



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES

STEVE ARWOOD
DIRECTOR

In the Matter of

Jonathan A Agbebiyi, M.D.
License Number: 43-01-041053

FILE NO.: 43-11-119650

PROOF OF SERVICE

State of Michigan)
)
County of Ingham)

I, Marcie M. Anderson, of Lansing, County of Ingham, State of Michigan, do hereby state that on April 16, 2013, I sent the following documents to each of the parties listed below, enclosed in an envelope bearing postage fully prepaid, plainly addressed as follows:

FINAL ORDER dated April 15, 2013

BY: First Class Mail
 Certified Mail, Return receipt requested

TO: Jonathan A Agbebiyi, M.D.
 20755 Greenfield Rd #100
 Southfield, MI 48075

By Interdepartmental Mail to:

Bill Hurth, Manager
Bureau of Health Care Services
Enforcement Unit

Marcie Anderson
Marcie M. Anderson
Health Professions Division

**STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE**

In the Matter of

**JONATHAN A. AGBEBIYI, M.D.
License Number: 43-01-041053**

File Number: 43-11-119650

FINAL ORDER

On January 22, 2013, the Department of Licensing and Regulatory Affairs, Bureau of Health Care Services, hereafter Department, filed an Administrative Complaint, hereafter Complaint, with the Disciplinary Subcommittee of the Michigan Board of Medicine, hereafter Disciplinary Subcommittee, charging Jonathan A. Agbebiyi, M.D., hereafter Respondent, with having violated sections 16221(b)(v), 16221(b)(vi), 16221(b)(ix), 16221(d)(iii), 16221(e)(i) and 16221(i) of the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq.

On January 22, 2013, based upon Respondent's convictions as set forth in the Complaint, the Department issued an Order of Summary Suspension, summarily suspending Respondent's license to practice medicine in the state of Michigan.

The Complaint notified Respondent that, pursuant to sections 16231(7) and 16231(8) of the Public Health Code, supra, Respondent's failure to respond to the Complaint within 30 days from the date of receipt would be treated as an admission of the

allegations contained in the Complaint and would result in transmittal of the Complaint directly to the Disciplinary Subcommittee for imposition of an appropriate sanction.

Contrary to section 16231(7) of the Public Health Code, supra, Respondent failed to provide a written response to the allegations set forth in the Complaint within 30 days from the date of receipt.

The Disciplinary Subcommittee, having read the Order of Summary Suspension and Complaint, considered the within matter at a meeting held in Lansing, Michigan, on March 27, 2013, and imposed a sanction pursuant to section 16231(8) of the Public Health Code, supra. Now, therefore,

IT IS HEREBY ORDERED that the Order of Summary Suspension dated January 22, 2013, is DISSOLVED, as of the effective date of this Order.

IT IS FURTHER ORDERED that for the cited violations of the Public Health Code, Respondent's license to practice medicine in the state of Michigan is REVOKED, commencing on the effective date of this Order.

IT IS FURTHER ORDERED that reinstatement of a license which has been revoked is not automatic and, in the event Respondent applies for reinstatement of his license, application for reinstatement shall be in accordance with sections 16245 and 16247 of the Public Health Code, supra. Further, in support of the application for reinstatement, Respondent shall supply clear and convincing evidence to the Michigan Board of Medicine that Respondent is of good moral character, is able to practice the

profession with reasonable skill and safety, that it is in the public interest for Respondent to resume the practice, and that Respondent has met the guidelines on reinstatement adopted by the Department.

IT IS FURTHER ORDERED that in the event Respondent violates any provision of this Order, the Disciplinary Subcommittee may proceed to take disciplinary action pursuant to 1996 AACRS, R 338.1632 and section 16221(h) of the Public Health Code, supra.

IT IS FURTHER ORDERED that this Order shall be effective on the date signed by the Disciplinary Subcommittee's Chairperson or authorized representative, as set forth below.

Dated: 4/15/13

**MICHIGAN BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE**

By Joseph E. Campbell for
Carole H. Engle, Director
Bureau of Health Care Services

This is the last and final page of a Final Order in the matter of Jonathan A. Agbebiyi, M.D., File Number 43-11-119650, before the Disciplinary Subcommittee of the Michigan Board of Medicine, consisting of three pages, this page included.

kp

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

JONATHAN A. AGBEBIYI, M.D.
License Number: 43-01-041053

File Number: 43-11-119650

ORDER OF SUMMARY SUSPENSION

An Administrative Complaint has been filed against the above-named Respondent as provided by the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq, the rules promulgated thereunder, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq; and

Section 16233(5) of the Public Health Code, supra, mandates the Department of Licensing and Regulatory Affairs, hereafter Department, to find that the public health, safety and welfare requires emergency action if a licensee is convicted of a felony or a misdemeanor punishable by imprisonment for a maximum of two years or a misdemeanor involving the illegal delivery, possession or use of a controlled substance; and

Based on Respondent's felony convictions as set forth in the Administrative Complaint, and pursuant to section 16233(5) of the Public Health Code, supra, the Department finds that the public health, safety or welfare requires emergency action; Now therefore,

IT IS HEREBY ORDERED that Respondent's license to practice medicine in the state of Michigan shall be and hereby is SUMMARILY SUSPENDED, commencing the date this order is served.

Section 7311(6) of the Public Health Code, supra, provides that a controlled substance license is automatically void if a licensee's license to practice is suspended or revoked under Article 15 of the Public Health Code.

Under 1996 AACS, R 338.1610, Respondent has the right to petition for the dissolution of this order of summary suspension. This petition shall clearly state that it is a Petition for Dissolution of a Summary Suspension and shall be filed with the Department of Licensing and Regulatory Affairs, Bureau of Health Care Services, P.O. Box 30670, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF LICENSING
AND REGULATORY AFFAIRS

Dated: January 22, 2013

By: Carole H. Engle
Carole H. Engle, Director
Bureau of Health Care Services

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

JONATHAN A. AGBEBIYI, M.D.
License Number: 43-01-041053

File Number: 43-11-119650

ADMINISTRATIVE COMPLAINT

NOW COMES the Michigan Department of Licensing and Regulatory Affairs, hereafter Complainant, by Carole H. Engle, Director, Bureau of Health Care Services, and files this Complaint against Jonathan A. Agbebiyi, M.D., hereafter Respondent, alleging upon information and belief as follows:

1. The Michigan Board of Medicine, hereafter Board, is an administrative agency established by the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq. Pursuant to section 16226 of the Public Health Code, supra, the Board's Disciplinary Subcommittee is empowered to discipline licensees for violations of the Public Health Code.

2. Respondent is currently licensed to practice medicine in the state of Michigan and holds a current controlled substance license.

3. Section 16233(5) of the Public Health Code, supra, provides in pertinent part, as follows:

If a licensee or registrant is convicted of a felony; a misdemeanor punishable by imprisonment for a maximum term of two years; or a misdemeanor involving the illegal delivery, possession or use of a controlled substance, the department shall find that the public health, safety, or welfare requires emergency action and, in accordance with section 92 of the administrative procedures act of 1969, shall summarily suspend the licensee's license or the registrant's registration.

4. Good moral character is defined at Section 1 of 1974 PA 38, as amended; MCL 338.41 et seq, as "the propensity of the person to serve the public in the licensed area in a fair, honest and open manner."

5. On July 31, 1995, an Order of Summary Suspension and Administrative Complaint were issued against Respondent based on action taken by the Arizona Board of Medical Examiners on January 26, 1994, whereby Respondent's medical license in the state of Arizona was revoked. Specifically, Respondent failed to maintain adequate patient records, and engaged in conduct or practice which was or might have been harmful or dangerous to the health of the patient or the public. On December 13, 1995, in resolution of the matter, the Board's Disciplinary Subcommittee issued a Consent Order and Stipulation which dissolved the Order of Summary Suspension and revoked Respondent's license to practice medicine.

6. On January 25, 2001, the Board issued a Final Order Granting Reinstatement whereby Respondent was, in part, granted a limited license for the sole purpose of successfully completing the Special Purpose Examination, hereafter SPEX. Upon successful completion of the SPEX, Respondent would be granted a limited

license to practice in a fully accredited residency program under direct supervision for a minimum period of one year and a maximum period of two years, with automatic reclassification to a full and unlimited status upon the successful completion of the residency program. (On August 1, 2006, Respondent's license was reclassified to a full an unlimited status.)

7. On November 6, 2012, in the United States District Court, Eastern District of Michigan, Respondent was convicted of one felony count of Conspiracy to Commit Health Care Fraud and five felony counts of Health Care Fraud in case number 11CR20076-4. Respondent was sentenced to imprisonment for a period of 60 months. Additionally, he was sentenced to supervised release for a period of 24 months, and ordered to pay an assessment and restitution totaling \$2,982,629.19. A copy of the record of conviction, marked Exhibit A, is attached and incorporated.

8. Respondent failed to notify Complainant of the November 6, 2012, convictions within 30 days of the date of the convictions.

COUNT I

Respondent's convictions, as set forth above in paragraph 7, constitute felony convictions, in violation of section 16221(b)(v) of the Public Health Code, supra.

COUNT II

Respondent's convictions, as set forth above in paragraph 7, evidence a lack of good moral character, in violation of section 16221(b)(vi) of the Public Health Code, supra.

COUNT III

Respondent's convictions, as set forth above in paragraph 7, constitute conviction of a misdemeanor or felony involving fraud in obtaining or attempting to obtain fees related to the practice of a health profession, in violation of section 16221(b)(ix) of the Public Health Code, supra.

COUNT IV

Respondent's convictions, as set forth above in paragraph 7, evidence fraud or deceit in obtaining or attempting to obtain third party reimbursement in the course of professional practice, in violation of section 16221(d)(iii) of the Public Health Code, supra.

COUNT V

Respondent's convictions, as set forth above in paragraph 7, evidence misrepresentation to a consumer or patient or in obtaining or attempting to obtain third party reimbursement in the course of professional practice, in violation of section 16221(e)(i) of the Public Health Code, supra.

COUNT VI

Respondent's conduct, as set forth above in paragraph 8, evidences a failure to notify Complainant of Respondent's convictions within 30 days after the date of convictions as required by section 16222(3) of the Public Health Code, supra, in violation of section 16221(i) of the Public Health Code, supra.

The within Complaint is based upon files and records maintained by Complainant and the attached Affidavit of Terri Schrauben.

WHEREFORE, Complainant requests that a hearing be scheduled pursuant to the Administrative Procedures Act of 1969, MCL 24.201 et seq; the Public Health Code, and the rules promulgated thereunder, to determine whether disciplinary action should be taken against Respondent for the reasons set forth above.

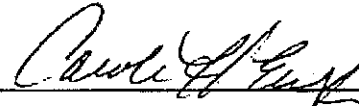
FURTHER, pending a hearing and final determination of the within cause, and pursuant to section 16233(5) of the Public Health Code, supra, Complainant states that the public health safety and welfare requires emergency action and Respondent's license to practice medicine in the state of Michigan shall accordingly be summarily suspended.

RESPONDENT IS HEREBY NOTIFIED that, pursuant to section 16231(7) of the Public Health Code, supra, Respondent has 30 days from the date of receipt of this Complaint to submit a written response to the allegations contained herein. The written response shall be submitted to Complainant, Carole H. Engle, Director, Bureau of Health Care Services, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, MI 48909.

RESPONDENT IS FURTHER NOTIFIED that, pursuant to section 16231(8) of the Public Health Code, supra, Respondent's failure to submit a written response within 30 days, as noted above, shall be treated as an admission of the allegations contained

herein and shall result in transmittal of this Complaint directly to the Board's Disciplinary Subcommittee for imposition of an appropriate sanction.

Dated: January 22, 2013



Carole H. Engle, Director
Bureau of Health Care Services

Attachments

This is the last and final page of an Administrative Complaint in the matter of Jonathan A. Agbebiyi, M.D., File Number 43-11-119650, before the Disciplinary Subcommittee of the Michigan Board of Medicine, consisting of six pages, this page included.

SR

United States District Court Eastern District of Michigan

United States of America
V.
Jonathan Adeshina Agbebiyi

JUDGMENT IN A CRIMINAL CASE

Case Number: 11CR20076-4
USM Number: 45451-039

Lawrence B. Shulman
Defendant's Attorney

RECEIVED
DEC 11 2012
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
BUREAU OF HEALTH PROFESSIONS
HEALTH INVESTIGATION DIVISION - ALLEGATION SECTION

THE DEFENDANT:

■ Was found guilty on count(s) **Counts 1-5 and 7 of the Third Superseding Indictment** after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

| <u>Title & Section</u> | <u>Nature of Offense</u> | <u>Offense Ended</u> | <u>Count</u> |
|----------------------------|--------------------------|----------------------|--------------|
|----------------------------|--------------------------|----------------------|--------------|


See page 2 for details.

The defendant is sentenced as provided in pages 2 through 9 of this judgment. This sentence is imposed pursuant to the Sentencing Reform Act of 1984

■ Count(s) **Count 6 of the Third Superseding Indictment** is dismissed on the motion of the United States after a plea of not guilty.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

November 6, 2012
Date of Imposition of Judgment


s/Arthur J. Tarnow
United States Senior Judge

I hereby certify that the foregoing is a true copy of the original on file in this Office.

November 14, 2012
Date Signed

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

BY: 
Deputy

DEFENDANT: Jonathan Adeshina Agbebiyi
CASE NUMBER: 11CR20076-4

ADDITIONAL COUNTS OF CONVICTION

| <u>Title & Section</u> | <u>Nature of Offense</u> | <u>Offense Ended</u> | <u>Count</u> |
|----------------------------|----------------------------------------|----------------------|--------------|
| 18 U.S.C. § 1349 | Conspiracy to Commit Health Care Fraud | January 2010 | 1 |
| 18 U.S.C. §§ 1347 and 2 | Health Care Fraud | January 2010 | 2 |
| 18 U.S.C. §§ 1347 and 2 | Health Care Fraud | January 2010 | 3 |
| 18 U.S.C. §§ 1347 and 2 | Health Care Fraud | January 2010 | 4 |
| 18 U.S.C. §§ 1347 and 2 | Health Care Fraud | January 2010 | 5 |
| 18 U.S.C. §§ 1347 and 2 | Health Care Fraud | January 2010 | 7 |

DEFENDANT: Jonathan Adeshina Agbebiyi
CASE NUMBER: 11CR20076-4

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: 60 months concurrent on Counts 1-5 and 7 of the Third Superseding Indictment

The court makes the following recommendations to the Bureau of Prisons: Defendant be placed at FCI Morgantown or FPC Schuylkill because of the proximity to the expected address of release after incarceration term.

The defendant shall surrender to the United States Marshal for this district, as notified by the United States Marshal.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ a
_____, with a certified copy of this judgment.

United States Marshal

Deputy United States Marshal

DEFENDANT: Jonathan Adeshina Agbebiyi
CASE NUMBER: 11CR20076-4

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of: **2 years concurrent on Counts 1-5 and 7 of the Third Superseding Indictment.**

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

If the defendant is convicted of a felony offense, DNA collection is required by Public Law 108-405.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court. Revocation of supervised release is mandatory for possession of a controlled substance.

■ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse.

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement; and
- 14) the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. Revocation of supervised release is mandatory for possession of a firearm.

DEFENDANT: Jonathan Adeshina Agbebiyi
CASE NUMBER: 11CR20076-4

SPECIAL CONDITIONS OF SUPERVISION

- The defendant shall make monthly payments on any remaining balance of the: **restitution, special assessment** at a rate and schedule recommended by the Probation Department and approved by the Court.
- The defendant shall not incur any new credit charges or open additional lines of credit without the approval of the probation officer.
- The defendant shall provide the probation officer access to any requested financial information.

DEFENDANT: Jonathan Adeshina Agbebiyi
 CASE NUMBER: 11CR20076-4

CRIMINAL MONETARY PENALTIES

| | <u>Assessment</u> | <u>Fine</u> | <u>Restitution</u> |
|----------------|-------------------|-------------|--------------------|
| TOTALS: | \$ 600.00 | \$ 0.00 | \$ 2,982,029.19 |

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

| <u>Name of Payee</u> | <u>Total Loss*</u> | <u>Restitution Ordered</u> | <u>Priority or Percentage</u> |
|-------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------|-------------------------------|
| Medicare Trust Fund, c/o CMS, Office of Financial Management, Division of Accounting Operations, 7500 Security Blvd., Baltimore, Maryland 21244 | \$2,982,029.19 | \$2,982,029.19 | |
| TOTALS: | \$ 2,982,029.19 | \$ 2,982,029.19 | |

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: Jonathan Adeshina Agbebiyi
CASE NUMBER: 11CR20076-4

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:
[F] Special instructions regarding the payment of criminal monetary penalties: **\$600.00 Special Assessment due prior to reporting for sentence. The defendant is not required to participate in the BOP Financial Responsibility Program.**

Unless the court has expressly ordered otherwise in the special instructions above, while in custody, the defendant shall participate in the Inmate Financial Responsibility Program. The Court is aware of the requirements of the program and approves of the payment schedule of this program and hereby orders the defendant's compliance. All criminal monetary penalty payments are to be made to the Clerk of the Court, except those payments made through the Bureau of Prison's Inmate Financial Responsibility Program.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Case Number

Defendant and Co-Defendant Names
(including defendant number)

Total Amount

Joint and Several Corresponding Payee,
Amount if appropriate

See attached detailed sheet.

The defendant shall forfeit the defendant's interest in the following property to the United States:

See detail list attached.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

DEFENDANT: Jonathan Adeshina Agbebiyi
 CASE NUMBER: 11CR20076-4

ADDITIONAL DEFENDANTS AND CO-DEFENDANTS HELD JOINT AND SEVERAL

Joint and Several

| Case Number Defendant and Co-Defendant Names (including defendant number) | Total Amount | Joint and Several Amount | Corresponding Payee, if appropriate |
|---------------------------------------------------------------------------------|--------------|-----------------------------|----------------------------------------|
| 11-20076-1 Karina Hernandez | 2982029.19 | 2982029.19 | Medicare Trust Fund |
| 11-20076-2 Marieva Briceno | 2982029.19 | 2982029.19 | Medicare Trust Fund |
| 11-20076-5 Santiago Villa-Restreppo | 2982029.19 | 2982029.19 | Medicare Trust Fund |
| 11-20076-6 Juan Villa | 1273551.84 | 1273551.84 | Medicare Trust Fund |
| 11-20076-7 Isaac Carr | 2982029.19 | 2982029.19 | Medicare Trust Fund |
| 11-20076-9 Jasmine Oliver | 2982029.19 | 2982029.19 | Medicare Trust Fund |
| 11-20076-10 Henry Briceno | 592813.00 | 592813.00 | Medicare Trust Fund |
| 11-20076-11 Daron Elder | 1273551.84 | 1273551.84 | Medicare Trust Fund |

DEFENDANT: Jonathan Adeshina Agbebiyi
CASE NUMBER: 11CR20076-4

ADDITIONAL FORFEITED PROPERTY

A forfeiture money judgment is ordered against the defendant in the amount of \$183,476.69 pursuant to 21 U.S.C. Section 853(p) and 18 U.S.C. Section 982(a)(7).

STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

JONATHAN A. AGBEBIYI, M.D.
License Number: 43-01-041053

File Number: 43-11-119650

STATE OF MICHIGAN)
) ss
COUNTY OF INGHAM)

AFFIDAVIT OF TERRI SCHRAUBEN

NOW COMES Terri Schrauben, hereafter Affiant, who, after first being duly sworn and upon oath, states on information and belief as follows:


Affiant is a Departmental Analyst in the Enforcement Section, Bureau of Health Care Services, Department of Licensing & Regulatory Affairs, hereafter Department, and in this capacity is responsible for obtaining certified copies of records of criminal convictions against health professionals licensed to practice a health profession in the state of Michigan.

On December 11, 2012, Affiant received certified records of conviction from the United States District Court – Eastern District of Michigan, Detroit, Michigan, indicating that Jonathan A. Agbebiyi, M.D., hereafter Respondent, was convicted of Count 1, Conspiracy to Commit Health Care Fraud, and Counts 2-5 and Count 7, Health Care Fraud, on May 11, 2012, in Case Number 11CR20076-4.

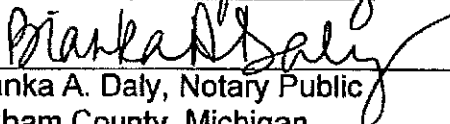
Upon checking the Department's records relative to Michigan licensure, Affiant learned that Respondent is currently licensed to practice as a Medical Doctor in the state of Michigan.

Affiant was not notified by Respondent of the May 11, 2012, convictions within 30 days of the date of the convictions

Further Affiant saith not.


Terri Schrauben

Subscribed and sworn to before me
this 9th day of January, 2013


Bianka A. Daly, Notary Public
Ingham County, Michigan
My commission expires July 8, 2014.

BIANKA A. DALY
NOTARY PUBLIC-STATE OF MICHIGAN
COUNTY OF INGHAM
My Commission Expires July 8, 2014

This is the last and final page of an Affidavit of Terri Schrauben in the matter of Jonathan A. Agbebiyi, M.D., File Number 43-11-119650, before the Disciplinary Subcommittee of the Michigan Board of Medicine, consisting of two pages, this page included.