

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

In the Matter of

EDWARD ROBERTS, M.D.

License Number: 43-01-052268

File Number: 43-13-131060

ADMINISTRATIVE COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs, hereafter Complainant, by Carole H. Engle, Director, Bureau of Health Care Services, files this complaint against Edward Roberts, M.D., hereafter Respondent, 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 registrants for violations of the Public Health Code.

2. Respondent is currently licensed to practice medicine in the state of Michigan and specializes in the practice of psychiatry.

3. In July 2012, Respondent began treating patient D.B. (initials are used to protect the patient's identity) for back pain.

4. On August 8, 2012, Respondent completed paperwork for patient D.B.'s employer stating that patient D.B. was unable to perform his job functions as a police officer based on Respondent's diagnosis of lumbosacral pain (lower back pain), flank pain (pain or discomfort in upper abdomen or back), and myositis (inflammation of the muscles). As a result, patient D.B. took a leave of absence from employment. Respondent failed to maintain a medical record for patient D.B. indicating diagnoses and reasons for employment restrictions.

5. In November 2012, February 2013, May 2013, and July 2013, Respondent completed paperwork for patient D.B.'s employer which indicated that patient D.B. was unable to perform his job functions as a police officer due to his medical condition. As a result, patient D.B. remained on leave of absence from employment. The paperwork completed by Respondent for patient D.B.'s employer included a diagnosis of lumbosacral pain, flank pain, and myositis. Respondent failed to maintain a medical record for patient D.B. indicating a diagnosis and reasons for employment restrictions.

6. On March 11, 2014, in an interview with Complainant's investigator, Respondent stated that he treated patient D.B. from July 2012 through October 2013 but he had no medical records for his treatment of patient D.B.

COUNT I

Respondent's conduct, as set forth above, evidences a violation of general duty, consisting of negligence or failure to exercise due care, whether or not injury results, in violation of section 16221(a) of the Public Health Code, supra.

COUNT II

Respondent's conduct, as set forth above, evidences departures from, or failures to conform to, minimal standards of acceptable and prevailing practice for the health profession, whether or not actual injury to an individual occurs, in violation of section 16221(b)(i) of the Public Health Code, supra.

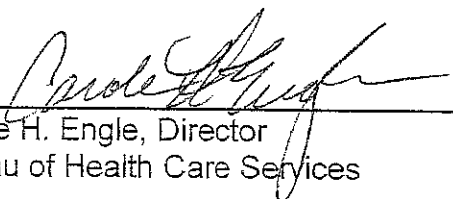
Complainant requests that this Complaint be served upon Respondent and that Respondent be offered an opportunity to show compliance with all lawful requirements for retention of the license. If compliance is not shown, Complainant further requests that formal proceedings be commenced pursuant to the Public Health Code, rules promulgated thereunder, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq.

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.

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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: 6-13-14



Carole H. Engle, Director
Bureau of Health Care Services

This is the final page of an Administrative Complaint in the matter of Edward Roberts, M.D., File Number 43-13-131060, before the Disciplinary Subcommittee of the Michigan Board of Medicine, consisting of four pages, this page included.

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