

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

JAY H. JONES, M.D.,
License No. 43-01-051680

Complaint No. 43-14-182180

CONSENT ORDER AND STIPULATION

CONSENT ORDER

An administrative complaint was filed with the Disciplinary Subcommittee of

the Board of Medicine on December 17, 2014, charging Jay H. Jones, M.D.
(Respondent) with having violated sections 16221(a) and (b)(i) 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 placed on PROBATION for a period of one (1) year
commencing on the effective date of this order. Reduction of the probationary
period shall occur only while Respondent is employed as a doctor. Respondent shall

be automatically discharged from probation at the end of the probationary period provided the Department has received satisfactory written evidence that Respondent has successfully complied with the terms of this order. The terms and conditions of the probation, which Respondent must complete within the period of probation, are as follows:

- A. SUPERVISOR REPORTS. Respondent's supervisor shall file reports with the Department, as further provided below, advising of his work performance. If, at any time, Respondent fails to comply with minimal standards of acceptable and prevailing practice, or appears unable to practice with reasonable skill and safety, his supervisor shall immediately notify the Department.

- B. EMPLOYER REPORTS. In the event Respondent is employed in any capacity as a doctor, he shall immediately provide copies of this order and the complaint dated December 17, 2014, to his employer. Respondent's immediate supervisor at the place of employment shall file reports with the Department, as further provided below, advising of Respondent's work performance. If, at any time, Respondent fails to comply with minimal standards of acceptable and prevailing practice, or appears unable to practice with reasonable skill and safety, his supervisor shall immediately notify the Department.
- C. EMPLOYMENT CHANGE. Respondent shall report to the Department in writing any and all changes in his employment within 15 days of such change. Respondent shall provide copies of this order and the complaint dated December 17, 2014, to each successor employer in any position in which he is working as a doctor. The successor employer shall file reports with the Department advising of Respondent's work performance, as set forth above.
- D. MEETING WITH BOARD APPROVED REVIEWER. Respondent shall meet quarterly with a physician designated by Affiliated Monitors, Inc., to review Respondent's professional practice. The initial meeting shall occur at the end of the third month of probation, and subsequent meetings shall occur every 3 months thereafter until the end of the probationary period.

Within 15 days of the effective date of the order, Respondent shall contact the Sanction Monitoring Unit to obtain the contact information for Affiliated Monitors, Inc., and the designated physician reviewer. Respondent shall then be responsible for scheduling the time and place of the meetings with the designated physician reviewer. Respondent shall submit the request for the Affiliated Monitors, Inc., designated physician reviewer to: Sanction Monitoring Unit, Bureau of Health Care Services, Health Professions Division, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, Michigan 48909, or by fax to (517) 241-1431.

E. 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.

F. RESIDENCY AND PRACTICE OUTSIDE MICHIGAN. Periods

of residency and practice outside Michigan shall not reduce the probationary period of this order. Respondent shall report any change of residency or practice outside Michigan to the Department within fifteen days after the change occurs. Compliance with this provision does not satisfy the requirements of section 16192(1) and 16171(f) of the Public Health Code regarding Respondent's duty to report name or mailing address changes to the Department.

G. REPORT OF NON-EMPLOYMENT. If, at any time during the period of probation, Respondent is not employed as a doctor, he shall file a report of non-employment with the Department. Respondent shall file this report within 15 days after becoming unemployed. Respondent shall continue to file reports of non-employment on a quarterly basis until he returns to practice as a doctor. If Respondent subsequently returns to practice as a doctor, he shall notify the Department of this fact within 15 days after returning to practice.

H. REPORTING PROCEDURE. Unless otherwise provided above, all reports required by the terms of probation 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 every three months until Respondent is discharged from probation. In addition to receiving reports as required above, the Department or its authorized representative may periodically contact the reporting

individuals or agencies to inquire of Respondent's progress. By accepting the terms of this consent order and stipulation, Respondent has authorized the release of all necessary records and information.

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 Seven Thousand Five Hundred and 00/100 Dollars (\$7,500.00) to be paid by check, money order or cashier's check made payable to the State of Michigan (with complaint number 48-14-132180 clearly indicated on the

check or money order) within 180 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 Health Care Services, Enforcement Division, Department of Licensing and Regulatory Affairs, P.O. Box 30189, Lansing, Michigan 48909.

Count II of the complaint, alleging a violation of section 16221(b)(1) of the Public Health Code, is DISMISSED.

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 thirty 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 7/15/15

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

A. Respondent's practice consists of approximately 3,000 patients. Respondent indicated that the cases referenced in the administrative complaint are an aberration. Several of the cases involve a colleague physician and nurse that Respondent was treating. Respondent was aware of, and even referred in the patient charts his understanding that the opioid regime appeared excessive. Respondent's goal was to slowly bring the opioids down to more prudent levels. He was attempting to either reduce the opioids or discontinue treatment of the patients, if they were not working to accept the reduction.

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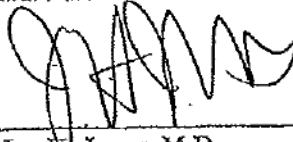
By signing this stipulation, the parties confirm that they have read, understand and agree with the terms of the consent order.

AGREED TO BY:



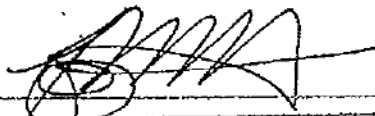
Eric M. St. Onge (P56630)
Assistant Attorney General
Attorney for Complainant
Dated: 6/22/15

AGREED TO BY:



Jay H. Jones, M.D.
Respondent

Dated: 6-18-2015



John M. Toth (P83608)
Attorney for Respondent

Dated: 6-18-2015