

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF MEDICINE

In the Matter of

DON JONES, M.D.
License No. 43-01-042697

Petitioner.

Docket No. 20-012630
File No. 4301042697REI20016

FINAL ORDER GRANTING REINSTATEMENT

On or about February 13, 2020, Petitioner filed with the Michigan Board of Medicine (Board) an application for reinstatement to practice medicine in the state of Michigan with supporting documents, in accordance with the provisions of the Mich Admin Code, R 792.10711.

On July 23, 2020, the Department of the Attorney General, Licensing and Regulation Division, on behalf of the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing (Department) filed a response opposing Petitioner's application for reinstatement.

An administrative hearing was held in the matter before an administrative law judge who, on October 14, 2020, issued a Proposal for Decision (PFD) setting forth recommended Findings of Fact and Conclusions of Law.

On November 4, 2020, the Department of Attorney General filed Bureau's

Exceptions to Proposal for Decision.
Final Order Granting Reinstatement
File No. 4301042697REI20016

The Board having reviewed the administrative record, considered this matter at a regularly scheduled meeting held via Zoom on January 20, 2021, and accepted in part and rejected in part, the administrative law judge's Findings of Fact and Conclusions of Law contained in the PFD. Specifically, the Board rejects the administrative law judge's proposed decision indicating that "further probation is not necessary". The Board finds and concludes that pursuant to MCL 333.16247(2) "as a condition of reinstatement, a board...shall place the licensee on probation for 1 year under conditions set by the board...".

Therefore, IT IS ORDERED that:

Petitioner is GRANTED reinstatement of a license to practice as a medical doctor in the state of Michigan, commencing on the effective date of this Order.

Petitioner shall be placed on PROBATION for a minimum of one (1) year, commencing on the effective date of this Order. The probationary period shall only be reduced while Petitioner is employed as a physician. The terms of probation shall be as follows:

1. MEETING WITH BOARD APPROVED REVIEWER:
Within 30 days of the effective date of this Order, Petitioner shall submit to the Department written correspondence requesting approval of a proposed physician reviewer who shall review Petitioner's professional practice and records and provide quarterly reports to the Department focusing Petitioner's practice and documentation. The request shall include, at a minimum, a current curriculum vitae or resume, the individual's name, address, telephone

number, and monitoring organization affiliation, if applicable. Petitioner shall provide a copy of this Order, and the PFD issued October 14, 2020, to the proposed reviewer before requesting approval.

Petitioner shall direct any communications that are required by the terms of this Order to: BPL-Monitoring@michigan.gov.

Once the physician reviewer has been identified and approved, Petitioner shall then be responsible for scheduling the time and place of the meetings with the physician reviewer. Petitioner shall meet quarterly with the physician reviewer to review Petitioner's professional practice and records.

The initial meeting shall occur at the end of the third month of probation, and subsequent meetings shall occur every third month thereafter until the Department has received four (4) quarterly physician reviewer reports. The physician reviewer shall submit reports to the Department as set forth below.

2. PHYSICIAN REVIEWER CHANGE: If the approved physician reviewer is unable to review Petitioner's professional practice, Petitioner shall report this information in writing to the Department within 15 days of such change and request approval of another physician reviewer. Petitioner shall submit the request for the designated physician reviewer assignment to the Department at the address and in the same manner as set forth above.
3. RECORDS REVIEW: During the period of probation, the designated physician reviewer shall randomly select and review 25 of Petitioner's current patient's charts quarterly. The designated physician reviewer shall check the patient charts for appropriate documentation, including the presence or absence of the following: medical history and physical examination; diagnostic, therapeutic, and laboratory results; evaluation and consultations; treatment objectives; discussion of risks and benefits; treatments; medications (including date, type, dosage and quantity prescribed); instructions and

agreements; and periodic reviews. This review may occur at the quarterly meetings set forth above.

4. DESIGNATED PHYSICIAN REVIEWER REPORTS: Petitioner's designated physician reviewer shall file reports with the Department, as further provided below, advising of Petitioner's practice and records. If, at any time, Petitioner fails to comply with minimal standards of acceptable and prevailing practice, or appears unable to practice with reasonable skill and safety, the designated physician reviewer shall immediately notify the Department.

Petitioner is responsible to ensure that the designated physician reviewer submits quarterly reports.

5. REPORT OF NON-EMPLOYMENT: If, at any time during the period of probation, Petitioner is not employed as a physician, Petitioner shall file a report of non-employment with the Department. Petitioner shall file this report within 15 days after becoming unemployed. Petitioner shall continue to file reports of non-employment on a quarterly basis until Petitioner returns to practice as a physician. If Petitioner subsequently returns to practice as a physician, Petitioner shall notify the Department of this fact within 15 days after returning to practice.
6. RESIDENCY AND PRACTICE OUTSIDE MICHIGAN: Periods of residency and practice outside Michigan shall not reduce the probationary period of this Order. Petitioner shall report any change of residency or practice outside Michigan no more than 15 days after the change occurs. Compliance with this provision does not satisfy the requirements of MCL 333.16192(1) and MCL. 333.16221(g) regarding Petitioner's duty to report name or mailing address changes to the Department.
7. REPORTING PROCEDURE: Unless requiring immediate notification as indicated above, all reports required herein shall be filed on a quarterly basis, the first report to be filed at the end of the third month of probation, and subsequent reports to be filed every

three months thereafter until Petitioner has submitted four (4) satisfactory physician reviewer reports.

The Department or its authorized representative is authorized to periodically contact the reporting individuals or agencies to inquire of Petitioner's progress.

Petitioner shall direct any communications that are required by the terms of this Order to: BPL-Monitoring@michigan.gov.

The timely filing of all information relating to this Order shall be Petitioner's responsibility, and failure to file the required information within the time limitations herein provided shall be deemed a violation of an order of the Board.

8. CONTINUING EDUCATION: Petitioner shall successfully complete and submit satisfactory evidence of completing a minimum of 20 hours of continuing education (CE) in professionalism with an emphasis on boundary violations.

This CE **shall not** apply in computing Petitioner's current CE requirements for license renewal.

Petitioner shall seek and obtain pre-approval of the CE from the Chairperson of the Board or the Chairperson's designee.

Petitioner shall direct requests for pre-approval and proof of the successful completion of the CE to the Department at BPL-Monitoring@michigan.gov

9. COMPLIANCE WITH THE PUBLIC HEALTH CODE: Petitioner shall comply with all applicable provisions of the Public Health Code and rules promulgated under the Public Health Code.
10. COSTS: Petitioner shall be solely responsible for payment of all costs incurred in complying with the terms of this Order.

Petitioner shall be automatically discharged from probation at the end of the probationary period, PROVIDED Petitioner has complied with the terms of this Order and not violated the Public Health Code.


Petitioner violates any provision of this Order, or fails to complete any terms of the order, the DSC may take disciplinary action pursuant to Mich Admin Code, R 338.1632 and MCL 333.16221(h).

This matter is a public record required to be published and made available to the public pursuant to the Michigan Freedom of Information Act, MCL 15.231 et seq., and this action will be reported to the National Practitioner Data Bank and any other entity as required by state or federal law.

This Order shall be effective on the date signed by the Board's Chairperson or authorized representative, as set forth below.

Dated: January 27, 2021

MICHIGAN BOARD OF MEDICINE

By: 
Michael Draminski, Manager
Compliance Section
Bureau of Professional Licensing
Authorized Representative

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