In the Matter of  

MARK G. CAMPBELL, M.D.            Complaint No. 43-14-133993
License No. 43-01-036444          

/CONSENT ORDER AND STIPULATION/

CONSENT ORDER

An Administrative Complaint was filed with the Disciplinary Subcommittee of the Board of Medicine February 27, 2015, charging Mark G. Campbell, M.D. (Respondent) with having violated section 16221(a) 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 section 16221(a) of the Public Health Code.

Accordingly, for these violations, IT IS ORDERED:

Respondent is FINED $500.00, to be paid by check, money order or cashier's check made payable to the State of Michigan (with complaint number 43-14-133993 clearly indicated on the check or money order) within 60 days from the effective
date of this Order. The timely payment of the fine shall be Respondent's responsibility. Respondent shall mail the fine to: Sanction Monitoring, Bureau of Professional Licensing, Regulatory and Compliance Division, Department of Licensing and Regulatory Affairs, P.O. Box 30189, Lansing, MI 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 30 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 9·16·15

MICHIGAN BOARD OF MEDICINE

By [Signature]

Chairperson, Disciplinary Subcommittee

STIPULATION

The parties stipulate as follows:
1. Respondent does not contest the allegations of fact and law in the Complaint. Respondent understands that, by pleading no contest, he does not admit the truth of the allegations but agrees that the Disciplinary Subcommittee may treat the allegations as true for resolution of the Complaint and may enter an order treating the allegations as true.

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 Richard Burney, M.D. Dr. Burney 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. Burney and the parties considered the following factors in reaching this agreement:

A. In a summary submitted prior to the July 13, 2015 compliance conference, Respondent indicated that he has dedicated his career to oncology and has always been sensitive to the special needs of female patients, especially those who have been diagnosed with breast cancer. Respondent stated that it was his belief that M.A. understood the nature of her April 24 office
visit, as he had seen her several times prior to that date. He explained that his decision to conduct M.A.'s examination while she was fully clothed and seated was born out of compassion and concern for M.A.'s comfort due to her complaint of pain in her hands and low back, which he interpreted to be greater than normal. However, he stated that he understands that his concerns may not have been clear to M.A. and expressed regret for any discomfort his actions may have unintentionally caused her.

B. Respondent has been licensed to practice medicine since 1976 and has no other disciplinary action against his license.

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: 1/14/15

Mark G. Campbell, M.D.
Respondent
Dated: 1/31/15

Alan T. Rogalski (244550)
Attorney for Respondent
Dated: ____________________________


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