



**State Medical
Board of Ohio**

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

December 11, 2024

VIA EMAIL ONLY

Paige Baker, P.A.
3368 Highland Drive
Hubbard, OH 44425-2306
Paige52012@yahoo.com

RE: 24-CRF-0069

Dear Ms. Baker:

Enclosed please find a certified copy of the Findings, Order and Journal Entry approved and confirmed by the State Medical Board meeting in regular session on December 11, 2024.

Any party desiring to appeal this order shall file a notice of appeal with the State Medical Board of Ohio, located at 30 E. Broad St., 3rd Floor, Columbus, Ohio 43215, setting forth the order appealed from and stating that the agency's order is not supported by reliable, probative, and substantial evidence and is not in accordance with law. The notice of appeal may, but need not, set forth the specific grounds of the party's appeal beyond the statement that the agency's order is not supported by reliable, probative, and substantial evidence and is not in accordance with law.

The notice of appeal shall also be filed by the appellant with the court of common pleas of Franklin County or the court of common pleas in the county in which the place of business of the licensee is located or the county in which the licensee is a resident. If the party appealing is not a resident of and has no place of business in this state, the party shall appeal to the court of common pleas of Franklin County. In filing a notice of appeal with both the Medical Board and the court, the notice that is filed may be either the original notice or a copy of the original notice.

The party filing the appeal shall comply with all requirements of Ohio Revised Code section 119.12 (R.C. 119.12). The notice of appeal shall be filed within fifteen days after the service of the notice of the Medical Board order as provided in section 119.05 of the Ohio Revised Code.

THE STATE MEDICAL BOARD OF OHIO

A handwritten signature in blue ink that reads "Kim G. Rothermel M.D." with a stylized flourish at the end.

Kim G. Rothermel, M.D.
Secretary

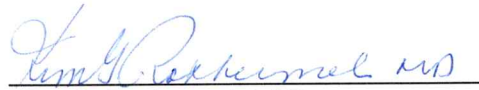
KGR:jam
Enclosures

CERTIFICATION

I hereby certify that the attached copy of the Findings, Order and Journal Entry approved by the State Medical Board, meeting in regular session on December 11, 2024, constitutes a true and complete copy of the Findings, Order and Journal Entry in the Matter of Paige Baker, P.A., Case No. 24-CRF-0069, as it appears in the Journal of the State Medical Board of Ohio.

This Certification is made by the authority of the State Medical Board of Ohio in its behalf.





Kim G. Rothermel, M.D.
Secretary

December 11, 2024

Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF :
 : Case No. 24-CRF-0069
PAIGE BAKER, P.A. :

FINDINGS, ORDER AND JOURNAL ENTRY

This matter came on for consideration before the State Medical Board of Ohio on December 11, 2024, pursuant to a Notice of Opportunity for Hearing issued to Paige Baker, P.A., on April 10, 2024. No request for hearing having been received within the statutorily mandated time period, Hearing Examiner Robert C. Angell and prepared Proposed Findings and a Proposed Order.

WHEREFORE, having reviewed Mr. Angell's Proposed Findings and Proposed Order, which is attached hereto and incorporated herein, the Board hereby adopts the Proposed Findings and Proposed Order.

It is hereby ORDERED that:

- A. **PERMANENT REVOCATION:** The license of Paige Baker to practice as a physician assistant in the State of Ohio shall be PERMANENTLY REVOKED.
- B. **FINE:** Within thirty days of the effective date of this Order, Ms. Baker shall remit payment in full of a fine of One Thousand Dollars (\$1,000.00). Such payment shall be made in full, via credit card in the manner specified by the Board through its online portal, or by other manner as specified by the Board. This fine shall be paid no later than 30 days after the after the Board's mailing of the notification of approval of this Order.

This Order shall become effective immediately upon the date of service of the notification of approval by the Board.



Kim G. Rothermel MD

Kim G. Rothermel, M.D.
Secretary

December 11, 2024
Date

RECEIVED:
NOVEMBER 1, 2024

BEFORE THE STATE MEDICAL BOARD OF OHIO

In The Matter Of: : **Case No. 24-CRF-0069**
:
Paige Baker, P.A., : **Robert C. Angell**
:
:
Respondent. :

PROPOSED FINDINGS AND PROPOSED ORDER

I. BASIS FOR HEARING

Notice of Opportunity for Hearing (“Notice”): By letter dated April 10, 2024, the State Medical Board of Ohio (“Board”) notified Respondent, Paige Baker, P.A., that it intended to determine whether or not to take disciplinary action against her license to practice as a physician assistant in the State of Ohio.

In the Notice, the Board alleged the following:

- (1) On or about May 10, 2023, the Board issued an Order (May 2023 Board Order) summarily suspending Ms. Baker’s license to practice as a physician assistant, based on the Board’s determination that there was clear and convincing evidence that she was in violation of sections 4730.25(B)(4) and 4730.25(B)(5), Ohio Revised Code, and that her continued practice presented a danger of immediate and serious harm to the public.
- (2) On or about July 12, 2023, the Board issued an Order [July 2023 Board Order], terminating the summary suspension issued under the May 2023 Board Order and immediately suspending Ms. Baker’s license an indefinite period. Ms. Baker’s license was subject to general probationary requirements and conditions for reinstatement. Her license remains suspended, and she remains subject to all the requirements and conditions of the July 2023 Board Order.
- (3) Ms. Baker has failed to comply with the requirements and conditions of the July 2023 Board Order, which include, but are not limited to, the following:
 - (a) Paragraph 9 of the July 2023 Board Order provides as follows:

Ms. Baker shall submit to random toxicology screenings of biological materials (including but not limited to blood, urine, hair, saliva, breath, or fingernail samples) for drugs and alcohol at least four times per month, or as otherwise directed by the Board. Ms. Baker 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 Ms. Baker's drug(s) of choice.

Between the months of October 2023 and February 2024, Ms. Baker failed to submit to random toxicology screenings at least four times per month or as otherwise directed by the Board.

Exhibit ("Ex.") 1A, pp. 1-2. The Board alleged that Ms. Baker's acts, conduct, and/or omissions, as alleged in paragraph (3) of the Notice, individually and/or collectively, constitute "[v]iolation of the conditions of limitation placed by the board upon a license to practice as a physician assistant," as that clause is used in Section 4730.25(B)(20), Ohio Revised Code. *Id.*, p. 2.

The Board further notified Ms. Baker that, pursuant to Section 4730.252, Ohio Revised Code, it may impose a civil penalty for any violations that occurred after September 29, 2015, in an amount not to exceed twenty thousand dollars, in addition to any other action the Board may take under Section 4730.25, Ohio Revised Code. The Board advised Ms. Baker of her right to a hearing in this matter if she requested a hearing in writing within thirty days of the mailing of the Notice. Exhibit 1A, p. 2.

No Request for Hearing: On April 11, 2024, pursuant to Section 119.05, Ohio Revised Code, the Board sent the Notice to Ms. Baker by registered electronic mail to Ms. Baker's email address of record at that time, paige52012@yahoo.com. Ms. Baker opened the email on April 11, 2024, on which date the Notice was deemed to be delivered to her. Exs. 1, 1A, 1B.

Pursuant to Section 119.07, Ohio Revised Code, Ms. Baker had thirty days from the date of delivery of the Notice to submit a written request for a hearing. The thirtieth and final day on which Ms. Baker could submit a written request for hearing was Monday, May 13, 2024. In an affidavit dated July 19, 2024, the Board's Chief Legal Counsel attested that, as of the date of the affidavit, the Board had not received a request for hearing from Ms. Baker. Ex. 1.

The Board's Chief of Licensure, in an affidavit dated July 17, 2024, verified that Ms. Baker's mailing address of record was 3368 Highland Drive, Hubbard, Ohio 44425 and her email address of record was paige52012@.com; that according to the Board's records, Ms. Baker was issued license number 50.006978RX to practice as a physician assistant in the State of Ohio on or about May 7, 2021; and that Ms. Baker's license was inactive as of the date of the affidavit. Exhibit 2.

Request for Proposed Findings and Proposed Order: In a memorandum dated July 23, 2024, the Board's Assistant Legal Counsel provided a packet of evidence to the Chief Hearing Examiner for preparation of Proposed Findings and Proposed Order. Exhibit 6.

II. EVIDENCE EXAMINED

Exhibits

1. July 19, 2024 Affidavit of Kimberly Anderson, Chief Legal Counsel, attesting to the Board's service of the April 10, 2024 Notice of Opportunity for Hearing upon Ms. Baker and verifying that, as of the date of the affidavit, the Board had not received a hearing request from Ms. Baker. The following authenticated documents were attached to the affidavit:
 - 1A.: April 10, 2024 Notice of Opportunity for Hearing sent to Ms. Baker at her email address of record, and containing the allegations as set forth therein and herein above, and notifying Ms. Baker of her right to request a hearing in writing within thirty days of the date of mailing of the Notice; April 11, 2024 cover email sent to Ms. Baker with the Notice.
 - 1B: April 11, 2024 cover email with proof of delivery and opening of the email and the Notice.
2. July 17, 2024 Affidavit of Brandon Morant, Chief of Licensure, verifying Ms. Baker's mailing and email addresses of record and that, according to the Board's records, Ms. Baker's license was currently inactive.
3. July 23, 2024 Affidavit of Shane M. Stoer, Enforcement Attorney, attesting that he coordinated the investigation of the complaint filed against Ms. Baker.
4. April 3, 2024 Affidavit of Brandi Dorcy, Chief of Compliance, attesting that Ms. Baker failed to comply with the provisions of the July 12, 2023 consent agreement by failing to submit to random toxicology screenings as required by that agreement.
 - A. Ms. Baker's screening history with Vault Health, Workforce Screening.
5. March 27, 2024 Certification of Kimberly Anderson, Chief Legal Counsel; July 12, 2023 Step I Consent Agreement between Ms. Baker and the Board; May 10, 2023 Entry of Order, Opportunity for Hearing on Failure to Submit to an Examination and Notice of Summary Suspension Based Upon Presumption of an Admission of Inability to Practice and/or Impairment.
6. July 23, 2024 Memorandum from Colin DePew, Assistant Legal Counsel, to James Wakley, Chief Hearing Examiner, with attachments as summarized above.

III. PROPOSED FINDINGS

1. Paige Baker, P.A., was issued license number 50.006978RX to practice as a physician assistant in the State of Ohio on or about May 7, 2021. On or about May 10, 2023, Ms. Baker's license was summarily suspended. On or about July 12, 2023, the summary suspension was terminated and Ms. Baker's license was immediately suspended for an indefinite period. As of July 17, 2024, Ms. Baker's license was inactive.

This proposed finding is supported by the following evidence: Exs. 1A, 2.

2. On or about May 10, 2023, the Board issued an Order (May 2023 Board Order) summarily suspending Ms. Baker's license. On or about July 12, 2023, the Board issued an Order (July 2023 Board Order) terminating the summary suspension and imposing an immediate suspension of Ms. Baker's license. Pursuant to that Order, the Board entered into a Step I consent agreement with Ms. Baker in lieu of formal proceedings. The agreement imposed general probationary conditions, including a requirement that Ms. Baker submit to random toxicology screenings at least four times per month or as otherwise directed by the Board.

This proposed finding is supported by the following evidence: Ex. 5.

3. On or about April 10, 2024, the Board authorized issuance of a Notice of Opportunity for Hearing to Ms. Baker. The Notice alleged that Ms. Baker failed to comply with the requirements of the July 2023 Board Order and Step I Consent Agreement. More specifically, the Board alleged that between October 2023 and February 2024, Ms. Baker failed to submit to random toxicology screenings at least four times per month or as otherwise directed by the Board.

This proposed finding is supported by the following evidence: Exs. 1, 1A, 1B, 4.

4. On April 11, 2024, the Board sent the Notice to Ms. Baker by registered email at her last known email address of record. The email was delivered to Ms. Baker and opened. The thirtieth and final day on which Ms. Baker could request a hearing was Monday, May 13, 2024. As of July 17, 2024, Ms. Baker had not submitted a written request for hearing.

This proposed finding is supported by the following evidence: Exhibits 1, 1A, 1B.

5. The facts as alleged in the April 10, 2024 Notice and in the Findings above constitute "[v]iolation of the conditions of limitation placed by the board upon a license to practice as a physician assistant," as that clause is used in Section 4730.25(B)(20), Ohio Revised Code.

6. 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 4730.252, Ohio Revised Code. The civil penalty may be in addition to any other action the Board may take under section 4730.25, Ohio Revised Code. The Board's guidelines for this violation are as follows:

Minimum Fine: \$1,000.00
Maximum Fine: \$5,000.00

RATIONALE FOR PROPOSED ORDER

The evidence indicates that Ms. Baker entered into a Step I Consent Agreement; she was required by that agreement to submit to random toxicology screenings at least four times per month or as otherwise directed by the Board. Examination of her screening history showed that she failed to comply with this condition for at least four months after she entered into the consent agreement.

There is no evidence before the Board to support any extenuating, mitigating, or exigent circumstances to explain Ms. Baker's repeated failures to comply with the July 2023 Board Order and the requirements of her Step I Consent Agreement, or her failure to request a hearing in response to the April 10, 2024 Notice.

PROPOSED ORDER

It is hereby ORDERED that:

- A. **PERMANENT REVOCATION:** The license of Paige Baker to practice as a physician assistant in the State of Ohio shall be PERMANENTLY REVOKED.
- B. **FINE:** Within thirty days of the effective date of this Order, Ms. Baker shall remit payment in full of a fine of One Thousand Dollars (\$1,000.00). Such payment shall be made in full, via credit card in the manner specified by the Board through its online portal, or by other manner as specified by the Board. This fine shall be paid no later than 30 days after the after the Board's mailing of the notification of approval of this Order.

This Order shall become effective immediately upon the date of service of the notification of approval by the Board.

/s/ Robert C. Angell
Robert C. Angell
Hearing Examiner



April 10, 2024

Case number: 24-CRF-0069

Paige Baker, P.A.
3368 Highland Dr.,
Hubbard, OH 44425-2306
Paige52012@yahoo.com

Dear Ms. Baker:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio [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 as a physician assistant or prescriber number, or to reprimand you or place you on probation for one or more of the following reasons:

- (1) On or about May 10, 2023, the Board issued an Order [May 2023 Board Order] summarily suspending your license to practice as a physician assistant based on the Board's determination that you there was clear and convincing evidence that you were in violation of sections 4730.25(B)(4) and 4730.25(B)(5), Ohio Revised Code, and that your continued practice presented a danger of immediate and serious harm to the public.
- (2) On or about July 12, 2023, the Board issued an Order [July 2023 Board Order], terminating the summary suspension issued under the May 2023 Board Order and your license was immediately suspended for an indefinite period. Your license was subject to general probationary requirements and conditions for reinstatement. Your license remains suspended, and you remain subject to all the requirements and conditions of the July 2023 Board Order.
- (3) You have failed to comply with the requirements and conditions of the July 2023 Board Order, which include, but are not limited to, the following:

(a) Paragraph 9 of the July 2023 Board Order provides as follows:

Ms. Baker shall submit to random toxicology screenings of biological materials (including but not limited to blood, urine, hair, saliva, breath, or fingernail samples) for drugs and alcohol at least four times per month, or as otherwise directed by the Board. Ms. Baker 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 Ms. Baker's drug(s) of choice.

Despite the foregoing provision, between the months of October 2023 and February 2024, you failed to submit to random toxicology screenings at least four times per month or otherwise directed by the Board.

Your acts, conduct, and/or omissions as alleged in paragraph (3) above, individually and/or collectively, constitute "[v]iolation of the conditions of limitation placed by the board upon a license to practice as a physician assistant," as that clause is used in Section 4730.25(B)(20), 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 4730.252, Ohio Revised Code. The civil penalty may be in addition to any other action the Board may take under section 4730.25, Ohio Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. 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 service 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 service 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 as a physician assistant or prescriber number, or to reprimand you or place you on probation.

Please note that, whether or not you request a hearing, Section 4730.25(L), Ohio Revised Code, provides that "[w]hen the board refuses to grant or issue to an applicant a license to practice as a physician assistant, revokes an individual's license, refuses to renew an individual's license, or refuses to reinstate an individual's license, 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 the license and the board shall not accept an application for reinstatement of the license or for issuance of a new license."

Copies of the applicable sections are enclosed for your information.

STATE MEDICAL BOARD OF OHIO,



Kim G. Rothermel, M.D.
Secretary

KGR/SMS/lv
Enclosures

Via email: Paige52012@yahoo.com

**STEP I
CONSENT AGREEMENT
BETWEEN
PAIGE BAKER, P.A.,
AND
THE STATE MEDICAL BOARD OF OHIO
23-CRF-0085**

This Consent Agreement is entered into by and between Paige Baker, P.A., [Ms. Baker], and the State Medical Board of Ohio [Board], a state agency charged with enforcing Chapter 4730., Ohio Revised Code.

Ms. Baker enters into this Consent Agreement being fully informed of her 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 4730.25(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 4730.25(B)(4), Ohio Revised Code, for “[i]nability to practice according to acceptable and prevailing standards of care by reason of mental illness or physical illness, including physical deterioration that adversely affects cognitive, motor, or perceptive skills,” and/or Section 4730.25(B)(5), Ohio Revised Code, for constitutes “[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.”
- B. The Board enters into this Consent Agreement in lieu of formal proceedings based upon the violation of Section 4730.25(B)(4) and/or 4730.25(B)(5), Ohio Revised Code, as set forth in the Notice of Summary Suspension and Opportunity for Hearing issued on May 10, 2023, 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 4730., Ohio Revised Code, whether occurring before or after the effective date of this Consent Agreement.
- C. Ms. Baker is licensed to practice as a physician assistant in the State of Ohio, License number 50.006978RX. That license is currently inactive, with a sub-status of suspended.
- D. Ms. Baker states that she is also licensed to practice as a physician assistant in the State(s) of Pennsylvania. That license is expired.

- E. Ms. Baker admits to the factual and legal allegations as set forth in the May 10, 2023 Notice of Summary Suspension and Opportunity for Hearing.

Further, Ms. Baker states that, and the Board acknowledges information to support that, from the dates of May 17, 2023, to June 13, 2023, Ms. Baker entered into and successfully completed an in-patient treatment program at New Day Recovery, in Niles, Ohio. The Board agrees to accept this treatment as satisfying Rule 4731-16-02(B)(3)(a)(i), Ohio Administrative Code.

AGREED CONDITIONS

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

SUSPENSION OF CERTIFICATE

1. The summary suspension of Ms. Baker's certificate to practice as a physician assistant shall be TERMINATED upon this Consent Agreement becoming effective. Further, the certificate of Ms. Baker to practice as a physician assistant in the State of Ohio shall be SUSPENDED for an indefinite period of time.

GENERAL PROBATIONARY REQUIREMENTS:

Obey all Laws

2. Ms. Baker shall obey all federal, state, and local laws.

Sobriety

3. Ms. Baker shall abstain completely from the personal use or personal possession of drugs, except those prescribed, dispensed or administered to her by another so authorized by law who has full knowledge of Ms. Baker's history of chemical dependency. Further, in the event that Ms. Baker is so prescribed, dispensed or administered any drug that is required to be reported to the Ohio Automated Rx Reporting System [OARRS], including any Schedule II-V controlled substance and/or medical marijuana, Ms. Baker shall notify the Board in writing within seven days, providing the Board with the identity of the prescriber; the name of the drug Ms. Baker received; the medical purpose for which she 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 her, Ms. Baker 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.
4. Ms. Baker shall abstain completely from the use of alcohol.

Absences from Ohio

5. Ms. Baker 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 monitoring terms set forth in this Consent Agreement for occasional periods of absence of fourteen days or less. In the event that Ms. Baker 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, Ms. Baker may travel between Ohio and that contiguous state without seeking prior approval of the Secretary or Supervising Member provided that Ms. Baker is able to otherwise maintain full compliance with all other terms, conditions and limitations set forth in this Consent Agreement.

Further, in the event that Ms. Baker 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 Ms. Baker 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.

Releases; Quarterly Declarations and Appearances

6. Ms. Baker 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 Ms. Baker'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. Ms. Baker further agrees to provide the Board written consent permitting any treatment provider from whom she obtains treatment to notify the Board in the event she 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.
7. Ms. Baker shall submit quarterly declarations under penalty of Board disciplinary action and/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.
8. Ms. Baker 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.

Toxicology Screens; Designated Testing Facility

9. Ms. Baker shall submit to random toxicology screenings of biological materials (including but not limited to blood, urine, hair, saliva, breath, or fingernail samples) for drugs and alcohol at least four times per month, or as otherwise directed by the Board. Ms. Baker 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 Ms. Baker's drug(s) of choice.

Ms. Baker 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. Ms. Baker acknowledges that she 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 screen that may not be able to be differentiated from intentional ingestion, and therefore such consumption or use is prohibited under this Consent Agreement. Further, Ms. Baker shall ensure her use of over-the-counter medications complies with the "Guide to Alcohol-Free Products" brochure as utilized by the Board's Compliance division.

All such screenings for drugs and alcohol shall be conducted through the Board-approved drug testing facility and collection site pursuant to the global contract between said facility [designated testing facility] and the Board that provides for the Board to maintain ultimate control over the toxicology screening process and to preserve the confidentiality of all positive screening results in accordance with Section 4731.22(F)(5), Ohio Revised Code. Further, the screening process shall require a daily call-in procedure. Ms. Baker's failure to timely call-in each day as directed by the Board shall constitute a violation of this Consent Agreement.

Ms. Baker shall submit, at her expense and on the day selected, specimens for drug and/or alcohol analysis. All specimens submitted by Ms. Baker shall be negative, except for those substances prescribed, administered, or dispensed to her in conformance with the terms, conditions and limitations set forth in this Consent Agreement. Refusal to submit such specimen, or failure to timely submit such specimen on the day she 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, Ms. Baker shall enter into the necessary financial and/or contractual arrangements with the designated testing facility in order to facilitate the screening process in the manner required by this Consent Agreement. Further, Ms. Baker shall promptly provide to the Board written documentation of completion of such arrangements, including a copy of any contract entered into between Ms. Baker and the designated testing facility. Ms. Baker'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.

Ms. Baker shall ensure that the screening process performed through the designated testing facility requires a daily call-in procedure; that the specimens are obtained on a random basis; and that the giving of the specimen is witnessed by a reliable person. In addition, Ms. Baker and the designated testing facility shall assure that appropriate control over the specimen is maintained and shall immediately inform the Board of any positive screening results.

Ms. Baker shall ensure that the designated testing facility provides quarterly reports to the Board, in a format acceptable to the Board, verifying whether all screens have been conducted in compliance with this Consent Agreement, and whether all screens have been negative.

In the event that the designated testing facility becomes unable or unwilling to serve as required by this Consent Agreement, Ms. Baker must immediately notify the Board in writing, and make arrangements acceptable to the Board, pursuant to Paragraph 10 below, as soon as practicable. Ms. Baker shall further ensure that the designated testing facility also notifies the Board directly of its inability to continue to serve and the reasons therefore.

Ms. Baker acknowledges that the Board expressly reserves the right to withdraw its approval of any designated testing facility in the event that the Secretary and Supervising Member of the Board determine that the designated testing facility has demonstrated a lack of cooperation in providing information to the Board or for any other reason.

10. Ms. Baker and the Board agree that it is the intent of this Consent Agreement that Ms. Baker shall submit her specimens to the designated testing facility chosen by the Board. However, in the event that utilizing said designated testing facility creates an extraordinary hardship upon Ms. Baker, as determined in the sole discretion of the Board, the Board may approve an alternate testing facility provided the Board determines in its sole discretion that the alternative testing facility is acceptable for the purpose of conducting the random toxicology testing required by this Consent Agreement.

The Board expressly reserves the right to disapprove any entity or facility proposed to serve as Ms. Baker's alternate testing facility, or to withdraw approval of any entity or facility approved to so serve in the event that the Secretary and Supervising Member of the Board determine that any such entity or facility has demonstrated a lack of cooperation in providing information to the Board or for any other reason.

11. All screening reports required under this Consent Agreement from the designated testing facility or alternate testing facility must be received in the Board's offices no later than the due date for Ms. Baker's quarterly declaration. It is Ms. Baker's responsibility to ensure that reports are timely submitted.
12. The Board retains the right to require, and Ms. Baker agrees to submit biological materials (including but not limited to blood, urine, hair, saliva, breath, or fingernail samples) for screening for drugs and alcohol, for analysis of therapeutic levels of medications that may be prescribed for Ms. Baker, or for any other purpose, at Ms.

Baker's expense upon the Board's request and without prior notice. Ms. Baker's refusal to timely 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.

Rehabilitation Program

13. Within thirty days of the effective date of this Consent Agreement, Ms. Baker shall undertake and 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.

Ms. Baker 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 Ms. Baker's quarterly declarations.

14. Immediately upon completion of any required treatment for chemical dependency, Ms. Baker shall enter into an aftercare contract with a Board-approved treatment provider and shall maintain continued compliance with the terms of said aftercare contract, provided that, where the terms of the aftercare contract conflict with the terms of this Consent Agreement, the terms of this Consent Agreement shall control.

CONDITIONS FOR REINSTATEMENT/RESTORATION

15. The Board shall not consider reinstatement or restoration of Ms. Baker's certificate to practice medicine and surgery until all of the following conditions are met:
 - a. Ms. Baker shall submit an application for reinstatement or restoration, as appropriate, accompanied by appropriate fees, if any.
 - b. Ms. Baker shall demonstrate to the satisfaction of the Board that she can resume practice in compliance with acceptable and prevailing standards of care under the provisions of her certificate. Such demonstration shall include but shall not be limited to the following:
 - i. Evidence of continuing full compliance with, or successful completion of, a post-discharge aftercare contract with a treatment provider approved under Section 4731.25 of the Revised Code. Such evidence shall include, but not be limited to, a copy of the signed aftercare contract. The aftercare contract must comply with rule 4731-16-10 of the Administrative Code.
 - ii. Evidence of continuing full compliance with this Consent Agreement.
 - iii. Two written reports from addictionologists, as well as one written report from a psychiatrist, indicating that Ms. Baker's ability to practice has been assessed and that she 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 Ms. Baker. Further, the two aforementioned physicians and psychiatrist shall not be affiliated with the same treatment provider or medical group practice. Prior to the assessments, Ms. Baker shall provide the evaluators with copies of patient records from any evaluations and/or treatment that she has received, and a copy of this Consent Agreement. The reports from the evaluators shall include any recommendations for treatment, monitoring, or supervision of Ms. Baker, and any conditions, restrictions, or limitations that should be imposed on Ms. Baker's practice. The reports shall also describe the basis for the evaluator's determinations.

Ms. Baker and the Board agree that the first three such assessments sought by Ms. Baker shall constitute the basis for the three reports required under this Consent Agreement regardless of whether Ms. Baker agrees with the report(s) provided by the physician assessor(s) and regardless of whether she obtains subsequent assessment(s).

All reports required pursuant to this paragraph shall be based upon examinations occurring within the three months immediately preceding any application for reinstatement/restoration. Further, at the discretion of the Secretary and Supervising Member of the Board, the Board may request an updated assessment and report if the Secretary and Supervising Member determine that such updated assessment and report is warranted for any reason.

- iv. In the event that the Board initiates future formal proceedings against Ms. Baker, including but not limited to issuance of a Notice of Opportunity for Hearing, Ms. Baker shall be ineligible for reinstatement/restoration until such proceedings are fully resolved by ratification by the Board of a subsequent Consent Agreement or a final Board Order taking effect.
- c. Ms. Baker shall enter into a written consent agreement including probationary terms, conditions and limitations as determined by the Board within 180 days of the date upon which all the above-specified conditions for reinstatement or restoration have been completed or, if the Board and Ms. Baker are unable to agree on the terms of a written Consent Agreement, then Ms. Baker further agrees to abide by any terms, conditions and limitations imposed by Board Order after a hearing conducted pursuant to Chapter 119. of the Ohio Revised Code. The Board shall provide notice to Ms. Baker that said hearing has been scheduled, advising Ms. Baker of her hearing rights, and stating the date, time, and location of the hearing at which the Board will present its evidence, after which the Board will make a determination of the matter by Board Order.

Further, upon reinstatement/restoration of Ms. Baker's certificate to practice medicine and surgery in this state, the Board shall require continued monitoring which shall include, but not be limited to, compliance with the written consent agreement entered into before reinstatement/restoration or with conditions imposed by Board Order after a hearing conducted pursuant to Chapter 119. of the Revised Code.

16. In the event that Ms. Baker has not been engaged in the active practice as a physician assistant for a period in excess of two years prior to application for reinstatement/restoration, the Board may exercise its discretion under Section 4730.28, Ohio Revised Code, to require additional evidence of Ms. Baker's fitness to resume practice.

REQUIRED REPORTING BY LICENSEE

17. Within thirty days of the effective date of this Consent Agreement, Ms. Baker shall provide a copy of this Consent Agreement to all employers or entities with which she 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 she has privileges or appointments. Further, Ms. Baker shall promptly provide a copy of this Consent Agreement to all employers or entities with which she contracts to provide health care services, or applies for or receives training, and the Chief of Staff at each hospital where she applies for or obtains privileges or appointments. In the event that Ms. Baker 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 Ms. Baker shall provide a copy of this Consent Agreement to the Ohio Department of Public Safety, Division of Emergency Medical Services. Further, within thirty days of the date of each such notification, Ms. Baker shall provide documentation acceptable to the Secretary and Supervising Member of the Board demonstrating that the required notification has occurred.
18. Within thirty days of the effective date of this Consent Agreement, Ms. Baker shall provide a copy of this Consent Agreement by certified mail to the proper licensing authority of any state or jurisdiction in which she currently holds any professional license, as well as any federal agency or entity, including but not limited to the Drug Enforcement Agency, through which she currently holds any license or certificate. Ms. Baker further agrees to provide a copy of this Consent Agreement by certified mail at time of application to the proper licensing authority of any state in which she applies for any professional license or reinstatement of any professional license. Additionally, within thirty days of the effective date of this Consent Agreement, Ms. Baker shall provide a copy of this Consent Agreement to any specialty or subspecialty board of the American Board of Medical Specialties or the American Osteopathic Association Bureau of Osteopathic Specialists under which she currently holds or has previously held certification. Further, within thirty days of the date of each such notification, Ms. Baker shall provide documentation acceptable to the Secretary and Supervising Member of the Board demonstrating that the required notification has occurred.
19. Ms. Baker shall promptly provide a copy of this Consent Agreement to all persons and entities that provide Ms. Baker chemical dependency treatment or monitoring. Further, within thirty days of the date of each such notification, Ms. Baker shall provide documentation acceptable to the Secretary and Supervising Member of the Board demonstrating that the required notification has occurred.
20. Ms. Baker shall notify the Board in writing of any change of principal practice address or residence address within thirty days of such change.

DURATION/MODIFICATION OF TERMS

The above-described terms, conditions and limitations 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 Ms. Baker, 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 upon this Consent Agreement being superseded by a subsequent final Board Order taking effect.

Further, in the event that Ms. Baker's certificate to practice is not reinstated/restored within five years of the effective date of this Consent Agreement, this agreement shall remain in effect but the provisions set forth within the "General Probationary Requirements" and the "Required Reporting by Licensee" sections, above, shall automatically terminate at that time.

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, Ms. Baker and the Board agree that all other terms, limitations, and conditions contained in this Consent Agreement shall be unaffected.

FAILURE TO COMPLY

If, in the discretion of the Secretary and Supervising Member of the Board, Ms. Baker 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.

ACKNOWLEDGMENTS/LIABILITY RELEASE

By executing her signature on this Consent Agreement, Ms. Baker 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. Ms. Baker 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.

Ms. Baker acknowledges that she 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.

Ms. Baker 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. Ms. Baker acknowledges that her social security number will be used if this information is so reported and agrees to provide her 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. Further, Ms. Baker 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.

Paige Baker

PAIGE BAKER, P.A.



KIM G. ROTHERMEL, M.D.
Secretary

7/6/23

DATE

7-12-23

DATE



SHANE STOEHR
Enforcement Attorney



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

7/10/23

DATE

7/12/23

DATE



State Medical Board of
Ohio

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

May 10, 2023

Case number: 23-CRF-0085

Paige Baker, P.A.
1735 Buckeye Dr.,
Sharpsville, PA 16150-9342


Dear Ms. Baker:

Enclosed please find certified copies of the Entry of Order, Opportunity for Hearing on Failure to Submit to an Examination and Notice of Summary Suspension Based Upon Presumption of an Admission of Inability to Practice and/or Impairment, and an excerpt of the Minutes of the State Medical Board, meeting in regular session on May 10, 2023, including a Motion adopting the Opportunity for Hearing on Failure to Submit to an Examination and Notice of Summary Suspension Based Upon Presumption of an Admission of Inability to Practice and/or Impairment.

You are advised that continued practice after receipt of this Order shall be considered practicing without a certificate or license, in violation of Section 4730.02, Ohio Revised Code.

Pursuant to Chapter 119, Ohio Revised Code, you are hereby advised that you are entitled to a hearing concerning whether adequate grounds existed to support a reason to believe that you may have or have had an inability to practice and/or have been impaired at the time you were ordered to attend the examination and whether your failure to submit to the examination as directed was due to circumstances beyond your control as set forth in the Opportunity for Hearing on Failure to Submit to an Examination and Notice of Summary Suspension Based Upon Presumption of an Admission of Inability to Practice and/or Impairment. 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 Opportunity for Hearing on Failure to Submit to an Examination and Notice of Summary Suspension Based Upon Presumption of an Admission of Inability to Practice and/or Impairment.

THE STATE MEDICAL BOARD OF OHIO


Kim G. Rothermel, M.D.
Secretary

KGR/SMS/lv
Enclosures

Mailed 5/11/2023

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 May 10, 2023, to Adopt the Opportunity for Hearing on Failure to Submit to an Examination and Notice of Summary Suspension Based Upon Presumption of an Admission of Impairment, constitute true and complete copies of the Motion and Order in the Matter of Paige Baker, P.A., Case number: 23-CRF- 0085 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, M.D., Secretary

(SEAL)

5/10/2023
Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF :
 :
 :
 PAIGE BAKER, P.A. :
 :
 :
 CASE NUMBER: 23-CRF-0085 :

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio the 10th day of May, 2023.

Pursuant to Section 4730.25(G), Ohio Revised Code, and upon recommendation of Kim Rothermel, M.D., Secretary, and Robert Giacalone, R.Ph., J.D., Supervising Member; and

Pursuant to their determination, based upon their review of the information supporting the allegations as set forth in the Opportunity for Hearing on Failure to Submit to an Examination and Notice of Summary Suspension Based Upon Presumption of an Admission of Inability to Practice and/or Impairment, that there is clear and convincing evidence that Paige Baker, P.A. [Ms. Baker] has violated Sections 4730.25(B)(4) and/or 4730.25(B)(5), Ohio Revised Code, as alleged in the Opportunity for Hearing on Failure to Submit to an Examination and Notice of Summary Suspension Based Upon Presumption of an Admission of Inability to Practice and/or Impairment 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 Opportunity for Hearing on Failure to Submit to an Examination and Notice of Summary Suspension Based Upon Presumption of an Admission of Inability to Practice and/or Impairment, that Ms. Baker'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 10th day of May, 2023:

It is hereby ORDERED that the certificate of Paige Baker, P. A. to practice as a physician assistant in the State of Ohio be summarily suspended.

It is hereby ORDERED that Paige Baker, P.A., shall immediately cease the practice as a physician assistant in Ohio and immediately refer all active patients to other appropriate healthcare providers.

This Order shall become effective immediately.



Kim G. Rothermel, M.D.
Secretary

(SEAL)

5/10/2023
Date



EXCERPT FROM THE DRAFT MINUTES OF MAY 10, 2023

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

**PAIGE BAKER, P.A. – NOTICE OF SUMMARY SUSPENSION AND OPPORTUNITY
FOR HEARING**

Dr. Bechtel moved to approve and issue proposed Citation #13, an Opportunity for Hearing on Failure to Submit to an Examination and Notice of Summary Suspension Based Upon Presumption of an Admission of Inability to Practice and/or Impairment. Dr. Reddy seconded the motion. A vote was taken:

| | | |
|------------|-------------------|-----------|
| ROLL CALL: | Dr. Rothermel | - abstain |
| | Mr. Giacalone | - abstain |
| | Dr. Schottenstein | - aye |
| | Dr. Soin | - aye |
| | Dr. Feibel | - aye |
| | Mr. Gonidakis | - aye |
| | Dr. Kakarala | - aye |
| | Dr. Reddy | - aye |
| | Dr. Boyle | - abstain |
| | Dr. Bechtel | - aye |
| | Dr. Johnson | - aye |

The motion carried.



**OPPORTUNITY FOR HEARING ON FAILURE TO SUBMIT TO AN EXAMINATION
AND
NOTICE OF SUMMARY SUSPENSION
BASED UPON PRESUMPTION OF AN ADMISSION OF
INABILITY TO PRACTICE AND/OR IMPAIRMENT**

May 10, 2023

Case number: 23-CRF- 0085

Paige Baker, P.A.
1735 Buckeye Dr.,
Sharpsville, PA 16150-9342

Dear Ms. Baker:

On or about March 9, 2023, the Secretary of the State Medical Board of Ohio [Board] notified you of the reasons supporting a belief that you may have or have had an inability to practice according to acceptable and prevailing standards of care by reason of mental illness or physical illness, and/or that you may be impaired, and ordered you to submit to an examination on April 16, 2023. Due to your failure to submit to the examination as ordered and your failure to notify the Board of any circumstances beyond your control preventing you from submitting to said examination, pursuant to Sections 4730.25(B)(4) and 4730.25(B)(5), Ohio Revised Code, a legal presumption has been established that you have admitted the factual and legal allegations demonstrating an inability to practice according to acceptable and prevailing standards of care by reason of mental illness or physical illness, including, but not limited to, physical deterioration that adversely affects cognitive, motor, or perceptive skills, and/or impairment of your 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 alleged against you in the Board's letter dated March 9, 2023, and sent to you by certified mail March 9, 2023, so ordering you to submit to such examination. Accordingly, the Secretary and the Supervising Member of the Board have determined that there is clear and convincing evidence that you have violated Sections 4730.25(B)(4) and 4730.25(B)(5), 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 (5), below.

Therefore, pursuant to Section 4730.25(G), Ohio Revised Code, and upon recommendation of Kim Rothermel, M.D., Secretary, and Robert Giacalone, R.Ph., J.D., Supervising Member, you are hereby notified that, as set forth in the attached Entry of Order, your license to practice as a physician assistant in the State of Ohio is summarily suspended. Accordingly, at this time, you are no longer authorized to practice as a physician assistant in Ohio.

Furthermore, in accordance with Chapter 119., Ohio Revised Code, and Chapter 4730., Ohio Revised Code, you are hereby notified that the Board intends, for one or more of the following reasons, to determine whether adequate grounds existed to support a reason to believe that you may have or have had an inability to practice and/or an impairment to practice at the time you were ordered to attend the examination and whether your failure to submit to the aforementioned examination was due to circumstances beyond your control, which would rebut the legal presumption of an inability to practice and/or impairment and merit termination of the instant summary suspension of your certificate or license in conjunction with rescheduling the examination as directed by the Board, or conversely, whether your failure to submit to the aforementioned examination was due to circumstances within your control, which would render the legal presumption of an inability to practice and/or impairment conclusive and result in the Board further determining 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 as a physician assistant, or to reprimand you or place you on probation based upon your legally admitted inability to practice and/or impairment. Further, the Board will determine whether adequate grounds existed to support a reason to believe that you may have or have had an inability to practice and/or may have been impaired at the time you were ordered to attend the examination:

- (1) By letter dated March 9, 2023, sent to you by certified mail [March 9, 2023, certified letter], the Board notified you of its determination that it had reason to believe that you may be in violation of Sections 4730.25(B)(4) and/or 4730.25(B)(5), Ohio Revised Code, and ordered you to undergo a 72-hour inpatient examination to determine if you are in violation of Section 4730.25(B)(4) and/or 4730.25(B)(5), Ohio Revised Code. The Board's determination was based upon one or more of the reasons outlined in such letter, a copy of which is attached hereto and incorporated herein, which included an allegation that you arrived to work under the influence of either drugs or alcohol and had a bottle of alcohol on your person at the time; multiple criminal convictions in which alcohol was involved, which include Driving Under Influence of Alcohol or Controlled Substance in 2021, as well as Disorderly Conduct and Resisting Arrest in 2022; and statements you made to a Board investigator regarding your need to cut down on your drinking, that you suffer from depression and panic attacks, and that you have had suicidal ideations in the past.
- (2) The March 9, 2023, certified letter from the Board further notified you that, pursuant to Sections 4730.25(B)(4) and/or 4730.25(B)(5), Ohio Revised Code, you were ordered to submit to a 72-hour inpatient examination. The examination was scheduled to take place at Glenbeigh Hospital, a Board-approved treatment provider, on April 16, 2023, at 4:00 p.m.

The March 9, 2023, certified letter from the Board further notified you that failure of an individual to submit to an examination as directed constitutes an admission of the allegations against the individual unless the failure is due to circumstances beyond the individual's control. Finally, the March 9, 2023, certified letter notified you that if you failed to submit to the examination, and such failure was not due to circumstances beyond your control, the Board would be authorized to enter a default and final order without the taking of testimony or presentation of evidence.

- (3) You were duly notified of the examination order and its scheduled date. The March 9, 2023, certified letter was sent to your address of record, and the certified letter return receipt is signed

and dated March 16, 2023. Further, the March 9, 2023, certified letter also was sent to a second address the Board had for you, and that certified letter return receipt is signed and dated March 13, 2023.

- (4) By letter dated April 17, 2023, the Board was notified that you failed to appear for the examination that the Board scheduled for you. At no time did you inform the Board that your failure to appear was due to circumstances beyond your control. Accordingly, pursuant to Sections 4730.25(B)(4) and/or 4730.25(B)(5), Ohio Revised Code, and in consideration of the affidavits of Shane M. Stoehr, Enforcement Attorney, and Joseph Turek, Deputy Director of Licensure, copies of which are attached hereto and fully incorporated herein, the Board hereby FINDS that you have admitted the truth of the allegations demonstrating an inability to practice and/or impairment as set forth in the March 9, 2023, certified letter from the Board. The Board FINDS that pursuant to Sections 4730.25(B)(4) and/or 4730.25(B)(5), Ohio Revised Code, your failure to appear for the examination ordered by the Board as directed constitutes “[i]nability to practice according to acceptable and prevailing standards of care by reason of mental illness or physical illness, including physical deterioration that adversely affects cognitive, motor, or perceptive skills,” as that clause is used in Section 4730.25(B)(4) Ohio Revised Code, and/or “[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 4730.25(B)(5) Ohio Revised Code.
- (5) Further, the Board has not received information indicating that you have submitted to care, counseling or treatment by physicians approved or designated by the Board and/or entered treatment at a Board-approved treatment provider. Further, the Board has not received information indicating that you have been determined to be capable of practicing in accordance with acceptable and prevailing standards of care and/or that you have completed the recommended/required treatment and entered into an aftercare contract with a Board-approved treatment provider.

Sections 4730.25(B)(4) and 4730.25(B)(5), Ohio Revised Code, provide that any individual authorized to practice accepts the privilege of practicing in this state subject to supervision by the Board; that by filing an application for or holding a license or certificate to practice, an individual shall be deemed to have given consent to submit to a mental or physical examination when ordered to do so by the Board in writing; and that the expense of the examination is the responsibility of the individual compelled to be examined. Failure to submit to a mental or physical examination ordered by the Board constitutes an admission of the allegations against the individual unless the failure is due to circumstances beyond the individual's control, and a default and final order may be entered without the taking of testimony or presentation of evidence.

Further, Sections 4730.25(B)(4) and 4730.25(B)(5), Ohio Revised Code, additionally provide that, if the Board finds an individual unable to practice because of the reasons set forth therein and/or determines that an individual's ability to practice is impaired, the Board shall suspend the individual's certificate or license and shall require the individual, as a condition for initial, continued, reinstated, or renewed authority or certification to practice, to submit to care, counseling, or treatment by physicians approved or designated by the Board, 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.

An individual affected under these divisions shall be afforded an opportunity to demonstrate to the Board the ability to resume practice in compliance with acceptable and prevailing standards under the provisions of the individual's license or certificate. For the purposes of this division, any individual who applies for or receives a license or certificate to practice under this chapter accepts the privilege of practicing in this state and, by so doing, shall be deemed to have given consent to submit to a mental or physical examination when directed to do so in writing by the Board, and to have waived all objections to the admissibility of testimony or examination reports that constitute a privileged communication.

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 4730.25(G), Ohio Revised Code.

Your acts, conduct, and/or omissions as alleged in paragraphs (1) through (5) above, individually and/or collectively, constitutes "[i]nability to practice according to acceptable and prevailing standards of care by reason of mental illness or physical illness, including physical deterioration that adversely affects cognitive, motor, or perceptive skills," as that clause is used in Section 4730.25(B)(4) Ohio Revised Code, and/or "[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 4730.25(B)(5) 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 4730.252, Ohio Revised Code. The civil penalty may be in addition to any other action the Board may take under section 4730.25, Ohio Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, and Chapter 4730., Ohio Revised Code, you are hereby advised that you are entitled to a hearing concerning whether adequate grounds existed to support a reason to believe that you may have been unable to practice and/or impaired at the time you were ordered to attend the examination and whether your failure to submit to the examination as directed was due to circumstances beyond your control. 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 as a physician assistant, or to reprimand you or place you on probation.

Please note that, whether or not you request a hearing, Section 4730.25(L), Ohio Revised Code, provides that "[w]hen the board refuses to grant or issue to an applicant a license to practice as a physician assistant, revokes an individual's license, refuses to renew an individual's license, or refuses to reinstate an individual's license, 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 the license and the board shall not accept an application for reinstatement of the license or for issuance of a new license."

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Kim G. Rothermel, M.D.
Secretary

KGR/SMS/lv
Enclosures

CERTIFIED MAIL #9414814903152968023515
RETURN RECEIPT REQUESTED

cc: Paige Baker
3368 Highland Dr.,
Hubbard, OH 44425

CERTIFIED MAIL #9436014903152968023696
RETURN RECEIPT REQUESTED
RESTRICTED DELIVERY

cc: BY PERSONAL DELIVERY