

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

In the Matter of

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

Complaint No. 43-16-143229

CONSENT ORDER AND STIPULATION

CONSENT ORDER

A first superseding administrative complaint was filed with the Disciplinary Subcommittee of the Board of Medicine on March 2, 2018, charging Don Jones, M.D. (Respondent) with having violated sections 16221(a) and (b)(i) of the Public Health Code, 1978 PA 368, as amended, MCL 333.1101 *et seq.*

The parties have stipulated that the Disciplinary Subcommittee may enter this consent order. The Disciplinary Subcommittee has reviewed the stipulation contained in this document and agrees that the public interest is best served by resolution of the outstanding complaint. Therefore, the Disciplinary Subcommittee finds that the allegations of fact contained in the complaint are true and that Respondent has violated sections 16221(a) and (b)(i) of the Public Health Code.

Accordingly, for these violations, IT IS ORDERED:

Respondent is placed on PROBATION for a period of 1 year commencing on the effective date of this order. Respondent shall be automatically discharged from probation upon the Department's receipt of satisfactory written evidence of

Respondent's successful compliance with the terms and conditions as provided below, provided compliance occurs within 1 year. If Respondent fails to complete any term or condition of probation as set forth in this order within 1 year of the effective date of this order, Respondent will be in violation of Mich Admin Code, R 338.1632 and section 16221(h) of the Public Health Code. The terms and conditions of the probation are as follows:

- A. EMPLOYER REPORTS. Respondent's immediate supervisor at General Motors shall file reports with the Department, as further provided below, advising that Respondent is contracted as a consultant with the company and is not providing medical care or treatment in that role. If, at any time, Respondent's status with General Motors changes, his supervisor shall immediately notify the Department.

B. CHANGE OF EMPLOYMENT

If at any time Respondent is no longer employed or contracted with General Motors, or engages in self-employment or with another entity, during the period of probation, both Respondent and his supervisor shall immediately notify the Department of that change.

C. LIMITATION

Upon receipt of information that Respondent is no longer employed or contracted with General Motors, or has returned to private practice or employed with another facility, his license shall be automatically **limited for a minimum period of one day** with the following terms of limitation:

1. **Respondent shall not engage in the clinical practice of medicine or psychiatry during the period of limitation.**

Reclassification of Respondent's limited license shall not be automatic, but Respondent may petition for reclassification of the limited license upon conclusion of the limitation period. In the event Respondent petitions for reclassification of the license, the petition shall be in accordance with section 16249 of the Public

Health Code and Mich Admin Code, R 792.10712. Under these provisions, Respondent must demonstrate that he (1) will practice the profession safely and competently within the area of practice and under conditions stipulated by the Disciplinary Subcommittee, and (2) should be permitted in the public interest to so practice.

- D. REPORT OF NON-EMPLOYMENT. If, at any time during the period of probation, Respondent is not employed as a contract employee with General Motors, he shall file a report of non-employment with the Department. Respondent shall file this report within 15 days after becoming unemployed.
- E. ASSESSMENT. Within 60 days of the effective date of this order, Respondent shall successfully complete the Center for Personalized Education of Physicians' Probe: Ethics and Boundaries program. Respondent shall provide a copy of this order, the May 23, 2017 complaint and the March 2, 2018 first superseding complaint to the program for review. All costs associated with this process shall be the responsibility of Respondent. Respondent shall ensure that a copy of the written assessment is mailed to the Department.

All information and documentation acquired by CPEP in determining and implementing an interventional / remedial plan shall be made available to the Department upon request to establish Respondent's compliance or non-compliance with the program.

If Respondent fails to complete the Ethics and Boundaries Program within 60 days of the effective date of this order or does not receives anything other than an unconditional pass from the Program, Respondent's license shall automatically suspended. Reinstatement of his license shall not be automatic and Respondent must petition for reinstatement of his license. If Respondent petitions for reinstatement of his license, the petition shall be in accordance with sections 16245 and 16247 of the Public Health Code and Mich Admin Code, R 792.10711. Under these provisions, Respondent must demonstrate the following by clear and convincing evidence: (1) good moral character; (2) the ability to practice the profession with reasonable skill and safety; (3) satisfaction of the guidelines on reinstatement adopted by the Department; and (4) that it is in the public interest for the license to be reinstated.

F. REPORTING PROCEDURE. Unless otherwise provided above, all reports required by the terms of probation 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 every three months until Respondent is discharged from probation. In addition to receiving reports as required above, the Department or its authorized representative may periodically contact the reporting individuals or agencies to inquire of Respondent's progress. By accepting the terms of this consent order and stipulation, Respondent has authorized the release of all necessary records and information.

Any violation of the Public Health Code by Respondent during the period of probation shall be deemed a violation of probation and constitute grounds for further disciplinary action.

Respondent is FINED \$35,000.00 to be paid by check, money order or cashier's check made payable to the State of Michigan (with complaint number 43-16-143229 clearly indicated on the check or money order), and shall be payable within 90 days of the effective date of this order. The timely payment of the fine shall be Respondent's responsibility. Respondent shall mail the fine to:  
Department of Licensing and Regulatory Affairs Bureau of Professional Licensing,  
Legal Affairs Division, Compliance Section, P.O. Box 30189, Lansing, Michigan  
48909.

If Respondent fails to timely pay the fine, his license shall be suspended until payment is received. If Respondent's license remains suspended for longer than six months and one day, reinstatement is not automatic. If Respondent petitions for reinstatement of his license, the petition shall be in accordance with sections 16245



and 16247 of the Public Health Code and Mich Admin Code, R 792.10711. Under these provisions, Respondent must demonstrate the following by clear and convincing evidence: (1) good moral character; (2) the ability to practice the profession with reasonable skill and safety; (3) satisfaction of the guidelines on reinstatement adopted by the Department; and (4) that it is in the public interest for the license to be reinstated.

Respondent shall direct any communications, other than payment of the fine, that are required by the terms of this order to: Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, Legal Affairs Division, Compliance Section, P.O. Box 30670, Lansing, Michigan 48909.

Respondent shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.

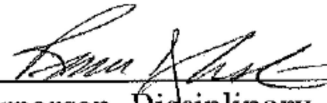
Respondent shall be responsible for the timely compliance with the terms of this consent order, including the timely filing of any documentation. Failure to comply within the time limitations provided will constitute a violation of this order.

If Respondent violates any term or condition set forth in this order, Respondent will be in violation of Mich Admin Code, R 338.1632, and section 16221(h) of the Public Health Code.

This order shall be effective thirty days from the date signed by the Chairperson of the Disciplinary Subcommittee or the Disciplinary Subcommittee's authorized representative, as set forth below.

Signed on 5-16-12

MICHIGAN BOARD OF MEDICINE

By   
Chairperson, Disciplinary  
Subcommittee

### STIPULATION

The parties stipulate as follows:

1. The facts alleged in the first superseding complaint are true and constitute a violation of the Public Health Code.
2. Respondent understands and intends that, by signing this stipulation, he is waiving the right under the Public Health Code, rules promulgated under the Public Health Code, 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 to present a defense to the charges before the Disciplinary Subcommittee or its authorized representative. Should the Disciplinary Subcommittee reject the proposed consent order, the parties reserve the right to proceed to hearing.
3. The Disciplinary Subcommittee may enter the above Consent Order, supported by Board conferee Peter Graham, M.D. Dr. Graham or an attorney from

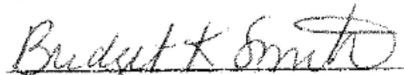
the Licensing and Regulation Division may discuss this matter with the Disciplinary Subcommittee in order to recommend acceptance of this resolution.

4. Dr. Graham and the parties considered the following factors in reaching this agreement:

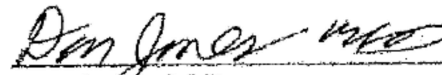
- A. Respondent has been licensed since 1980 with no other disciplinary actions against his license.
- B. During the compliance conference, Respondent indicated that he has closed his private practice. Respondent explained that he currently works as a consultant for General Motors and, by contract, is prohibited from providing medical care in that role. He has no plans to return to private practice at this time.
- C. Respondent wishes to resolve this matter to avoid placing S.A. through the additional stress and anxiety of a hearing.

By signing this stipulation, the parties confirm that they have read, understand and agree with the terms of the consent order.


AGREED TO BY:

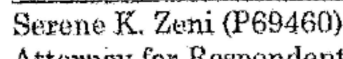
  
Bridget K. Smith (P71318)  
Assistant Attorney General  
Attorney for Complainant  
Dated: 3-2-2018

AGREED TO BY:

  
Don Jones, M.D.  
Respondent

Dated: 3-1-2018

  
Tariq S. Hafeez (P64788)  
Attorney for Respondent  
Dated: 3-1-2018

  
Serene K. Zeni (P69460)  
Attorney for Respondent  
Dated: \_\_\_\_\_

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- A. Respondent has been licensed since 1980 with no other disciplinary actions against his license.
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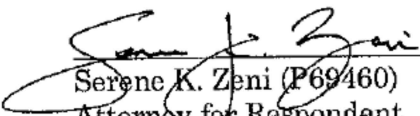
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Assistant Attorney General  
Attorney for Complainant  
Dated: \_\_\_\_\_

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\_\_\_\_\_  
Don Jones, M.D.  
Respondent

Dated: \_\_\_\_\_

\_\_\_\_\_  
Tariq S. Hafeez (P64788)  
Attorney for Respondent  
Dated: \_\_\_\_\_

  
\_\_\_\_\_  
Serene K. Zeni (P69460)  
Attorney for Respondent  
Dated: 3/2/18

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF PROFESSIONAL LICENSING  
BOARD OF MEDICINE  
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In the Matter of

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

Complaint No. 43-16-143229

FIRST SUPERSEDING ADMINISTRATIVE COMPLAINT

Attorney General Bill Schuette, through Assistant Attorney General Bridget K. Smith, on behalf of the Department of Licensing and Regulatory Affairs, Complainant herein, files the within First Superseding Administrative Complaint against Don Jones, M.D. (Respondent), alleging upon information and belief as follows:

1. The Board of Medicine (Board), an administrative agency established by the Public Health Code (Code), 1978 PA 368, as amended, MCL 333.1101 *et seq*, is empowered to discipline licensees under the Code through its Disciplinary Subcommittee.
2. Respondent is currently licensed to practice as a physician pursuant to the Public Health Code. At all times relevant to this complaint Respondent practiced as a psychiatrist in Southfield, Michigan.
3. Section 16221(a) of the Code provides the Disciplinary Subcommittee with the authority to take disciplinary action against a licensee for violation of general duty, consisting of negligence or failure to exercise due care, including

negligent delegation to, or supervision of employees or other individuals, whether or not injury results or any conduct, practice or condition that impairs, or may impair, the ability to safely and skillfully practice as a physician.

4. Section 16221(b)(i) of the Code provides the Disciplinary Subcommittee with the authority to take disciplinary action against a licensee for incompetence, which is defined in section 16106(1) of the Code to mean “a departure from, or failure to conform to, minimal standards of acceptable and prevailing practice from the health profession, whether or not actual injury to an individual occurs.”

5. Section 16226 of the Code authorizes the DSC to impose sanctions against persons licensed by the Board if, after opportunity for a hearing, the DSC determines that a licensee violated one or more of the subdivisions contained in section 16221 of the Code.

### ALLEGATIONS

6. Respondent treated S.A. (initials used to protect patient confidentiality) from approximately 2007 until 2016 for depression related to injuries she suffered in a car accident.

7. During the course of S.A.’s treatment, Respondent engaged in multiple inappropriate boundary violations with S.A., including taking her to dinner and allowing S.A. to drive his car.

### COUNT I

8. Respondent’s conduct as described above constitutes negligence or failure to exercise due care in violation of section 16221(a) of the Code.

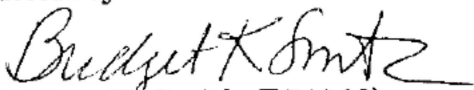
## COUNT II

9. Respondent's conduct as described above constitutes incompetence in violation of section 16221(b)(i) of the Code.

THEREFORE, 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 aforesaid license. If compliance is not shown, Complainant further requests that formal proceedings be commenced pursuant to the Public Health Code, rules promulgated pursuant to it, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 *et seq.*

FURTHER, the administrative complaint previously filed against Respondent on May 23, 2017 is hereby WITHDRAWN and replaced in full by this superseding complaint.

BILL SCHUETTE  
Attorney General

  
Bridget K. Smith (P71318)  
Assistant Attorney General  
Licensing & Regulation Division  
3<sup>RD</sup> Floor Williams Building  
525 Ottawa  
P.O. Box 30758  
Lansing, Michigan 48933  
Telephone: (517) 373-1146  
Fax: (517) 241-1997

Dated: March 2, 2018