

the Board's duty to protect the public from the imminent risk of harm. Respondent represents that he agrees to a voluntary cessation of practice and that the Board should enter an order accepting and enforcing his voluntary cessation of practice. In addition, it appears that FAHC has placed Respondent on administrative leave, and Respondent has agreed to that action. Respondent has represented that he is both unwilling and unable to practice medicine at the current time.

7. 3 V.S.A. § 814(c) reads in relevant part:

... If the agency finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order; summary suspension of a license may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined.

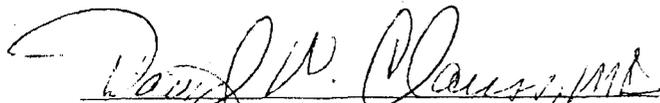
8. The allegations set forth in detail in the Affidavit of Probable Cause are serious. Respondent agrees they are serious. The Board is gravely concerned that these allegations, if true, present an immediate threat to the health, safety, and welfare of the public should Respondent continue in the practice of medicine at the present time. However, if Respondent is not practicing medicine, the Board does not feel that the circumstances constitute an imperative threat that requires the emergency action of a summary suspension.

ORDER

After considering all of the material presented by the parties and their oral presentations at the hearing, the Board issues the following **ORDER**:

1. The State's Motion to Conduct Proceedings Pursuant to Statutory Provisions is **GRANTED**;
2. In lieu of the State's Motion for Summary Suspension, Respondent's voluntary cessation of practice is accepted and **ORDERED**;
3. Respondent or the State may petition the Board for additional or different relief if circumstances warrant;
4. This **ORDER** shall remain in effect so long as the Medical Board investigation or criminal charges are pending;
5. Failure to comply with this **ORDER** shall constitute unprofessional conduct under 26 V.S.A. § 1354(25);
6. This **ORDER** shall be a public record under 26 V.S.A. § 1318(c).

ON BEHALF OF THE BOARD:


David W. Clauss, M.D., Physician Member

6/7/07
Date

Filed with Board Office:

6/7/07
Date

Date of Entry: 6/7/07