

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
CONSENT ORDER AND STIPULATION

CONSENT ORDER

An Administrative Complaint (Complaint) was executed on June 13, 2014, charging Edward Roberts, M.D. (Respondent) with having violated sections 16221(a) and 16221(b)(i) of the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq; and

Respondent neither admits nor denies the facts alleged in the Complaint, with the exception of Count II, alleging a violation of section 16221(b)(i) of the Public Health Code, supra, which shall be dismissed, but agrees that the Disciplinary Subcommittee of the Michigan Board of Medicine (Disciplinary Subcommittee) shall treat the allegations as true, which finding shall have the same force and effect for purposes of this Consent Order as if evidence and arguments were presented in support of the allegations; and

The Disciplinary Subcommittee has reviewed the Stipulation and, based upon the matters asserted therein, agrees that the public interest is best served by resolution of the outstanding Complaint; therefore,

IT IS FOUND that the facts alleged in the Complaint are true, for purposes of this Consent Order, and constitute a violation of section 16221(a) of the Public Health Code, supra.

Accordingly,

IT IS ORDERED that pursuant to the attached Stipulation, Count II of the Complaint, which charged Respondent with violating section 16221(b)(i) of the Public Health Code, supra, is DISMISSED.

IT IS FURTHER ORDERED that for the violation of section 16221(a) of the Public Health Code, supra, Respondent is placed on PROBATION for a minimum period of one day and not to exceed a period of six months, commencing on the effective date of this Order. The terms of probation shall be as follows:

1. CONTINUING EDUCATION. Within six months after the effective date of the Order, Respondent shall successfully complete and submit proof, acceptable to the Department of Licensing and Regulatory Affairs (Department) of completing a live lecture, in person, continuing education course accepted by the Michigan Board of Medicine (Board), such as the Intensive Course in Medical Record Keeping with Individual Preceptorships offered by Case Western Reserve University. This continuing education **shall not** apply in computing Respondent's current continuing education requirements for license renewal.

Respondent shall seek and obtain pre-approval of the continuing education course from the Chairperson of the Board or the Chairperson's designee, OR successfully complete the pre-approved continuing education course, in the above-specified area, offered by Case Western Reserve University.

Respondent shall mail requests for pre-approval and proof of the successful completion of the continuing education course to the **Department of Licensing and Regulatory Affairs, Enforcement Division, Sanction Monitoring, P.O. Box 30670, Lansing, MI 48909.**

2. COMPLIANCE WITH THE PUBLIC HEALTH CODE. Respondent shall comply with all applicable provisions of the Public Health Code and rules promulgated thereunder.
3. COSTS. Respondent shall be solely responsible for payment of all costs incurred in complying with the terms of this order.

IT IS FURTHER ORDERED that Respondent shall be discharged from probation upon receipt by the Department of satisfactory evidence of the successful completion of the continuing education as set forth above, PROVIDED Respondent has complied with the terms of this Order, and has not violated the Public Health Code.

IT IS FURTHER ORDERED that for the cited violation of the Public Health Code, Respondent is FINED in the amount of \$1,000.00 to be paid to the State of Michigan within 60 days from the effective date of this Order.

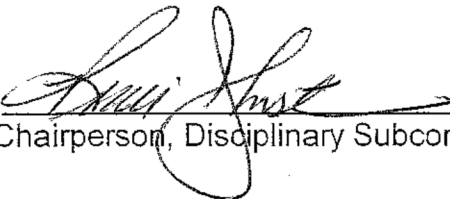
IT IS FURTHER ORDERED that the fine shall be mailed to the **Department of Licensing and Regulatory Affairs, Enforcement Division, Sanction Monitoring, P.O. Box 30189, Lansing, MI 48909.** The fine shall be paid by check or money order, made payable to the State of Michigan, and the check or money order shall clearly display the file number **43-13-131060.**

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 30 days from the date signed by the Disciplinary Subcommittee, as set forth below.

Dated: 3-18-15

MICHIGAN BOARD OF MEDICINE

By: 
Chairperson, Disciplinary Subcommittee

STIPULATION

1. Respondent and the Department agree that Count II of the Complaint, which charged Respondent with violating section 16221(b)(i) of the Public Health Code, supra, shall be dismissed by the Disciplinary Subcommittee.
2. Respondent neither admits nor denies the facts alleged in the Complaint, but agrees that the Disciplinary Subcommittee shall treat the allegations as true for purposes of this Consent Order, which finding shall have the same force and effect as if evidence and arguments were presented in support thereof.
3. Respondent understands and intends that by signing this Stipulation Respondent is waiving the right, pursuant to the Public Health Code, the rules promulgated

thereunder, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq., to require the Department to prove the charges set forth in the Complaint by presentation of evidence and legal authority, and Respondent is waving the right to appear with an attorney and such witnesses as Respondent may desire to present a defense to the charges.

4. Respondent and the Department further agree that this matter with attachments is a public record required to be published and made available to the public pursuant to section 11(1)(a) of the Michigan Freedom of Information Act, 1976 PA 442, as amended; MCL 15.241(1)(a); and this action will be reported to the National Practitioner's Data Bank, and any other entity as required by state or federal law, in accordance with 42 USC 11101-11152.

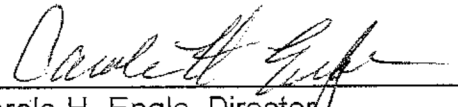
5. Richard Burney M.D., a member of the Board, who supports this proposal, and the Department's representative are both free to discuss this matter with the Disciplinary Subcommittee and recommend acceptance of the resolution set forth in this Consent Order.

6. This Consent Order is approved as to form and substance by Respondent and the Department and may be entered as the final order of the Disciplinary Subcommittee in this cause.

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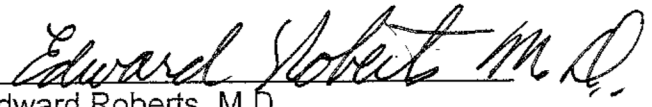
7. This proposal is conditioned upon acceptance by the Disciplinary Subcommittee, Respondent and the Department expressly reserving the right to further proceedings without prejudice should the Consent Order be rejected.

AGREED TO BY:


Carole H. Engle, Director
Bureau of Health Care Services
Department of Licensing and
Regulatory Affairs


Dated: 12-30-14

AGREED TO BY:


Edward Roberts, M.D.
Respondent

Dated: December 15, 2014

Approved as to form by:


Paul J. Dwaihy (P66074)
Attorney for Respondent

Dated: 12-15-14

This is the final page of a Consent Order and Stipulation 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 six pages, this page included.

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