

STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
BUREAU OF HEALTH PROFESSIONS
BOARD OF OSTEOPATHIC MEDICINE AND SURGERY

In the Matter of

SANDOR OLAH, D.O.
License Number: 51-01-007317

File Number: 51-04-95938
Docket Number: 2004-5038(OMSR)

FINAL ORDER GRANTING REINSTATEMENT

On or about July 29, 2004, Sandor Olah, D.O., hereafter Petitioner, filed with the Michigan Board of Osteopathic Medicine and Surgery, hereafter Board, an application for reinstatement of his license to practice osteopathic medicine and surgery in the state of Michigan with supporting affidavits, in accordance with the provisions of 1996 AACRS, R 338.1635.

On or about August 23, 2004, the Department of Attorney General, Licensing and Regulation Division, on behalf of the Department of Community Health, Bureau of Health Professions, hereafter Department, filed The State's Response to Petition for Reinstatement which opposed Petitioner's application for reinstatement.

An administrative hearing was held in the matter before an administrative law judge who, on September 28, 2005, issued a Proposal for Decision setting forth recommended findings of fact and conclusions of law.

The Board, having reviewed the administrative record, considered the matter at a regularly scheduled meeting held in Lansing, Michigan, on December 1, 2005, and accepted the administrative law judge's findings of fact and conclusions of law contained in the Proposal for Decision. Now therefore,

IT IS HEREBY ORDERED that Petitioner is granted an EDUCATIONAL LIMITED LICENSE to practice osteopathic medicine and surgery in the state of Michigan for a period of TWO YEARS, commencing on the effective date of this Order.

The terms of limitation are as follows:

1. RESIDENCY PROGRAM: Petitioner shall enter into and successfully complete a Board-approved residency program in the area of family practice.

Prior to entering into the residency program, Petitioner shall obtain pre-approval for the program from the Board Chairperson or the Chairperson's designee. Petitioner shall mail requests for pre-approval of the residency program and evidence of the successful completion of the residency program to the Department of Community Health, Bureau of Health Professions, Sanction Monitoring, P.O. Box 30670, Lansing, MI 48909.

2. CERTIFICATION EXAMINATION: Upon completion of the residency program, Petitioner shall take and satisfactorily complete the certifying examination for family practice offered by the American Osteopathic Association, hereafter AOA. Petitioner shall submit evidence of the successful passing of the family practice certification examination to the Department at the address listed above.

IT IS FURTHER ORDERED that upon completion of the two-year education limited license period and receipt by the Department of Petitioner receiving

AOA certification in the area of family practice, Petitioner's educational limited license shall be automatically reclassified to a LIMITED LICENSE for a minimum period of ONE YEAR. Reduction of the limitation period shall only occur while Petitioner is practicing as a physician and the terms of limitation are as follows:

1. SUPERVISED PRACTICE: Petitioner's practice as an osteopathic physician shall be under the direct, on-site supervision of a fully licensed osteopathic physician.

"Direct, on-site supervision" is defined as the participation in the work of Petitioner by a fully licensed osteopathic physician in which there is in-person communication between Petitioner and said supervisor.

Petitioner's direct on-site supervisor shall be pre-approved by the Board Chairperson or designee. Petitioner shall provide a copy of this Order to Petitioner's supervisor, who shall be knowledgeable of Petitioner's history and shall report to the Board on a quarterly basis as set forth below.

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

IT IS FURTHER ORDERED that Petitioner may petition for reclassification of the limited license one year from the date that Petitioner commences practice under the limited license, pursuant to 1996 AACCS, R 338.1636 and section 16249 of the Public Health Code, supra.

IT IS FURTHER ORDERED that Petitioner is placed on PROBATION for a period of THREE YEARS, commencing on the date of reinstatement of Petitioner's educational limited license. The terms of probation shall be as follows:

1. **STATUS REPORTS:** Petitioner shall ensure that quarterly status reports, advising of Petitioner's performance, are submitted to the Department. **During the first two years of probation**, the Director of Petitioner's family practice residency program shall file reports. **Beginning with the third year of probation**, Petitioner's direct, on-site supervisor shall file the status reports.

In the event Petitioner, at any time, fails to comply with 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 the reporting party.

2. **PEER REVIEW:** **During the third year of probation**, Petitioner's practice as an osteopathic physician shall be subject to random reviews by a member of the Board, who shall be appointed by the Board Chairperson. These visits shall occur, at a minimum, on a quarterly basis and shall take place at Petitioner's place of employment. Petitioner shall contact, in writing, the Department of Community Health, Bureau of Health Professions, Sanction Monitoring, P.O. Box 30670, within 30 days of his reclassification to a limited license status to obtain the identity and contact information of the reviewing Board member physician, in order for Petitioner to arrange the initial meeting.

The reviewing Board member physician shall be knowledgeable of Petitioner's history and shall file reports with the Department as further provided herein, advising of Petitioner's performance as an osteopathic physician.

In the event that 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 notified by the reviewing Board member physician.

3. RESIDENCY PROGRAM/SUPERVISION CHANGE: Petitioner shall report to the Department, in writing, any and all changes in Respondent's practice as an osteopathic physician within 15 days of such change.

If Petitioner wishes to change either his residency program or his direct-on-site supervisor, Petitioner shall submit to the Department written correspondence requesting approval of the proposed residency program or direct on-site supervisor.

Petitioner **shall not** change residency programs or commence employment under a new supervisor until Petitioner has received written notification from the Department confirming that the proposed residency program or successor direct on-site supervisor has been approved.

4. REPORT OF NON-EMPLOYMENT: If at any time, Petitioner is not employed as an osteopathic 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 an osteopathic physician, at which time Petitioner shall notify the Department of this fact within 15 days of returning to practice.
5. COMPLIANCE WITH THE PUBLIC HEALTH CODE: Petitioner shall comply with all applicable provisions of the Public Health Code and rules promulgated thereunder.
6. REPORTING PROCEDURES: Unless requiring immediate notification as indicated above, all reports required herein 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 to be filed every three months thereafter until Petitioner is discharged from probation.

In addition to receiving reports as required herein, the Board or its authorized representative may

periodically contact the reporting individual's or agencies to inquire of Petitioner's progress.

All reports and correspondence required herein, unless otherwise specified, shall be filed with the Department of Community Health, Bureau of Health Professions, Sanction Monitoring, P.O. Box 30670, Lansing, MI 48909.

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

7. 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 is automatically discharged from probation upon reclassification of Petitioner's license from a limited 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 rules promulgated thereunder, the Board's Disciplinary Subcommittee may proceed to take disciplinary action pursuant to 1996 AACS, R 338.1632 and section 16221(h) of the Public Health Code, supra.

CONTINUED ON NEXT PAGE

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

Dated: January 6, 2006

**MICHIGAN BOARD OF OSTEOPATHIC
MEDICINE AND SURGERY**

By: Melanie Brim
Melanie B. Brim, Director
Bureau of Health Professions

This is the last and final page of a Final Order Granting Reinstatement in the matter of Sandor Olah, D.O., File Number 51-04-95938, Docket Number: 2004-5038(OMSR), before the Michigan Board of Osteopathic Medicine and Surgery, consisting of seven pages, this page included.

KMC