the same, with the exception of the following:

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3. Dr. Mauzy shall appear for an interview before the Board or its designated representative or the monitoring organization, as requested.
4. Dr. Mauzy shall submit to random toxicology screenings of biological materials (including but not limited to urine, blood, or other toxicology samples) for drugs and alcohol as directed by the Board or the monitoring organization. The drug testing panel utilized must be acceptable to the monitoring organization and the Board and shall include Dr. Mauzy's drug(s) of choice.
5. Dr. Mauzy shall undertake and maintain participation in an alcohol and drug rehabilitation program such as A.A., N.A., C.A., or Caduceus, as otherwise ordered by the monitoring organization. Substitution of any other specific program must receive prior approval from the monitoring organization.
6. Dr. Mauzy may submit all required documentation to the monitoring organization as approved by the Board or its designated representative.

ACKNOWLEDGMENTS/LIABILITY RELEASE

By executing his signature on this Consent Agreement, Dr. Mauzy agrees that in the event the Board, in its discretion, does not ratify this Consent Agreement, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. Dr. Mauzy and the Board further agree that if this Consent Agreement is not approved, it shall not constitute an admission against interest in this proceeding and shall not prejudice the ability of the Board to adjudicate this matter.

This Consent Agreement represents the sole and entire agreement of the parties hereto and supersedes all prior written or oral negotiations, agreements, or understandings between the parties. No party to this agreement has been induced to enter into the Consent Agreement by any representations or inducements except those expressly set forth in this written agreement. Further, all parties agree that to the extent any language in the agreement will be interpreted in a subsequent dispute, no ambiguous language shall be construed against the party drafting this Consent Agreement.

Dr. Mauzy 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. Mauzy 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. Mauzy 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.


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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. Further, Dr. Mauzy specifically acknowledges that the electronic transmission of a scanned or photostatic copy of any executed signature to this Consent Agreement, upon being received by the Board, shall be deemed to have the full legal force and effect as the original.

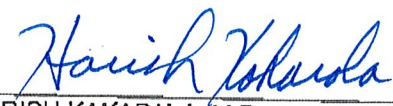

MICHAEL B. MAUZY, D.O.


KIM G. ROTHERMEL, M.D.
Secretary

1/16/2024
DATE


2/14/24
DATE


LUKE SCHMITT
Attorney for Dr. Mauzy


HARISH KAKARALA, M.D.
Supervising Member

1/17/24
DATE

2/14/24
DATE


SHANE STOEHR
Enforcement Attorney

1/17/24
DATE

**CONSENT AGREEMENT
BETWEEN
MICHAEL BRIAN MAUZY, D.O.,
AND
THE STATE MEDICAL BOARD OF OHIO
22-CRF-0183**

This Consent Agreement is entered into by and between Michael Brian Mauzy, D.O., [Dr. Mauzy], and the State Medical Board of Ohio [Board], a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

Dr. Mauzy 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), 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 violation of Section 4731.22(B)(26), Ohio Revised Code, 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 enters 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 October 12, 2022, 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 Chapter 4731., Ohio Revised Code, whether occurring before or after the effective date of this Consent Agreement.
- C. Dr. Mauzy is licensed to practice osteopathic medicine and surgery in the State of Ohio, license number 34.006811. Said license has been suspended since October 12, 2022.
- D. Dr. Mauzy states that he has a restricted license to practice osteopathic medicine and surgery in West Virginia. Dr. Mauzy further states that he currently resides and practices osteopathic medicine in West Virginia.
- E. Dr. Mauzy admits to the factual and legal allegations contained in the October 12, 2022 Notice of Summary Suspension and Opportunity for Hearing.

- F. Dr. Mauzy further admits that on or about September 26, 2022, he entered inpatient treatment for the diagnosis of Alcohol Use Disorder, Severe, and Social Anxiety Disorder, at the Talbott Recovery Center in Atlanta, Georgia. Talbott is a treatment provider acceptable to the West Virginia Board of Medical Licensure, his licensing authority in the jurisdiction where he resided at the time and where he currently resides. Dr. Mauzy admits that he was discharged on or about December 23, 2022, after meeting the criteria for a successful discharge with treatment complete.
- G. Dr. Mauzy further admits that after being discharged from Talbott, he entered into an Aftercare Contract with the West Virginia Medical Professional's Health Program [WVMPHP]. Dr. Mauzy further admits that the agreement requirements include AA meeting attendance at least 3 times a week, an ongoing relationship with an AA sponsor, weekly participation in a physicians' therapy group, random toxicology screening, workplace monitor reports, and continued contact with WVMPHP. Dr. Mauzy states and the Board acknowledges P. Bradley Hall, M.D., Executive Medical Director of WVMPHP provided a written report indicating that since September 20, 2022, Dr. Mauzy has been fully compliant with his monitoring requirements and all toxicology tests have been negative.
- H. Dr. Mauzy further admits that the West Virginia Board of Osteopathic Medicine issued a Consent Order on or about December 2, 2022, which established limitations and conditions on his continued practice of osteopathic medicine, including that he maintain his contractual relationship with WVMPHP, that he abstain from the consumption of mood-altering substance and alcohol, and that he submit to random toxicology screening.
- I. Dr. Mauzy further admits and the Board acknowledges that he has submitted the following documents as evidence of his fitness to resume practice in the State of Ohio: (1) a letter from Talbott Recovery dated December 23, 2022 regarding Dr. Mauzy's discharge from his second residential treatment; (2) a letter from Brad Hall, M.D. of the West Virginia Medical Professionals Health Program ("WVMPHP") to the West Virginia Board of Osteopathic Medicine dated December 30, 2022 regarding Dr. Mauzy's continued supervision by the WVMPHP and his compliance; (3) a letter dated December 30, 2022 from Dr. Hall to Anne Kelly, Case Manager for the Ohio Professionals Help Program dated providing her with an update regarding Dr. Mauzy's continued supervision by and compliance with WVMPHP; (4) the Consent Order recently entered into by Dr. Mauzy and the West Virginia Board of Osteopathic Medicine regarding his continued practice under the supervision of the Board; (5) Dr. Mauzy's complete treatment records from Talbott Hall; (6) a letter from Dr. Andrew Highberger, Medical Director at Shepherd Hill opining that Dr. Mauzy is fit to resume practice; (7) and a letter dated May 12, 2023 from Dr. Christina Delos Rayes, Associate Medical Director at Ohio Professionals Help Program opining that Dr. Mauzy is fit to resume practice.

AGREED CONDITIONS

Wherefore, the summary suspension of Dr. Mauzy's certificate to practice medicine and surgery shall be TERMINATED and his certificate to practice medicine and surgery shall be REINSTATED upon this Consent Agreement becoming effective. Further, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, Dr. Mauzy knowingly and voluntarily agrees with the Board to the following PROBATIONARY terms, conditions and limitations:

1. Dr. Mauzy shall obey all federal, state, and local laws, and all rules governing the practice of osteopathic medicine in Ohio.
2. Dr. Mauzy 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, or as otherwise requested by the Board. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.
3. Dr. Mauzy 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.
4. In the event that Dr. Mauzy relocates to reside and commence practice in Ohio, Dr. Mauzy 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. Further, the Secretary and Supervising Member of the Board shall have the discretion to grant a waiver of part or all of the probationary terms set forth in this Consent Agreement for occasional periods of absence of fourteen days or less. In the event that Dr. Mauzy resides and/or is employed at a location that is within fifty miles of the geographic border of Ohio and any of its contiguous states, Dr. Mauzy may travel between Ohio and that contiguous state without seeking prior approval of the Secretary or Supervising Member provided that Dr. Mauzy is able to otherwise maintain full compliance with all other terms, conditions and limitations set forth in this Consent Agreement.

Further, to the extent that Dr. Mauzy does not reside or practice in Ohio while subject to the requirements of this Consent Agreement, the Secretary and Supervising Member of the Board, in their sole discretion, may allow this Board's monitoring of Dr. Mauzy to be coordinated with an entity or board from another jurisdiction provided the Secretary and Supervising Member determine that such coordination ensures substantial compliance with the requirements of this Consent Agreement.

writing, such period(s) of noncompliance will not apply to the reduction of the probationary period under this Consent Agreement.

MONITORING OF REHABILITATION AND TREATMENT

Drug Associated Restrictions

6. Dr. Mauzy shall keep a log of all controlled substances prescribed. Such log shall be submitted, in the format approved by the Board, on the date upon which Dr. Mauzy's quarterly declaration is due, or as otherwise directed by the Board. Further, Dr. Mauzy shall make his patient records with regard to such prescribing available for review by an agent of the Board immediately upon request.
7. Dr. Mauzy shall not, without prior Board approval, administer, personally furnish, or possess (except as allowed under Paragraph 8 below) any controlled substances as defined by state or federal law. In the event that the Board agrees at a future date to modify this Consent Agreement to allow Dr. Mauzy to administer or personally furnish controlled substances, Dr. Mauzy shall keep a log of all controlled substances prescribed, administered or personally furnished. Such log shall be submitted in the format approved by the Board and shall be submitted to the Board no later than the date upon which Dr. Mauzy's quarterly declaration is due, or as otherwise directed by the Board. Further, Dr. Mauzy shall make his patient records with regard to such prescribing, administering, or personally furnishing available for review by an agent of the Board immediately upon request.

Sobriety

8. Dr. Mauzy shall abstain completely from the personal use or personal possession of drugs, except those prescribed, dispensed or administered to him by another so authorized by law who has full knowledge of Dr. Mauzy's history of chemical dependency. Further, in the event that Dr. Mauzy is so prescribed, dispensed or administered any controlled substance, carisoprodol, or tramadol, Dr. Mauzy shall notify the Board in writing within seven days, providing the Board with the identity of the prescriber; the name of the drug Dr. Mauzy received; the medical purpose for which he received said drug; the date such drug was initially received; and the dosage, amount, number of refills, and directions for use. Further, within thirty days of the date said drug is so prescribed, dispensed, or administered to him, Dr. Mauzy shall provide the Board with either a copy of the written prescription or other written verification from the prescriber, including the dosage, amount, number of refills, and directions for use.
9. Dr. Mauzy shall abstain completely from the use of alcohol.

Drug and Alcohol Screens/Drug Testing Facility and Collection Site

10. Dr. Mauzy shall submit to random urine screenings for drugs and alcohol at least two times per month, or as otherwise directed by the Board. Dr. Mauzy shall ensure that all screening reports are forwarded directly to the Board on a quarterly basis. The drug testing panel utilized must be acceptable to the Secretary of the Board, and shall include Dr. Mauzy's drug(s) of choice.

Dr. Mauzy shall abstain from the use of any substance and the consumption of poppy seeds or any other food or liquid that may produce a low level positive result in a toxicology screen. Dr. Mauzy acknowledges that he understands that the consumption or use of such substances, including but not limited to substances such as mouthwash or hand cleaning gel, may cause a positive drug screen that may not be able to be differentiated from intentional ingestion, and therefore such consumption or use is prohibited under this Consent Agreement.

All such urine screenings for drugs and alcohol shall be conducted through a Board-approved drug testing facility and collection site pursuant to the global contract between said facility and the Board, that provides for the Board to maintain ultimate control over the urine screening process and to preserve the confidentiality of all positive screening results in accordance with Section 4731.22(F)(5), Ohio Revised Code, and the screening process shall require a daily call-in procedure. Further, in the event that the Board exercises its discretion, as provided in Paragraph 11 below, to approve urine screenings to be conducted at an alternative drug testing facility and/or collection site or a supervising physician, such approval shall be expressly contingent upon the Board retaining ultimate control over the urine screening process in a manner that preserves the aforementioned confidentiality of all positive screening results.

Dr. Mauzy shall submit, at his expense and on the day selected, urine specimens for drug and/or alcohol analysis. All specimens submitted by Dr. Mauzy shall be negative, except for those substances prescribed, administered, or dispensed to him in conformance with the terms, conditions and limitations set forth in this Consent Agreement. Refusal to submit such specimen, or failure to submit such specimen on the day he is selected or in such manner as the Board may request, shall constitute a violation of this Consent Agreement.

Further, within thirty days of the effective date of this Consent Agreement, Dr. Mauzy shall enter into the necessary financial and/or contractual arrangements with the Board-approved drug testing facility and/or collection site in order to facilitate the urine screening process in the manner required by this Consent Agreement. Further, Dr. Mauzy shall promptly provide to the Board written documentation of completion of such arrangements, including a copy of any contract entered into between Dr. Mauzy and the Board-approved drug testing facility and/or collection site. Dr. Mauzy's failure to timely complete such arrangements, or failure to timely provide written documentation to the Board of completion of such arrangements, shall constitute a violation of this Consent Agreement. However, Dr. Mauzy and the Board further agree that in the event Dr. Mauzy previously entered into the aforementioned financial and contractual agreements pursuant to the requirements of a prior consent agreement with the Board under which Dr. Mauzy is currently participating in an ongoing urine screening process, then this requirement shall be waived under the instant consent agreement.

Dr. Mauzy shall ensure that the urine screening process performed through the Board-approved drug testing facility and/or collection site requires a daily call-in procedure; that the urine specimens are obtained on a random basis; and that the giving of the specimen is witnessed by a reliable person. In addition, Dr. Mauzy and the Board-

approved drug testing facility and collection site shall assure that appropriate control over the specimen is maintained and shall immediately inform the Board of any positive screening results.

Dr. Mauzy shall ensure that the Board-approved drug testing facility and/or collection site provides quarterly reports to the Board, in a format acceptable to the Board, verifying whether all urine screens have been conducted in compliance with this Consent Agreement, and whether all urine screens have been negative.

In the event that the Board-approved drug testing facility and/or collection site becomes unable or unwilling to serve as required by this Consent Agreement, Dr. Mauzy must immediately notify the Board in writing, and make arrangements acceptable to the Board pursuant to Paragraph 11 below, as soon as practicable. Dr. Mauzy shall further ensure that the Board-approved drug testing facility and/or collection site also notifies the Board directly of its inability to continue to serve and the reasons therefore.

Dr. Mauzy acknowledges that the Board expressly reserves the right to withdraw its approval of any drug testing facility and/or collection site in the event that the Secretary and Supervising Member of the Board determine that the drug testing facility and/or collection site has demonstrated a lack of cooperation in providing information to the Board or for any other reason.

11. Dr. Mauzy and the Board agree that it is the intent of this Consent Agreement that Dr. Mauzy shall submit his urine specimens to the Board-approved drug testing facility and collection site chosen by the Board. However, in the event that utilizing said Board-approved drug testing facility and/or collection site creates an extraordinary hardship upon Dr. Mauzy, as determined in the sole discretion of the Board, then subject to the following requirements, the Board may approve an alternate drug testing facility and/or collection site, or a supervising physician, to facilitate the urine screening process for Dr. Mauzy:
 - a. Within thirty days of the date upon which Dr. Mauzy is notified of the Board's determination that utilizing the Board-approved drug testing facility and/or collection site constitutes an extraordinary hardship upon Dr. Mauzy, he shall submit to the Board in writing for its prior approval the identity of either an alternate drug testing facility and collection site, or the name of a proposed supervising physician, to whom Dr. Mauzy shall submit the required urine specimens. In approving a facility, entity, or an individual to serve in this capacity, the Board will give preference to a facility located near Dr. Mauzy's residence or employment location, or to a physician who practices in the same locale as Dr. Mauzy. Dr. Mauzy shall ensure that the urine screening process performed through the alternate drug testing facility and/or collection site, or through the supervising physician, requires a daily call-in procedure; that the urine specimens are obtained on a random basis; and that the giving of the specimen is witnessed by a reliable person. In addition, Dr. Mauzy acknowledges that the alternate drug testing facility and collection site, or the supervising physician, shall assure that appropriate control over the specimen is

maintained and shall immediately inform the Board of any positive screening results.

- b. Dr. Mauzy shall ensure that the alternate drug testing facility and/or collection site, or the supervising physician, provides quarterly reports to the Board, in a format acceptable to the Board, verifying whether all urine screens have been conducted in compliance with this Consent Agreement, and whether all urine screens have been negative.
 - c. In the event that the designated alternate drug testing facility and/or collection site, or the supervising physician, becomes unable or unwilling to so serve, Dr. Mauzy must immediately notify the Board in writing. Dr. Mauzy shall further ensure that the previously designated alternate drug testing facility and collection site, or the supervising physician, also notifies the Board directly of the inability to continue to serve and the reasons therefore. Further, in order to ensure that there will be no interruption in his urine screening process, upon the previously approved alternate drug testing facility, collection site, or supervising physician becoming unable to serve, Dr. Mauzy shall immediately commence urine screening at the Board-approved drug testing facility and collection site chosen by the Board, until such time, if any, that the Board approves a subsequent alternate drug testing facility, collection site, or supervising physician, if requested by Dr. Mauzy.
 - d. The Board expressly reserves the right to disapprove any entity or facility proposed to serve as Dr. Mauzy's designated alternate drug testing facility and/or collection site, or any person proposed to serve as his supervising physician, or to withdraw approval of any entity, facility or person previously approved to so serve in the event that the Secretary and Supervising Member of the Board determine that any such entity, facility or person has demonstrated a lack of cooperation in providing information to the Board or for any other reason.
12. All screening reports required under this Consent Agreement from the Board-approved drug testing facility and/or collection site, or from the alternate drug testing facility and/or collection site or supervising physician, must be received in the Board's offices no later than the due date for Dr. Mauzy's quarterly declaration. It is Dr. Mauzy's responsibility to ensure that reports are timely submitted.
13. The Board retains the right to require, and Dr. Mauzy agrees to submit, blood, urine, breath, saliva and/or hair specimens for screening for drugs and alcohol, for analysis of therapeutic levels of medications that may be prescribed for Dr. Mauzy, or for any other purpose, at Dr. Mauzy's expense upon the Board's request and without prior notice. Dr. Mauzy's refusal to submit a specimen upon request of the Board shall result in a minimum of one year of actual license suspension. Further, the collection of such specimens shall be witnessed by a representative of the Board, or another person acceptable to the Secretary or Supervising Member of the Board.

Monitoring Physician

14. Prior to Dr. Mauzy's commencement of practice in Ohio, Dr. Mauzy shall submit to the Board in writing 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. Mauzy and who is engaged in the same or similar practice specialty.

The monitoring physician shall monitor Dr. Mauzy and his medical practice, and shall review Dr. Mauzy'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. Mauzy and his medical practice, and on the review of Dr. Mauzy's patient charts. Dr. Mauzy 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. Mauzy's quarterly declaration.

In the event that the designated monitoring physician becomes unable or unwilling to serve in this capacity, Dr. Mauzy must immediately so notify the Board in writing. In addition, Dr. Mauzy 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. Mauzy 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.

The Board expressly reserves the right to disapprove any person proposed to serve as Dr. Mauzy's designated monitoring physician, or to withdraw approval of any person previously approved to serve as Dr. Mauzy's designated monitoring physician, in the event that the Secretary and Supervising Member of the Board determine that any such monitoring physician has demonstrated a lack of cooperation in providing information to the Board or for any other reason.

Rehabilitation Program

15. Dr. Mauzy shall maintain participation in an alcohol and drug rehabilitation program, such as A.A., N.A., C.A., or Caduceus, no less than three times per week. Substitution of any other specific program must receive prior Board approval.

Dr. Mauzy shall submit acceptable documentary evidence of continuing compliance with this program, including submission to the Board of meeting attendance logs, which must be received in the Board's offices no later than the due date for Dr. Mauzy's quarterly declarations.

Aftercare

16. Dr. Mauzy shall contact an appropriate impaired physicians committee, approved by the Board, to arrange for assistance in recovery or aftercare.
17. Dr. Mauzy shall maintain continued compliance with the terms of the aftercare contract entered into with a Board-approved treatment provider, provided that, where terms of the aftercare contract conflict with terms of this Consent Agreement, the terms of this Consent Agreement shall control.

Releases

18. Dr. Mauzy 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. Mauzy's chemical dependency or related conditions, or for purposes of complying with this Consent Agreement, whether such treatment or evaluation occurred before or after the effective date of this Consent Agreement. To the extent permitted by law, 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. Dr. Mauzy further agrees to provide the Board written consent permitting any treatment provider from whom he obtains treatment to notify the Board in the event he fails to agree to or comply with any treatment contract or aftercare contract. Failure to provide such consent, or revocation of such consent, shall constitute a violation of this Consent Agreement.

Required Reporting by Licensee

19. Within thirty days of the effective date of this Consent Agreement, Dr. Mauzy shall provide a copy of this Consent Agreement to all employers or entities with which he is under contract to provide health care services (including but not limited to third party payors) or is receiving training, and the Chief of Staff at each hospital where he has privileges or appointments. Further, Dr. Mauzy shall promptly 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. In the event that Dr. Mauzy provides any health care services or health care direction or medical oversight to any emergency medical services organization or emergency medical services provider, within thirty days of the effective date of this Consent Agreement Dr. Mauzy shall provide a copy of this Consent Agreement to the Ohio Department of Public Safety, Division of Emergency Medical Services. Further, Dr. Mauzy shall provide the Board with one of the following documents as proof of each required notification within thirty days of the date of each such notification: (1) the return receipt of certified mail within thirty days of receiving that return receipt, (2) an acknowledgement of delivery bearing the original ink signature of the person to whom a copy of the Consent Agreement was hand delivered, (3) the original facsimile-generated report confirming successful transmission of a copy of the Consent Agreement to the person or entity to whom a copy of the Consent Agreement was faxed, or (4) an original computer-generated printout of electronic mail communication

documenting the email transmission of a copy of the Consent Agreement to the person or entity to whom a copy of the Consent Agreement was emailed.

20. Within thirty days of the effective date of this Consent Agreement, Dr. Mauzy shall provide a copy of this Consent Agreement to the proper licensing authority of any state or jurisdiction in which he currently holds any professional license, as well as any federal agency or entity, including but not limited to the Drug Enforcement Agency, through which he currently holds any license or certificate. Dr. Mauzy further agrees to provide a copy of this Consent Agreement 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. Mauzy shall provide the Board with one of the following documents as proof of each required notification within thirty days of the date of each such notification: (1) the return receipt of certified mail within thirty days of receiving that return receipt, (2) an acknowledgement of delivery bearing the original ink signature of the person to whom a copy of the Consent Agreement was hand delivered, (3) the original facsimile-generated report confirming successful transmission of a copy of the Consent Agreement to the person or entity to whom a copy of the Consent Agreement was faxed, or (4) an original computer-generated printout of electronic mail communication documenting the email transmission of a copy of the Consent Agreement to the person or entity to whom a copy of the Consent Agreement was emailed.
21. Dr. Mauzy shall promptly provide a copy of this Consent Agreement to all persons and entities that provide Dr. Mauzy chemical dependency treatment or monitoring. Further, Dr. Mauzy shall provide the Board with one of the following documents as proof of each required notification within thirty days of the date of each such notification: (1) the return receipt of certified mail within thirty days of receiving that return receipt, (2) an acknowledgement of delivery bearing the original ink signature of the person to whom a copy of the Consent Agreement was hand delivered, (3) the original facsimile-generated report confirming successful transmission of a copy of the Consent Agreement to the person or entity to whom a copy of the Consent Agreement was faxed, or (4) an original computer-generated printout of electronic mail communication documenting the email transmission of a copy of the Consent Agreement to the person or entity to whom a copy of the Consent Agreement was emailed.
22. Dr. Mauzy shall notify the Board in writing of any change of principal practice address or residence address within thirty days of such change.

FAILURE TO COMPLY

If, in the discretion of the Secretary and Supervising Member of the Board, Dr. Mauzy 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. Mauzy has violated any term, condition or limitation of this Consent Agreement,

Dr. Mauzy 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

Dr. Mauzy shall not request termination of this Consent Agreement for a minimum of five years. In addition, Dr. Mauzy shall not request modification to the probationary terms, limitations, and conditions contained herein for at least one year, except that Dr. Mauzy may make such request with the mutual approval and joint recommendation of the Secretary and Supervising Member. Otherwise, the above-described terms, limitations and conditions may be amended or terminated in writing at any time upon the agreement of both parties.

In the event that the Board initiates future formal proceedings against Dr. Mauzy, including but not limited to issuance of a Notice of Opportunity for Hearing, this Consent Agreement shall continue in full force and effect until such time that it is superseded by ratification by the Board of a subsequent Consent Agreement or issuance by the Board of a final Board Order.

In the event that any term, limitation, or condition contained in this Consent Agreement is determined to be invalid by a court of competent jurisdiction, Dr. Mauzy and the Board agree that all other terms, limitations, and conditions contained in this Consent Agreement shall be unaffected.

ACKNOWLEDGMENTS/LIABILITY RELEASE

Dr. Mauzy 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.

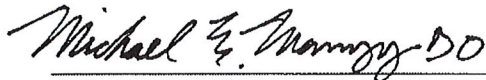
Any action initiated by the Board based on alleged violations of this Consent Agreement shall comply with the Administrative Procedure Act, Chapter 119., Ohio Revised Code.

Dr. Mauzy 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. Mauzy 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.



MICHAEL BRIAN MAUZY, D.O.

7/10/2023
DATE



KIM G. ROTHERMEL, M.D.
Secretary


7-12-23
DATE

LUKE T. SCHMITT
Attorney for Dr. Mauzy

DATE


ROBERT P. GIACALONE, R. Ph, J.D.
Supervising Member

7/12/23
DATE


MELINDA R. SNYDER
Assistant Attorney General

7/12/23
DATE

EFFECTIVE DATE

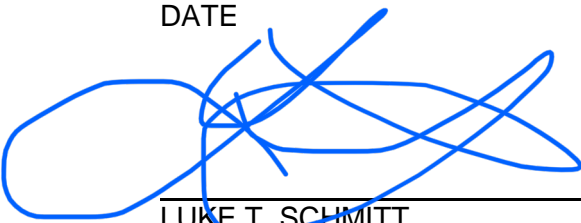
It is expressly understood that this Consent Agreement is subject to ratification by the Board prior to signature by the Secretary and Supervising Member and shall become effective upon the last date of signature below.

MICHAEL BRIAN MAUZY, D.O.

KIM G. ROTHERMEL, M.D.
Secretary

DATE

DATE



LUKE T. SCHMITT
Attorney for Dr. Mauzy

ROBERT P. GIACALONE, R. Ph, J.D.
Supervising Member

DATE

DATE

MELINDA R. SNYDER
Assistant Attorney General

DATE



October 12, 2022

Case number: 22-CRF- *0183*

MICHAEL BRIAN MAUZY, D.O.
800 Grand Central Mall
Suite 4
Vienna, WV 26105

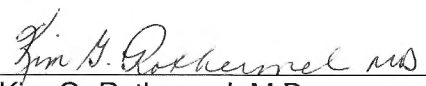
Dear Doctor Mauzy:

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 October 12, 2022, 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 4731.43, 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



Kim G. Rothermel, M.D.
Secretary


KGR/TCN/lv
Enclosures

Mailed 10-13-2022

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 October 12, 2022 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 Michael Brian Mauzy, D.O., Case number: 22-CRF- 0183 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.



Kim G. Rothermel MD

Kim G. Rothermel, M.D., Secretary

October 12, 2022

Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

MICHAEL BRIAN MAUZY, D.O.

CASE NUMBER: 22-CRF- 0183

:
:
:
:
:

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio the 12th day of October 2022.

Pursuant to Section 4731.22(G), Ohio Revised Code, and upon recommendation of Kim G. Rothermel, M.D., Secretary, and Bruce R. Saferin, D.P.M., 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 Michael Brian Mauzy, D.O. [Dr. Mauzy] 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,

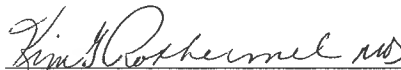
Pursuant to their further determination, based upon their review of the information supporting the allegations as set forth in the Notice of Summary Suspension and Opportunity for Hearing, that Dr. Mauzy's continued practice presents a danger of immediate and serious harm to the public;

The following Order is hereby entered on the Journal of the State Medical Board of Ohio for the 12th day of October 2022:

It is hereby ORDERED that the certificate of Michael Brian Mauzy, D.O., to practice osteopathic medicine and surgery in the State of Ohio be summarily suspended.

It is hereby ORDERED that Dr. Mauzy, shall immediately cease the practice of osteopathic medicine and surgery in Ohio and immediately refer all active patients to other appropriate physicians.

This Order shall become effective immediately.



Kim G. Rothermel, M.D.
Secretary

October 12, 2022
Date

(SEAL)



State Medical Board of

Ohio

30 E. Broad St., 3rd Floor
Columbus, Ohio 43215
(614) 466-3934
www.med.ohio.gov

EXCERPT FROM THE DRAFT MINUTES OF OCTOBER 12, 2022

**NOTICES OF OPPORTUNITY FOR HEARING, ORDERS OF SUMMARY SUSPENSION,
ORDERS OF IMMEDIATE SUSPENSION, AND ORDERS OF AUTOMATIC
SUSPENSION**

**MICHAEL BRIAN MAUZY, D.O. – NOTICE OF SUMMARY SUSPENSION AND
OPPORTUNITY FOR HEARING**

Dr. Johnson moved to approve and issue proposed Citation #9, a Notice of Summary Suspension and Opportunity for Hearing. Dr. Reddy seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Dr. Schottenstein	- aye
	Dr. Soin	- aye
	Dr. Johnson	- aye
	Mr. Gonidakis	- aye
	Dr. Kakarala	- aye
	Dr. Feibel	- aye
	Dr. Reddy	- aye
	Dr. Bechtel	- aye
	Ms. Montgomery	- aye

The motion carried.



State Medical Board of

Ohio

30 E. Broad St., 3rd Floor
Columbus, Ohio 43215
(614) 466-3934
www.med.ohio.gov

**NOTICE OF SUMMARY SUSPENSION
AND
OPPORTUNITY FOR HEARING**

October 12, 2022

Case number: 22-CRF- 0183

Michael Brian Mauzy, D.O.
800 Grand Central Mall
Suite 4
Vienna, WV 26105

Dear Doctor Mauzy:

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 (2), below.

Therefore, pursuant to Section 4731.22(G), Ohio Revised Code, and upon recommendation of Kim G. Rothermel, M.D., Secretary, and Bruce R. Saferin, D.P.M., Supervising Member, you are hereby notified that, as set forth in the attached Entry of Order, your license or certificate to practice osteopathic medicine and surgery in the State of Ohio is summarily suspended. Accordingly, at this time, you are no longer authorized to practice osteopathic medicine and surgery in Ohio.

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 or suspend your license or certificate, or refuse to grant or register or issue the license or certificate for which you have a pending application in accordance with Section 9.79 of the Ohio Revised Code, or refuse to renew or reinstate your license or certificate to practice osteopathic medicine and surgery, or to reprimand you or place you on probation for one or more of the following reasons:

- (1) By report dated October 4, 2022, from the Ohio Physicians Health Program (OPHP), the Board's monitoring organization for the One-Bite Program, the Board was notified that you self-reported to your primary monitoring provider, the West Virginia Medical Professional's Health Program (WVMPHP), that you had relapsed. The October 4, 2022, report from OPHP also reported that you had completed an evaluation at Talbott Recovery Center the week of September 26, 2022.

- (2) Although WVMPHP referred you to an assessment to be conducted by Talbott Recovery Center on or about September 26, 2022, the Board has not received any information on the results of the assessment. Further, the Board has not received any information that you have been determined to be capable of practicing in accordance with acceptable and prevailing standards of care.

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 license or 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)(1), 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 license, and may issue an order of summary suspension as provided in Section 4731.22(G), Ohio Revised Code.

Further, Rule 4731-16-02(B)(2), Ohio Administrative Code, additionally provides that if an individual has relapsed during or following treatment, it shall constitute independent proof of impairment and shall support license suspension or denial without the need for an examination.

Your acts, conduct, and/or omissions as alleged in paragraphs (1) through (2) 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.

Furthermore, for any violations that occurred on or after September 29, 2015, the Board may impose a civil penalty in an amount that shall not exceed twenty thousand dollars, pursuant to Section 4731.225, Ohio Revised Code. The civil penalty may be in addition to any other action the Board may take under section 4731.22, 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 or suspend your license or certificate, or refuse to grant or register or issue the license or certificate for which you have a pending application in accordance with Section 9.79 of the Ohio Revised Code, or refuse to renew or reinstate your license or certificate to practice, 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 or issue a license or certificate to practice to an applicant, revokes an individual's license or certificate to practice, refuses to renew an individual's license or certificate to practice, or refuses to reinstate an individual's license or 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 license or certificate to practice and the board shall not accept an application for reinstatement of the license or certificate or for issuance of a new license or certificate."

Copies of the applicable sections are enclosed for your information.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Kim G. Rothermel M.D.", is written over a horizontal line.

Kim G. Rothermel, M.D.
Secretary

KGR/TCN/lv
Enclosures

CERTIFIED MAIL # 9414 8419 0315 2968 0110 48
RETURN RECEIPT REQUESTED

cc: BY PERSONAL DELIVERY