



New York State Board for Professional Medical Conduct

433 River Street, Suite 303 • Troy, New York 12180-2299 • (518) 402-0863

Richard F. Daines, M.D.
Commissioner
NYS Department of Health

Keith W. Servis
Director
Office of Professional Medical Conduct

Public

Kendrick A. Sears, M.D.
Chair

Michael A. Gonzalez, R.P.A.
Vice Chair

Ansel R. Marks, M.D., J.D.
Executive Secretary

July 2, 2007

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Nelson E. Walts, R.P.A.
45C Hiland Springs Way
Queensbury, NY 12804-3115

Re: License No. 001723

Dear Mr. Walts:

Enclosed is a copy of Order #BPMC 07-135 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect July 9, 2007.

If the penalty imposed by this Order is a surrender, revocation or suspension, you are required to deliver your license and registration within five (5) days of receipt of this Order. If the document(s) are lost, misplaced or destroyed, you are required to submit to this office an affidavit to that effect. Enclosed for your convenience is an affidavit. Please complete and sign the affidavit before a notary public and return it to: Office of Professional Medical Conduct, New York State Department of Health, 433 River Street, Suite 303, Troy, NY 12180-2299

Sincerely,

Ansel R. Marks, M.D., J.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

NEW YORK STATE DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER
OF
NELSON WALTS, R.P.A.

SURRENDER
ORDER

BPMC No. #07-135

Upon the application of Nelson Walts, R.P.A. to Surrender his license as a physician in the State of New York, which is made a part of this Surrender Order, it is

ORDERED, that the Surrender, and its terms, are adopted and it is further

ORDERED, that Respondent's name be stricken from the roster of physicians in the State of New York; it is further

ORDERED, that this Order shall be effective upon issuance by the Board, either

- by mailing of a copy of this Surrender Order, either by first class mail to Respondent at the address in the attached Surrender Application or by certified mail to Respondent's attorney, OR

- upon facsimile transmission to Respondent or Respondent's attorney,

whichever is first.

SO ORDERED.

DATE: 6-28-07


KENDRICK A. SEARS, M.D.
Chair
State Board for Professional Medical Conduct

NEW YORK STATE DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

**IN THE MATTER
OF
NELSON WALTS, R.P.A.**

**SURRENDER
of
LICENSE**

Nelson Walts, R.P.A., representing that all of the following statements are true, deposes and says:

That on or about July 31, 1981, I was authorized to practice as a physician's assistant in the State of New York and issued License No. 001723 by the New York State Education Department.

My current address is 45C Hiland Springs Way, Queensbury, New York 12804, and I will advise the Director of the Office of Professional Medical Conduct of any change of address.

I understand that the New York State Board for Professional Medical Conduct has charged me with one specification of professional misconduct.

A copy of the Statement of Charges, marked as Exhibit A, is attached to and part of this Surrender of License.

I am applying to the State Board for Professional Medical Conduct for permission to surrender my license as a physician's assistant in the State of New York on the grounds that I do not contest the charges against me.

I ask the Board to accept my Surrender of License, and I agree to be bound by all of the terms set forth in attached Exhibit B.

I understand that, if the Board does not accept my Surrender of License, none of its terms shall bind me or constitute an admission of any of the acts of misconduct alleged; this application shall not be used against me in any way and shall be kept in strict confidence; and the Board's denial shall be without prejudice to the pending disciplinary proceeding and the Board's final determination pursuant to the Public Health Law.

I agree that, if the Board accepts my Surrender of License, the Chair of the Board shall issue a Surrender Order in accordance with its terms. I agree that this Order shall take effect upon its issuance by the Board, either by mailing of a copy of the Surrender Order by first class mail to me at the address in this Surrender of License, or to my attorney by certified mail, or upon facsimile transmission to me or my attorney, whichever is first. The Surrender Order, this agreement, and all attached exhibits shall be public documents, with only patient identities, if any, redacted. As public documents, they may be posted on the Department's website.

I ask the Board to accept this Surrender of License, which I submit of my own free will and not under duress, compulsion or restraint. In consideration of the value to me of the Board's acceptance of this Surrender of License, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive my right to contest the Surrender Order for which I apply, whether administratively or judicially, and I agree to be bound by the Surrender Order.

I understand and agree that the attorney for the Department, the Director of the Office of Professional Medical Conduct and the Chair of the State Board for Professional Medical Conduct each retain complete discretion either to enter

into the proposed agreement and Order, based upon my application, or to decline to do so. I further understand and agree that no prior or separate written or oral communication can limit that discretion.

DATE: 6/19/67

Nelson Walts

NELSON WALTERS, R.P.A.
RESPONDENT

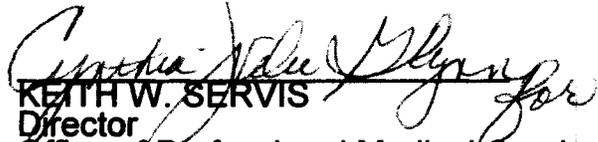
The undersigned agree to Respondent's attached Surrender of License and to its proposed penalty, terms and conditions.

DATE: 22 Jun 07



JUDE B. MULVEY
Associate Counsel
Bureau of Professional Medical Conduct

DATE: 6/29/07



KEITH W. SERVIS
Director
Office of Professional Medical Conduct

NEW YORK STATE DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER
OF
NELSON WALTS, R.P.A.

STATEMENT
OF
CHARGES

Nelson Walts, R.P.A., the Respondent, was authorized to practice medicine in New York State on or about July 31, 1981, by the issuance of license number 001723 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about February 15, 2005 the New York State Board for Professional Medical Conduct issued BPMC Order No. 05-29 pursuant to Public Health Law Section 230, attached hereto as Appendix A, wherein Respondent Nelson Walts, R.P.A. (hereinafter Respondent) agreed, among other things, that his license to practice as a registered physician's assistant would be suspended for a period of three years, said suspension to be stayed based upon his full compliance with the Order. As part of the Order, Respondent was placed on a three year term of probation and Respondent agreed to abide by the probation terms and conditions.
- B. The Order required, among others, that Respondent:
1. Respond in a timely manner to all OPMC requests for written periodic verification of Respondent's compliance with the subject order; and/or
 2. Respondent shall meet with a person designated by the Director of OPMC as directed; and/or
 3. Respondent shall respond promptly and provide all documents

and information within Respondent's control, as directed.

- C. Term 2 of the terms of probation required that Respondent provide current professional and residential addresses and telephone numbers to OPMC.
- D. Term 3 of the terms of probation required that Respondent "cooperate fully with and respond in a timely manner to OPMC requests to provide written periodic verification of Respondent's compliance with the terms of ...[the] Order. Upon the Director of OPMC's request, Respondent shall meet in person with the Director's designee."
- E. Respondent failed to advise the Office of Professional Medical Conduct of his change of residential address as required by the Order and/or term 2 of the terms of probation.
- F. Respondent failed to respond to written correspondence issued by the Office of Professional Medical Conduct as required by the Order and/or term 3 of the terms of probation.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

VIOLATING ANY TERM OF PROBATION OR CONDITION OR LIMITATION

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(29) by violating any term of probation or condition or limitation imposed on the licensee pursuant to Public Health Law Section 230 in that Petitioner charges:

1. The facts in Paragraphs A, B and B.1, B and B.2, B and B.3, C, D, E and/or F.

DATE: May 29, 2007
Albany, New York



Peter D. Van Buren
Deputy Counsel
Bureau of Professional Medical Conduct

EXHIBIT B

GUIDELINES FOR CLOSING A MEDICAL PRACTICE FOLLOWING MEDICAL LICENSE REVOCATION, SURRENDER OR SUSPENSION OF SIX MONTHS OR MORE

1. Respondent shall immediately cease the practice of medicine in compliance with the terms of the Surrender Order. Respondent shall not represent that Respondent is eligible to practice medicine and shall refrain from providing an opinion as to professional practice or its application.
2. Within 15 days of the Surrender Order's effective date, Respondent shall notify all patients that Respondent has ceased the practice of medicine, and shall refer all patients to another licensed practicing physician for continued care, as appropriate.
3. Within 30 days of the Surrender Order's effective date, Respondent shall deliver Respondent's original license to practice medicine in New York State and current biennial registration to the Office of Professional Medical Conduct (OPMC) at 433 River Street Suite 303, Troy, NY 12180-2299.
4. Respondent shall arrange for the transfer and maintenance of all patient medical records. Within 30 days of the Surrender Order's effective date, Respondent shall notify OPMC of these arrangements, including the name, address, and telephone number of an appropriate contact person, acceptable to the Director of OPMC, who shall have access to these records. Original records shall be retained for patients for at least 6 years after the last date of service, and, for minors, for at least 6 years after the last date of service or 3 years after the patient reaches the age of majority, whichever time period is longer. Records shall be maintained in a safe and secure place that is reasonably accessible to former patients. The arrangements shall ensure that all patient information is kept confidential and is available only to authorized persons. When a patient or authorized representative requests a copy of the patient's medical record, or requests that the original medical record be sent to another health care provider, a copy of the record shall be provided promptly or sent to the patient at reasonable cost (not to exceed 75 cents per page). Radiographic, sonographic and like materials shall be provided at cost. A qualified person shall not be denied access to patient information solely because of inability to pay.
5. Within 15 days of the Surrender Order's effective date, if Respondent holds a Drug Enforcement Agency (DEA) certificate, Respondent shall advise the DEA in writing of the licensure action and shall surrender Respondent's DEA controlled substance certificate, privileges, and any unused DEA #222 U.S. Official Order Forms Schedules 1 and 2, to the DEA.
6. Within 15 days of the Surrender Order's effective date, Respondent shall return any unused New York State official prescription forms to the Bureau of Narcotic Enforcement of the New York State Department of Health. Respondent shall have all prescription pads bearing Respondent's name destroyed. If no other licensee is providing services at Respondent's practice location, Respondent shall dispose of all medications.

7. Within 15 days of the Surrender Order's effective date, Respondent shall remove from the public domain any representation that Respondent is eligible to practice medicine, including all related signs, advertisements, professional listings whether in telephone directories or otherwise, professional stationery or billings. Respondent shall not share, occupy or use office space in which another licensee provides health care services.
8. Respondent shall not charge, receive or share any fee or distribution of dividends for professional services rendered (by Respondent or others) while barred from practicing medicine. Respondent may receive compensation for the reasonable value of services lawfully rendered, and disbursements incurred on a patient's behalf, before the Surrender Order's effective date.
9. If Respondent is a shareholder in any professional service corporation organized to engage in the practice of medicine and Respondent's license is revoked, surrendered or suspended for 6 months or more pursuant to this Surrender Order, Respondent shall, within 90 days of the Surrender Order's effective date, divest all financial interest in the professional services corporation in accordance with New York Business Corporation Law. If Respondent is the sole shareholder in a professional services corporation, the corporation must be dissolved or sold within 90 days of the Surrender Order's effective date.
10. Failure to comply with the above directives may result in civil or criminal penalties. Practicing medicine when a medical license has been suspended, revoked or annulled is a Class E Felony, punishable by imprisonment for up to 4 years, under N.Y. Educ. Law § 6512. Professional misconduct may result in penalties including revocation of the suspended license and/or fines of up to \$10,000 for each specification of misconduct, under N.Y. Pub. Health Law § 230-a.

NEW YORK STATE DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER
OF
NELSON WALTS, R.P.A.

CONSENT
ORDER

BPMC No. 05-29

Upon the application of (Respondent) NELSON WALTS, R.P.A. in the attached Consent Agreement and Order, which is made a part of this Consent Order, it is

ORDERED, that the Consent Agreement, and its terms, are adopted and SO ORDERED, and it is further

ORDERED, that this Order shall be effective upon issuance by the Board, either by mailing of a copy of this Consent Order, either by first class mail to Respondent at the address in the attached Consent Agreement or by certified mail to Respondent's attorney, OR upon facsimile transmission to Respondent or Respondent's attorney, Whichever is first.

SO ORDERED.

DATED: 2-15-05


KENDRICK A. SEARS, M.D.
Chair
State Board for Professional Medical Conduct

**IN THE MATTER
OF
NELSON WALTS, R.P.A.**

**CONSENT
AGREEMENT
AND
ORDER**

NELSON WALTS, R.P.A., representing that all of the following statements are true, states:

That on or about July 31, 1981, I was licensed to practice as a registered physician assistant in the State of New York, and issued License No. 001723 by the New York State Education Department.

My current business address is Convenient Medical Care, 319 Bay Road, Queensbury, NY 12804, and I will advise the Director of the Office of Professional Medical Conduct of any change of address.

I understand that the New York State Board for Professional Medical Conduct has charged me with two specifications of professional misconduct.

A copy of the Statement of Charges, marked as Exhibit "A", is attached to and part of this Consent Agreement.

I agree to not contest the first specification in full satisfaction of the charges against me, and agree to the following penalty:

My license to practice medicine shall be suspended for three years, said suspension shall be stayed based upon my full

compliance with this order. I shall be placed on probation for a period of three years. The terms of probation are attached in Exhibit B.

I further agree that the Consent Order shall impose the following conditions:

That Respondent shall maintain current registration of licensure with the New York State Education Department Division of Professional Licensing Services (except during periods of actual suspension), and shall pay all registration fees. This condition shall take effect thirty (30) days after the Consent Order's effective date and will continue so long as Respondent remains licensed in New York State; and

That Respondent shall cooperate fully with the Office of Professional Medical Conduct (OPMC) in its administration and enforcement of this Order and in its investigations of matters concerning Respondent. Respondent shall respond in a timely manner to all OPMC requests for written periodic verification of Respondent's compliance with this Order. Respondent shall meet with a person designated by the Director of OPMC, as directed. Respondent shall respond promptly and provide all documents and information within Respondent's control, as directed. This condition shall take effect upon the Board's issuance of the Consent Order and will continue so long as Respondent remains licensed in New York

State.

I stipulate that my failure to comply with any conditions of this Order shall constitute misconduct as defined by New York State Education Law §6530(29).

I agree that if I am charged with professional misconduct in future, this Consent Agreement and Order **shall** be admitted into evidence in that proceeding.

I ask the Board to adopt this Consent Agreement.

I understand that if the Board does not adopt this Consent Agreement, none of its terms shall bind me or constitute an admission of any of the acts of alleged misconduct; this Consent Agreement shall not be used against me in any way and shall be kept in strict confidence; and the Board's denial shall be without prejudice to the pending disciplinary proceeding and the Board's final determination pursuant to the Public Health Law.

I agree that, if the Board adopts this Consent Agreement, the Chair of the Board shall issue a Consent Order in accordance with its terms. I agree that this Order shall take effect upon its issuance by the Board, either by mailing of a copy of the Consent Order by first class mail to me at the address in this Consent Agreement, or to my attorney by certified mail, OR upon facsimile transmission to me or my attorney, whichever is first.

I ask the Board to adopt this Consent Agreement of my own free will and not under duress, compulsion or restraint. In consideration of the value to me of the Board's adoption of this Consent Agreement, allowing me to resolve this

matter without the various risks and burdens of a hearing on the merits, I knowingly waive my right to contest the Consent Order for which I apply, whether administratively or judicially, I agree to be bound by the Consent Order, and ask that the Board adopt this Consent Agreement.

DATE: 1/20/05

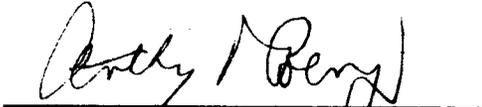
Nelson S. Walt
NELSON WALT, R.P.A.
RESPONDENT

The undersigned agree to Respondent's attached Consent Agreement and to its proposed penalty, terms and conditions.

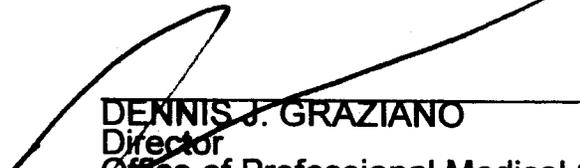
DATE: 1/25/05


DONALD P. FORD, JR., ESQ.
Attorney for Respondent

DATE: 1/26/05


ANTHONY M. BENIGNO
Associate Counsel
Bureau of Professional Medical Conduct

DATE: 2/11/05


DENNIS J. GRAZIANO
Director
Office of Professional Medical Conduct

IN THE MATTER
OF
NELSON WALTS, R.P.A.

STATEMENT
OF
CHARGES

NELSON WALTS, R.P.A., the Respondent, was authorized to practice as a registered physician's assistant on or about July 31, 1981, by the issuance of license number 001723 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. Respondent treated Patient A (a list of patient names is attached in Appendix A), a forty year old male from August 21, 2002 through December 16, 2002 at the Mineville Health Center, Mineville, New York. Respondent's medical care of Patient A failed to meet accepted standards of medical care in the following respects:
1. Respondent failed to obtain and/or record an adequate history for Patient A.
 2. Respondent failed to perform and/or record an adequate physical examination for Patient A.
 3. Respondent treated Patient A with excessive steroid injections.
- B. Respondent treated Patient B, a forty-nine year old woman from August 22, 1997 through December 5, 2002 at the Mineville Health Center. Respondent's medical care of Patient B failed to meet accepted standards of medical care in the following respects:

1. Respondent failed to obtain and/or record an adequate history for Patient B.
2. Respondent failed to perform and/or record an adequate physical examination for Patient B.
3. Respondent failed to adequately monitor Patient B's hyperlipidemia and/or initiate treatment with a cholesterol lowering agent.

C. Respondent treated Patient C, a fifty-five year old male, from April 6, 1992 through December 9, 2002 at the Mineville Health Center. Respondent's medical care of Patient C failed to meet accepted standards of medical care in the following respects:

1. Respondent failed to obtain and/or record an adequate history for Patient C.
2. Respondent failed to perform and/or record an adequate physical examination for Patient C.
3. Respondent treated Patient C with excessive steroid injections.
4. Respondent failed to adequately monitor Patient C's diabetes.

D. Respondent treated Patient D, a fifty-eight year old woman, from November 16, 2000 through December 30, 2002 at the Mineville Health Center. Respondent's medical care of Patient D failed to meet accepted standards of medical care in the following respects:

1. Respondent failed to obtain and/or record an adequate history for Patient D.
2. Respondent failed to perform and/or record an adequate physical examination for Patient D.
3. Respondent treated Patient D with excessive steroid injections.

E. Respondent treated Patient E, a fifty-eight year old male, from December 17, 1996 through September 19, 2002 at the Mineville Health Center.

Respondent's medical care of Patient E failed to meet accepted standards of medical care in the following respects:

1. Respondent failed to obtain and/or record an adequate history for Patient E.
2. Respondent failed to perform and/or record an adequate physical examination for Patient E.
3. Respondent failed to order and/or obtain adequate imaging studies.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(3) by practicing the profession of medicine with negligence on more than one occasion as alleged in the facts of two or more of the following:

1. The facts in paragraphs A and A1, A and A2, A and A3, B and B1, B and B2, B and B3, C and C1, C and C2, C and C3, C and C4, D and D1, D and D2, D and D3, E and E.1, E and E.2, and/or E and E.3.

SECOND SPECIFICATION
INCOMPETENCE ON MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(5) by practicing the profession of medicine with incompetence on more than one occasion as alleged in the facts of two or more of the following:

2. The facts in paragraphs A and A1, A and A2, A and A3, B and B1, B and B2, B and B3, C and C1, C and C2, C and C3, C and C4, D and D1, D and D2, D and D3, E and E.1, E and E.2, and/or E and E.3.

DATED: January 27, 2005
Albany, New York


PETER D. VAN BUREN
Deputy Counsel
Bureau of Professional
Medical Conduct

EXHIBIT "B"

Terms of Probation

1. Respondent's conduct shall conform to moral and professional standards of conduct and governing law. Any act of professional misconduct by Respondent as defined by New York State Education Law §6530 or §6531 shall constitute a violation of probation and may subject Respondent to an action pursuant to New York State Public Health Law §230(19).
2. Respondent shall provide the Director, Office of Professional Medical Conduct (OPMC), Hedley Park Place, 433 River Street Suite 303, Troy, New York 12180-2299 with the following information, in writing, and ensure that such information is kept current: a full description of Respondent's employment and practice; all professional and residential addresses and telephone numbers within and outside New York State; and all investigations, charges, convictions or disciplinary actions by any local, state or federal agency, institution or facility, within thirty (30) days of each action.
3. Respondent shall cooperate fully with, and respond in a timely manner to, OPMC requests to provide written periodic verification of Respondent's compliance with the terms of this Consent Order. Upon the Director of OPMC's request, Respondent shall meet in person with the Director's designee.
4. The probation period shall toll when Respondent is not engaged in active medical practice in New York State for a period of thirty (30) consecutive days or more. Respondent shall notify the Director of OPMC, in writing, if Respondent is not currently engaged in, or intends to leave, active medical practice in New York State for a consecutive thirty (30) day period. Respondent shall then notify the Director again at least fourteen (14) days before returning to active practice. Upon Respondent's return to active practice in New York State, the probation period will resume and Respondent shall fulfill any unfulfilled probation terms.
5. The Director of OPMC may review Respondent's professional performance. This review may include but shall not be limited to: a review of office records, patient records and/or hospital charts; and interviews with or periodic visits with Respondent and Respondent's staff at practice locations or OPMC offices.
6. Respondent shall maintain complete and legible medical records that accurately reflect the evaluation and treatment of patients and contain all information required by State rules and regulations concerning controlled substances.
7. Respondent shall enroll in and complete a continuing education program in the area of the use of steroids. This continuing education program is subject to the Director of OPMC's prior written approval and shall be completed within the first year of the probation period, unless the Order specifies otherwise.

PRACTICE MONITOR

8. Within thirty days of the effective date of the order, Respondent shall practice medicine only when monitored by a licensed physician, hereinafter referred to as "practice monitor", board certified in an appropriate specialty, proposed by Respondent and subject to the written approval of the Director of OPMC.
 - a. Respondent shall make available to the practice monitor any and all records or access to the practice requested by said monitor, including on-site observation. The practice monitor shall visit Respondent's medical practice at each and every location, on a random unannounced basis, at least monthly, and shall examine a selection (no fewer than 20) of records maintained by Respondent, including patient records, prescribing information and office records. The review will determine whether the Respondent's medical practice is conducted in accordance with the generally accepted standards of professional medical care. Any perceived deviation of accepted standards of medical care or refusal to cooperate with the practice monitor shall be reported within 24 hours to OPMC.
 - b. Respondent shall be solely responsible for all expenses associated with monitoring, including fees, if any, to the monitoring physician.
 - c. Respondent shall cause the practice monitor to report quarterly, in writing, to the Director of OPMC.
 - d. Respondent shall maintain medical malpractice insurance coverage with limits no less than \$2 million per occurrence and \$6 million per policy year, in accordance with Section 230(18)(b) of the Public Health Law. Proof of coverage shall be submitted to the Director of OPMC prior to Respondent's practice after the effective date of this Order.

CLINICAL COMPETENCY ASSESSMENT

9. Respondent shall obtain a clinical competency assessment performed by a program for such assessment as directed by the Director of OPMC. Respondent shall cause a written report of such assessment to be provided to the Director of OPMC within sixty (60) days of the effective date of this Order.
 - a. Respondent shall be responsible for all expenses related to the clinical competency assessment and shall provide to the Director of OPMC proof of full payment of all costs that may be charged. This term of probation shall not be satisfied in the absence of actual receipt, by the Director, of such documentation, and any failure to satisfy shall provide a basis for a Violation of Probation proceeding.
10. Within thirty (30) days of receipt of the clinical competency assessment report by OPMC, the Director shall determine such other terms and/or condition of practice, if any, as may be consistent with the recommendation(s) in the clinical competency assessment report, including personalized continuing medical education, if appropriate, as set forth in paragraph "12".

PRACTICE SUPERVISOR

11. Respondent shall practice medicine only when supervised in his/her medical practice for the duration of the probationary term. The practice supervisor shall be on-site at all locations, unless determined otherwise by the Director of OPMC. The practice supervisor shall be proposed by Respondent and subject to the written approval of the Director. The practice supervisor shall not be a family member or personal friend, or be in a professional relationship which could pose a conflict with supervision responsibilities.
 - a. Respondent shall ensure that the practice supervisor is familiar with the Order and terms of probation, and willing to report to OPMC. Respondent shall ensure that the practice supervisor is in a position to regularly observe and assess Respondent's medical practice. Respondent shall cause the practice supervisor to report within 24 hours any suspected impairment, inappropriate behavior, questionable medical practice or possible misconduct to OPMC.
 - b. Respondent shall authorize the practice supervisor to have access to his/her patient records and to submit quarterly written reports, to the Director of OPMC, regarding Respondent's practice. These narrative reports shall address all aspects of Respondent's clinical practice including, but not limited to, the evaluation and treatment of patients, general demeanor, time and attendance, the supervisor's assessment of patient records selected for review and other such on-duty conduct as the supervisor deems appropriate to report.

PERSONALIZED CONTINUING MEDICAL EDUCATION

12. Within thirty (30) days of receipt of the clinical competency assessment report by OPMC, the Director may direct that Respondent be enrolled in a course of personalized continuing medical education, which includes an assigned preceptor, preferably a physician board certified in the same specialty, to be approved, in writing, by the Director of OPMC. Respondent shall remain enrolled and shall fully participate in the program for a period of time to be determined by the Director, but in no event shall the enrollment be longer than the probationary term herein.
 - a. Respondent shall cause the preceptor to:
 1. Submit reports on a quarterly basis to OPMC certifying whether Respondent is fully participating in the personalized continuing medical education program;
 - a. Report immediately to the Director of OPMC if Respondent withdraws from the program and report promptly to OPMC any significant pattern of non-compliance by Respondent; and
 - b. At the conclusion of the program, submit to the Director of OPMC a detailed assessment of the progress made by Respondent toward remediation of all identified deficiencies.
13. Respondent shall comply with this Order and all its terms, and shall bear all associated compliance costs. Upon receiving evidence of noncompliance with, or violation of, these terms, the Director of OPMC and/or the Board may initiate a violation of probation proceeding, and/or any other such proceeding authorized by law, against Respondent.