In the Matter of

JERI LYNN ELLIS, M.D.
License No. 43-01-054560,
Respondent.

FINAL ORDER

On November 30, 2018, the Department of Licensing and Regulatory Affairs executed an Administrative Complaint charging Respondent with violating the Public Health Code, MCL 333.1101 et seq.

The Complaint notified Respondent that, pursuant to MCL 333.16231, Respondent’s failure to respond to the Complaint within 30 days from the date of receipt would be treated as an admission of the allegations contained in the Complaint and would result in transmittal of the Complaint directly to the Michigan Board of Medicine Disciplinary Subcommittee (DSC) for imposition of an appropriate sanction.

Contrary to MCL 333.16231, Respondent failed to provide a written response to the allegations set forth in the Complaint within 30 days from the date of receipt.
The DSC, having read the Complaint, considered this matter at a regularly scheduled meeting held in Lansing, Michigan on March 20, 2019, and imposed a sanction pursuant to MCL 333.16231. Therefore,

IT IS ORDERED that for violating MCL 333.16221(a), (h)(i), (h)(x) and (f) Respondent's license to practice medicine is SUSPENDED for a minimum of one day, commencing on the effective date of this Order.

IT IS FURTHER ORDERED that, pursuant to MCL 333.7311(6) Respondent's controlled substance license is automatically void, commencing on the effective date that Respondent's license to practice medicine in the state of Michigan is suspended.

IT IS FURTHER ORDERED that Respondent's license shall be automatically reinstated IF WITHIN SIX MONTHS FROM THE EFFECTIVE DATE OF THIS ORDER:

1. The Department has received satisfactory written evidence from the Health Professional Recovery Program (HPRP) verifying that Respondent has undergone an evaluation, has entered into a disciplinary, non-confidential monitoring agreement (monitoring agreement) with HPRP AND that HPRP has endorsed Respondent as safe to practice, OR that HPRP has determined that Respondent does not require monitoring. It shall be Respondent's responsibility to contact HPRP by telephone at 1-800-453-3784 and to comply with the requests of HPRP regarding submission to an evaluation and entry into a monitoring agreement, if required. All costs associated with this process shall be Respondent's responsibility. If HPRP determines that Respondent is in need of
monitoring, Respondent shall enter into and comply with all terms of a monitoring agreement with HPRP.

Respondent shall submit a signed and fully executed monitoring agreement AND written confirmation that HPRP has endorsed Respondent as safe to practice OR written confirmation from HPRP that Respondent is not in need of monitoring to the address set forth below.

IT IS FURTHER ORDERED that in the event Respondent's license to practice remains suspended for more than six months, Respondent must apply for reinstatement of the license. In the event Respondent applies for reinstatement of the license, application for reinstatement shall be in accordance with MCL 333.16245 and 333.16247.

IT IS FURTHER ORDERED that for violating the cited violations of the Public Health Respondent's license to practice medicine in the state of Michigan is LIMITED for a two years, commencing on the date of reinstatement. Reduction of the limitation period shall only occur while Respondent is employed as a physician. The terms of limitation shall be as follows:

1. **CONTROLLED SUBSTANCES.** Respondent shall not obtain, possess, prescribe, dispense or administer any drug designated as a controlled substance under the Public Health Code or its counterpart in federal law unless the controlled substance is prescribed or dispensed by a licensed physician for Respondent as a patient.
IT IS FURTHER ORDERED that Respondent may petition for reclassification at the end of the two year limitation period, in accordance with Mich Admin Code, R 792.10712.

IT IS FURTHER ORDERED that for the cited violation(s) of the Public Health Code Respondent is placed on PROBATION to run concurrent with the period of limitation, commencing on the date of reinstatement. The terms of probation shall be as follows:

1. **MONITORING AGREEMENT:** If HPRP determines that the Respondent requires monitoring, and Respondent enters into a disciplinary monitoring agreement as a prerequisite to reinstatement of his license, Respondent shall comply fully with the terms of a monitoring agreement. 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.

   To the extent that the terms of a monitoring agreement call for reports, Respondent shall submit all reports in the manner specified by the monitoring agreement.

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

2. **REPORTING PROCEDURE:** Respondent authorizes the Department or its authorized representative to periodically contact the reporting individuals or agencies to inquire of Respondent's progress.
Respondent shall direct any communications to the Department that are required by the terms of this Order to: BPL-Monitoring@michigan.gov or by mail to Department of Licensing and Regulatory Affairs, Enforcement Division, Compliance Section, P.O. Box 30670, Lansing, MI 48909.

The timely filing of all information relating to this Order shall be Respondent's responsibility, and failure to file the required information within the time limitations herein provided shall be deemed a violation of an order of the Disciplinary Subcommittee.

3. COMPLIANCE WITH THE PUBLIC HEALTH CODE: Respondent shall comply with all applicable provisions of the Public Health Code and rules promulgated thereunder.

4. COSTS: Respondent shall be solely responsible for payment of all costs incurred in complying with the terms of this Order.

IT IS FURTHER ORDERED that Petitioner shall be automatically discharged from probation upon reclassification of Petitioner's limited license 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 for the cited violations of the Public Health Code, Respondent is FINED $500.00 to be paid prior to reinstatement of the license. Respondent shall direct payment to the Department of Licensing and Regulatory Affairs, Enforcement Division, Compliance Section, P.O. Box 30189, Lansing, MI 48909. The fine shall be paid by check or money order, made payable to the State of Michigan, and shall clearly display File Number 43-18-151192.
IT IS FURTHER ORDERED that if Respondent violates any provision of this Order, or fails to complete any terms of the order, the DSC may take disciplinary action pursuant to Mich Admin Code, R 338.1632 and MCL 333.16221(h).

This matter is a public record required to be published and made available to the public pursuant to the Michigan Freedom of Information Act, MCL 15.231 et seq., and this action will be reported to the National Practitioner Data Bank and any other entity as required by state or federal law.

IT IS FURTHER ORDERED that this Order shall be effective 30 days from the date signed by the DSC's Chairperson or authorized representative, as set forth below.

Dated: 04/05/2013

MICHIGAN BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

By:
Cheryl Wykoff Pezon, Director
Bureau of Professional Licensing
Authorized Representative

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

In the Matter of

JERI LYNN ELLIS, M.D.
License No. 43-01-054560,
Respondent.

File No. 43-18-151192

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 currently licensed to practice medicine in the state of Michigan. Respondent has an address of record with this Department of Oklahoma City, Oklahoma.

3. Hydrocodone is a schedule 2 controlled substance.

4. On January 11, 2018, the Oklahoma State Board of Medical Licensure and Supervision (Oklahoma Board) entered in an Order Accepting Voluntary
Submittal to Jurisdiction (Order) mandating Respondent to not prescribe any controlled dangerous substances, sign a lifetime contract with Oklahoma Health Professional Program, as well as, limitations to Respondent's practice. The disciplinary action was based, in part, on Respondent for prescribing controlled dangerous substances (CDS) to patients without a legitimate medical need, for failing to oversee and monitor patients receiving CDS, and for allowing someone to forge Respondent's signature on CDS prescriptions. A copy of the Order, marked Exhibit A, is attached and incorporated.

5. Respondent failed to notify the Department of the action taken by the Oklahoma Board within 30 days of the date of the action.

COUNT I

Respondent's conduct, as set forth above, evidences a 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, in violation of MCL 333.16221(a).

COUNT II

Respondent's conduct, as set forth above, evidences a departure from, or failure to conform to, minimal standards of acceptable and prevailing practice for the health profession, whether or not actual injury to an individual occurs, in violation of MCL 333.16221(b)(i).
COUNT III

The action by the Oklahoma Board, as set forth above, constitutes a final adverse administrative action by a licensure, registration, disciplinary, or certification board involving the holder of, or an applicant for, a license or registration regulated by another state, a territory of the United States, or by another country, in violation of MCL 333.16221(b)(x).

COUNT IV

Respondent's conduct, as set forth above, evidences a failure to notify Department of the disciplinary action by the Oklahoma Board within 30 days from the date of the action, as required by MCL 333.16222(4), 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: 11/30/18

Cheryl Wykoff Pezon, Director
Bureau of Professional Licensing

Attachments
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