

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH PROFESSIONS

In the Matter of

Elizabeth Bennett Cox, M.D.
License Number: 43-01-064776

FILE NO.: 43-11-121422

PROOF OF SERVICE

State of Michigan)
)
County of Ingham)

I, Marcie Anderson, of Lansing, County of Ingham, State of Michigan, do hereby state that on October 26, 2011, I sent the following documents to each of the parties listed below, enclosed in an envelope bearing postage fully prepaid, plainly addressed as follows:

ORDER GRANTING REINSTATEMENT dated October 24, 2011

BY: First Class Mail
 Certified Mail, Return receipt requested

TO: Elizabeth Bennett Cox, M.D.
 82 Feldspar Dr
 Williamston, MI 48895

Thomas L. Sparks
Fraser Trebilcock
124 West Allegan St., Ste. 1000
Lansing, MI 48933

By Interdepartmental Mail to:

Bill Hurth, Manager
Bureau of Health Professions
Enforcement Section

Eric M. St. Onge
Department of Attorney General
Licensing & Regulation Division
Lansing, MI

Marcie Anderson
Marcie Anderson
Health Regulatory Division

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH PROFESSIONS
BOARD OF MEDICINE

In the Matter of

ELIZABETH BENNETT COX, M.D.
License Number: 43-01-064776

File Number: 43-11-121422

ORDER GRANTING REINSTATEMENT

On August 5, 2011, Elizabeth Bennett Cox, M.D., hereafter Petitioner, filed with the Michigan Board of Medicine, hereafter Board, an application for reinstatement of her license to practice medicine in the state of Michigan with supporting affidavits, in accordance with the provisions of 1996 AACRS, R 338.1635.

On August 26, 2011, the Department of Attorney General, Licensing & Regulation Division, on behalf of the Department of Licensing and Regulatory Affairs, Bureau of Health Professions, hereafter Department, filed a response taking no position on Petitioner's application for reinstatement.

The Board, having reviewed the application for reinstatement and response, considered the within matter at the regularly scheduled meeting held in Lansing, Michigan, on September 21, 2011, Now therefore,

IT IS HEREBY ORDERED that Petitioner is granted a LIMITED license to practice medicine in the state of Michigan for a minimum period of two years,

commencing on the effective date of this order. Reduction of the period of limitation shall occur only while Petitioner is employed in a capacity for which a license to practice medicine is required. The terms of limitation shall be as follows:

1. PRACTICE SETTING: Petitioner shall be precluded from practicing medicine in an independent private practice setting. Petitioner shall only practice medicine under general supervision of a Board-approved supervising physician in a setting such as a major hospital outpatient department, Veterans Administration facility, or a group practice setting.
2. SUPERVISED PRACTICE. Petitioner's practice of medicine shall be under the **general supervision** of a supervising physician, pre-approved by the Chairperson of the Board or the Chairperson's designee. Petitioner shall provide a copy First Superseding Administrative Complaint dated December 4, 2008, and this Order to Petitioner's supervising physician, who shall be knowledgeable of Petitioner's history and shall provide reports concerning Petitioner's work performance to the Department on a quarterly basis, as set forth below.

"General supervision" is defined as the continuous availability of direct communication between Petitioner and the supervising physician. The supervising physician shall, on a regularly scheduled basis, review the practice and records of Petitioner.

Petitioner shall submit to the Department written correspondence requesting approval of the proposed supervising physician. This request shall include, at a minimum, the individual's name, employment position, telephone number, and confirmation that the proposed supervising physician has received a copy of this Order.

Petitioner shall ensure that the correspondence is submitted to the Department of Licensing and Regulatory Affairs, Bureau of Health Professions, Sanction Monitoring, P.O. Box 30670, Lansing, MI 48909, or may fax this information to (517) 241-1431.

Petitioner **shall not** commence employment in a capacity for which a medical license is required until Petitioner has received written notification from the Department confirming that the proposed supervising physician has been approved.

IT IS FURTHER ORDERED that Petitioner may petition for reclassification of the limitation two years from the effective date of this Order, in accordance with 1996 AACS, R 338.1636.

IT IS FURTHER ORDERED that Petitioner is placed on PROBATION to run concurrent with the period of limitation, commencing on the effective date of the Order. Reduction of the probationary period shall only occur while Petitioner is employed in a capacity for which a license to practice medicine is required. The terms of probation shall be as follows:

1. SUPERVISOR REPORTS: Petitioner's supervising physician shall file reports with the Department, as further provided herein, advising of Petitioner's work performance.

In the event Petitioner, at any time, fails to comply with the minimal standards of acceptable and prevailing practice or appears unable to practice with reasonable skill and safety, the Department shall be **immediately** so notified by Petitioner's supervising physician.

2. SUPERVISION CHANGE: Petitioner shall report to the Department, in writing, any and all changes in Petitioner's supervising physician within 15 days of such change.

Petitioner shall provide a copy of the First Superseding Administrative Complaint dated December 4, 2008, and this Order to each successor

supervising physician. The successor supervising physician shall be knowledgeable of Petitioner's history and shall continue to file reports with the Department advising of Petitioner's work performance, as set forth above.

If Petitioner's employment change requires Petitioner to have a license to practice medicine, Petitioner shall, prior to the change in employment, submit to the Department written correspondence requesting approval of the proposed successor supervising physician.

Petitioner **shall not** commence employment in the new employment setting until Petitioner has received written notification from the Department confirming that the proposed successor supervising physician has been approved.

3. PSYCHIATRIST MONITORING: Within 60 days of effective date of this order, Petitioner shall, at her expense, pursue individual psychotherapy focusing on ethics with a psychiatrist pre-approved by the Board's Chairperson or designee, for the period the psychiatrist deems appropriate. Petitioner's treating psychiatrist shall be provided a copy of the First Superseding Administrative Complaint dated December 4, 2008, and this Order by Petitioner.

Petitioner shall submit written correspondence to the Department requesting approval of the proposed psychiatrist. The correspondence shall include, at a minimum, the individual's name, employment position, curriculum vitae, telephone number, and confirmation that the proposed psychiatrist has received a copy of the First Superseding Administrative Complaint dated December 4, 2008, and this Order. Petitioner shall ensure that this correspondence is submitted to the Department as set forth below.

4. PSYCHIATRIST REPORTS: During the period probation or until such time Petitioner's treating psychiatrist deems appropriate, Petitioner's treating psychiatrist shall file written reports with the Board, as further provided herein, advising of Petitioner's compliance with treatment recommendations.

In the event Petitioner, at any time, appears unable to practice with reasonable skill and safety based on her mental health status, the Department shall be immediately so notified in writing by Petitioner's treating psychiatrist.

5. PSYCHIATRIST CHANGE: During the period of probation Petitioner shall, prior to any change in her treating psychiatrist, submit to the Department written correspondence requesting approval of the proposed successor treating psychiatrist.

In obtaining approval of his proposed successor treating psychiatrist, Petitioner shall submit a letter from the prospective psychiatrist. The letter shall include, at a minimum, the individual's name, employment position, curriculum vitae, telephone number, and confirmation that Petitioner has provided a copy of the two documents specified below. Petitioner shall ensure that the letter is submitted to the Department, as set forth below.

Petitioner shall provide copies of the First Superseding Administrative Complaint dated December 4, 2008, and this Order to each successor treating psychiatrist. The successor treating psychiatrist shall be knowledgeable of Petitioner's history and shall continue to file reports with the Department advising of Petitioner's compliance with treatment recommendations.

Petitioner **shall not** commence treatment with a successor treating psychiatrist until such time as Petitioner has received written correspondence from the Department confirming that the successor treating psychiatrist has been approved.

6. 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 within 15 days after becoming unemployed. Petitioner shall continue to file a report of non-employment on a quarterly basis until Petitioner returns to employment as a physician, at which time Petitioner shall notify the Department of this fact within 15 days of returning to practice.

7. 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 sections 16192(1) and 16221(g) of the Public Health Code, supra, regarding Petitioner's duty to report name or mailing address changes to the Department.
8. COMPLIANCE WITH THE PUBLIC HEALTH CODE: Petitioner shall comply with all applicable provisions of the Public Health Code and rules promulgated thereunder.
9. 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 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 is discharged from probation.

In addition to receiving reports as required herein, the Department or its authorized representative may periodically contact the reporting individuals or agencies to inquire of Petitioner's progress.

Petitioner shall direct all communications required by the terms of this Order to: Department of Licensing and Regulatory Affairs, Bureau of Health Professions, Sanction Monitoring, P.O. Box 30670, Lansing, MI 48909.

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

10. COSTS: Petitioner shall be solely responsible for payment of all costs incurred in complying with the terms of this Order.

IT IS FURTHER ORDERED that Petitioner shall be automatically discharged from probation upon reclassification of Petitioner's limited license to a full and unlimited status, PROVIDED Petitioner has complied with the terms of this Order and has not violated the Public Health Code.

IT IS FURTHER ORDERED that in the event Petitioner violates any provision of this Order, and if such violation is deemed to constitute an independent violation of the Public Health Code, or the rules promulgated thereunder, the Board may proceed to take disciplinary action pursuant to 1996 AACRS, R 338.1632 and section 16221(g) of the Public Health Code, supra.

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

Dated: 10/24/2011

MICHIGAN BOARD OF MEDICINE

By: Rae Ramsdell
Rae Ramsdell, Director
Bureau of Health Professions

This is the last and final page of an Order Granting Reinstatement in the matter of Elizabeth Bennett Cox, M.D., File Number 43-11-121422, before the Michigan Board of Medicine, consisting of seven pages, this page included.

kp