

BEFORE THE NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE
NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE

NOV 20 2012

IN THE MATTER OF:)
MICHAEL JENKINS, D.O.)
License No. 1451,)
Respondent.)

Case No. AD1202003

FILED

ORDER ADOPTING PRESIDING HEARING OFFICER'S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS AND ORDER IMPOSING DISCIPLINE BASED THEREON

The Nevada State Board of Osteopathic Medicine (the Board) met on November 13, 2012 and held a hearing regarding the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommendations in this matter. At the hearing, the Board was advised by Sophia Long, Deputy Attorney General, the Board's staff was represented by Louis Ling, Board Counsel, and Dr. Michael Jenkins appeared and represented himself. Mr. Ling and Dr. Jenkins each presented argument regarding the Findings of Fact, Conclusions of Law, and Recommendations and what discipline, if any, would be appropriate. The Board members asked such questions of the parties as they deemed necessary. Thereafter, the Board discussed, deliberated, and ruled.

IT IS ORDERED that the Findings of Fact, Conclusions Law, and Recommendations entered by Hearing Officer Jill Greiner, Esq. on October 1, 2012 which were filed by the Board on October 4, 2012 is hereby adopted and ratified in its entirety and made the findings of fact and conclusions of law of the Board in this matter. A copy of the Findings of Fact, Conclusions of Law, and Recommendations is attached hereto as Attachment 1 and is incorporated herein in its entirety by the reference.

Based upon its adoption and ratification of the Findings of Fact, Conclusions of Law, and Recommendations, the Board hereby orders the following as the discipline in this matter:

1. Dr. Michael Jenkins' license to practice osteopathic medicine in Nevada (License No. 1451) is revoked effective November 13, 2012.
2. Dr. Jenkins shall pay the Board's fees and costs of investigation and prosecution in this matter totaling \$26,793.53 which shall be paid by certified check or money order made payable to: "Nevada State Board of Osteopathic Medicine." The certified check or money order must be received by the Board's office no later than 60 days from the effective date of this Order.

1 3. Dr. Jenkins shall pay a fine of \$5,000.00 for the three causes of action that he was found to
2 have violated which shall be paid by certified check or money order made payable to: "Nevada State Board
3 of Osteopathic Medicine." The certified check or money order must be received by the Board's office no
4 later than 60 days from the effective date of this Order.

5 4. Dr. Jenkins may not apply for reinstatement of his license pursuant to NRS 633.681 and
6 622A.410(1) for a period of at least one year from the effective date of this Order and not until he
7 satisfies the following terms and conditions:

8 (a) Dr. Jenkins has paid the fees and costs ordered in paragraph #2 herein and the fine ordered
9 herein in paragraph #3 in full.

10 (b) Dr. Jenkins has attended and successfully completed a program specifically designed to assist
11 physicians with anger, boundary, and impulse control issues. Any such program Dr. Jenkins intends to
12 attend to satisfy the condition of this subparagraph must be approved in advance in writing by the
13 Investigating Board Member and the Executive Director. Dr. Jenkins shall execute whatever documents
14 are required by the program to assure that the program can provide the Board with information regarding
15 Dr. Jenkins' diagnosis, prognosis, treatment, and aftercare arrangements and so that the Board's staff can
16 communicate directly with the program regarding Dr. Jenkins. Before applying for reinstatement, Dr.
17 Jenkins must assure that the program provides directly to the Board's office written evidence of his
18 successful completion of the program and that he has made all required arrangements for and is
19 participating in aftercare as recommended or directed by the program. During the course of his aftercare,
20 Dr. Jenkins shall execute whatever documents necessary to assure that the aftercare provider or program
21 can provide the Board with information regarding Dr. Jenkins' aftercare and so that the Board's staff can
22 communicate directly with the aftercare provider or program regarding Dr. Jenkins' aftercare treatment
23 and progress.

24 (c) Dr. Jenkins has established a stable treatment relationship with physicians and other health
25 professionals as appropriate for the treatment of Dr. Jenkins' depression, impulse control disorder, and
26 other mental or physical conditions as they may arise. Dr. Jenkins shall satisfy the Board that he is no
27 longer treating himself for any such mental or physical condition and that he is not being treated non-
28 professionally by colleagues. Dr. Jenkins shall execute whatever documents necessary to assure that any

1 such physician or health professionals can provide the Board with information regarding Dr. Jenkins'
2 diagnosis, prognosis, and treatment and so that the Board's staff can communicate directly with the
3 physician or health professional regarding Dr. Jenkins' treatment and progress.

4 (d) Dr. Jenkins has not violated any provision of law related to the practice of osteopathic
5 medicine, whether state or federal and whether statutory or regulatory, after the effective date of this
6 Order.

7 5. Should Dr. Jenkins fail to timely pay any sums due in accordance with this Order, the Board's
8 staff may take whatever action it deems necessary to effectuate collection of the sums due. If the Board's
9 staff is required to pursue legal action to collect the sums due, it shall be entitled to receive its attorney's
10 fees and costs incurred in the pursuit of the legal action.

11 Signed and effective this 20th day of November, 2012.

12 NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE

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15 Paul Kalekas, D.O., Chairman

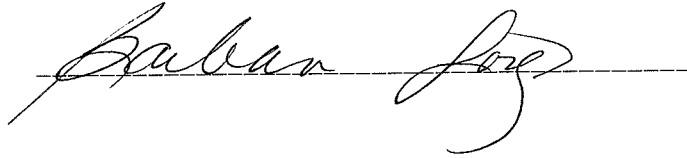
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CERTIFICATE OF SERVICE

I certify that I am an employee of the Nevada State Board of Osteopathic Medicine and that on this day I deposited for certified mailing at Henderson, Nevada, postage prepaid, a true and correct copy of the foregoing document addressed to the following:

DR. MICHAEL JENKINS

Dated this 20 day of November, 2012.

A handwritten signature in cursive script, appearing to read "Babar Joz", is written over a horizontal dashed line.

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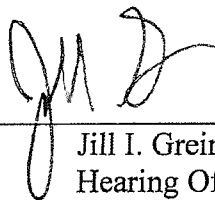
ATTACHMENT 1

NOTICE

1
2 YOU ARE HEREBY NOTIFIED that you have a right to request judicial review of this Fi
3 Order by filing a petition for judicial review within thirty (30) days of service of this Final Order in t
4 District Court for the State of Nevada, as provided in NRS 622A.400, NRS 633.671 and NRS 233B.130.

5 DATED this 1st day of October, 2012.

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7 By: _____



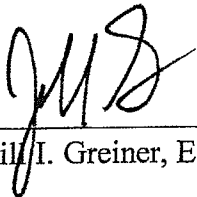
Jill I. Greiner, Esq.
Hearing Officer
(775) 322-8443
jillgreiner@att.net

CERTIFICATE OF MAILING

I certify that on this day I personally delivered or mailed, postage pre-paid, at Reno,
Nevada, a true file-stamped copy of the foregoing addressed as follows:

Barbara Longo, CMBI
Executive Director
Nevada State Board of Osteopathic Medicine
901 American Pacific Dr., Unit 180
Henderson, NV 89014

DATED this 1st day of October, 2012.



Jill I. Greiner, Esq.

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