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

In the Matter of

GLENN D. BAUER, M.D.,
License No. 43-01-407255

Complaint No. 43-18-151520

CONSENT ORDER AND STIPULATION

CONSENT ORDER

An administrative complaint was filed with the Disciplinary Subcommittee of the Board of Medicine on November 21, 2018, charging Glenn D. Bauer, M.D. (Respondent) with having violated sections 16221(b)(xi), (f) and 16222(3) 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(b)(xi), (f) and 16222(3) of the Public Health Code.

Accordingly, for these violations, IT IS ORDERED:

Respondent is placed on PROBATION for a minimum period of one (1) year not to exceed two (2) years 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 two (2) years. If Respondent fails to complete any term or condition of probation as set forth in this order within two (2) years 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. **MONITORING AGREEMENT.** Within thirty (30) days of the effective date of this order, Respondent shall contact the Health Professional Recovery Program (HPRP) at (800) 453-3784, and shall undergo a chemical dependency/substance abuse evaluation as directed by HPRP.

The evaluation shall be conducted at Respondent's expense and Respondent shall ensure that a copy of the evaluation report is provided to HPRP.

If HPRP determines that Respondent does not require monitoring, HPRP shall immediately notify the Department in writing of this determination, and Respondent need not enter into a monitoring agreement.

If HPRP determines that Respondent is in need of monitoring, Respondent shall promptly enter into and shall comply with the terms of a disciplinary monitoring agreement with HPRP. The duration of the monitoring agreement may exceed the period of probation.

All information and documentation acquired by HPRP in developing and implementing a monitoring agreement shall be made available to the Department upon request to establish Respondent's compliance or noncompliance with the monitoring agreement and this order.
If Respondent fails to comply with the terms of the monitoring agreement, HPRP shall immediately notify the Department in writing.

Upon Respondent’s successful completion of the monitoring agreement, HPRP shall promptly notify the Department in writing.

B. **COMPLIANCE WITH THE PUBLIC HEALTH CODE.**

Respondent shall comply with all applicable provisions of the Public Health Code and rules promulgated under the Public Health Code.

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 Two Thousand Two Hundred and 00/100 Dollars ($2,200.00) to be paid by check, money order or cashier’s check made payable to the State of Michigan (with complaint number 43-18-151520 clearly indicated on the check or money order), and shall be payable within ninety (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, Enforcement 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 to the Department that are required by the terms of this order to: Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, Enforcement 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(b) 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.
STIPULATION

The parties stipulate as follows:

1. The facts alleged in the 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 Mohammed A. Arsiwala, M.D. Dr. Arsiwala 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. Arsiwala and the parties considered the following factors in reaching this agreement:
A. Respondent has taken responsibility for his actions and wishes to avoid the time and costs of an administrative 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:

[Signature]
Eric M. St. Onge (P56630)
Assistant Attorney General
Attorney for Complainant
Dated:  7-23-19

AGREED TO BY:

[Signature]
Glenn D. Bauer, M.D.
Respondent
Dated:  4-22-19
STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

GLENN DENNIS BAUER, M.D.
License No. 43-01-407255,
Respondent.__________________________

File No. 43-18-151520

ADMINISTRATIVE COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs, by Cheryl Wykoff Pezon, Director, Bureau of Professional Licensing, complains against Respondent as follows:

1. The Michigan Board of Medicine is an administrative agency established by the Public Health Code, MCL 333.1101 et seq. Pursuant to MCL 333.16226, the Board’s Disciplinary Subcommittee is empowered to discipline persons for violations of the Public Health Code.

2. Respondent is licensed to practice medicine in the state of Michigan and has a controlled substance license.

3. On February 15, 2004, law enforcement observed Respondent speeding and then slam on his breaks resulting in his vehicle traveling off the roadway. Law enforcement approached Respondent’s vehicle and noticed the smell of intoxicants on his person. Respondent failed multiple sobriety tests and then submitted to a
preliminary breathalyzer test (PBT), which resulted in a bodily alcohol content (BAC) of 0.103. Respondent was subsequently arrested for operating while impaired.

4. On November 4, 2004, in the 48th District Court, in Bloomfield Hills, Michigan, Respondent was convicted of Operate Vehicle While Impaired, a misdemeanor not punishable by imprisonment for a maximum term of two years, in case number 04WB62078. Respondent was sentenced to nine days in jail, followed by 18 months' probation, with specified terms and ordered to pay fines and costs. A copy of the conviction documents, marked Exhibit A, is attached and incorporated.

5. On March 28, 2018, law enforcement observed Respondent run a red light and effectuated a traffic stop. Law enforcement approached Respondent's vehicle and noticed the smell of intoxicants on his person. Respondent failed multiple sobriety tests and was unable to provide a PBT to law enforcement. Respondent was subsequently arrested for operating while impaired.

6. On May 24, 2018, in the 16th District Court, in Livonia, Michigan, Respondent was convicted of Impaired-Drove While Visibly Impaired, a misdemeanor not punishable by imprisonment for a maximum term of two years, in case number 18L01901OD. Respondent was sentenced to nine days work program in lieu of jail, followed by 12 months' probation, with specified terms and ordered to pay fines and costs. A copy of the conviction documents, marked Exhibit B, is attached and incorporated.

7. Respondent failed to notify the Department of the November 4, 2004 and May 24, 2018, convictions within 30 days after the date of the convictions.
COUNT I

Respondent's convictions, as set forth above, constitute misdemeanor convictions that are reasonably related to or that adversely affect Respondent's ability to practice in a safe and competent manner, in violation of MCL 333.16221(b)(xi).

COUNT II

Respondent's conduct, as set forth above, evidences a failure to notify the Department of Respondent's convictions within 30 days after the date of the convictions, as required by MCL 333.16222(3), in violation of MCL 333.16221(f).

This Complaint is based upon files and records maintained by the Department and the attached Affidavit of Terri Schrauben.

RESPONDENT IS NOTIFIED that, pursuant to MCL 333.16231(8), Respondent has 30 days from the date of receipt of this Complaint to answer this Complaint in writing and to show compliance with all lawful requirements for licensure. Respondent shall submit the response to the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, MI 48909.
Respondent's failure to submit an answer within 30 days is an admission of the allegations in this Complaint. If Respondent fails to answer, the Department shall transmit this Complaint directly to the Board's Disciplinary Subcommittee to impose a sanction, pursuant to MCL 333.16231(9).

Dated: 11/11/18

Cheryl Wykoff Pezon, Director
Bureau of Professional Licensing

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