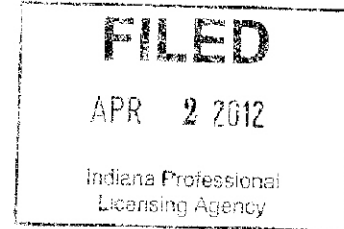


BEFORE THE MEDICAL LICENSING BOARD OF INDIANA
CAUSE NO. 2012 MLB 0025

IN THE MATTER OF THE LICENSE OF)
)
BEVERS, JONATHON H. M.D.)
)
LICENSE NO: 01038936A)
)



COMPLAINT

This complaint is brought against the medical license of Jonathon H. Bevers, M.D. ("Respondent"), by the State of Indiana, by counsel, Deputy Attorney General, Jessica W. Krug, on behalf of the Office of the Attorney General ("Petitioner") and pursuant to Indiana Code § 25-1-7-7, Ind. Code § 25-1-5-3, Ind. Code art. 25-22.5, the Administrative Orders and Procedures Act, Ind. Code ch. 4-21.5-3 and Ind. Code ch. 25-1-9, and in support alleges and states:

FACTS

1. Respondent's address on file with the Medical Licensing Board of Indiana is 415 S. Walnut Street, Bloomington, IN 47274. Respondent is a licensed medical doctor holding Indiana license number 01038936A.

2. Respondent has been the treating psychiatrist for Patient A since he was a minor child. After Patient A turned eighteen (18) years old, Respondent continued to treat Patient A.

3. In April 2011, Patient A's mother sent paperwork regarding Patient A's application for disability benefits to Respondent to be completed by Respondent in his capacity as Patient A's treating psychiatrist. After completing this paperwork, which contained personal identifying information, along with personal health information of

Patient A, Respondent mailed the paperwork to Patient A's mother at her work address despite her directions to return it to her home address. Because Patient A's mother uses an alternate name at work, persons at her place of employment could not easily identify who the mail was directed to, opened the envelope, and read the sensitive and legally protected information. Further, the letter Respondent provided in relation to his recommendation about Patient A's need for a guardian contained many negative comments about Patient A's mother's ability to care for him appropriately.

4. In addition to requesting that Respondent complete the required medical forms for Patient A's disability application, Patient A's mother also requested a copy of Patient A's medical record maintained by Respondent and Bloomington Meadows Hospital on or about April 11, 2011. Although Patient A's mother included with her request for the records a copy of a properly executed Power of Attorney over Patient A and an executed Mental Health Power of Attorney, Respondent refused to release the records without a consent form signed by Patient A. Patient A's mother made a second request on June 2, 2011, and this request was similarly refused by Respondent.

COUNT I

5. Paragraphs 1 through 4 are incorporated by reference herein.

6. Respondent's actions constitute a violation of Ind. Code § 25-1-9-4(a)(4)(B) in that he/she has continued to practice although the Respondent has become unfit to practice due to failure to keep abreast of current professional theory or practice as evidenced by Respondent's failure to follow proper procedures resulting in the unlawful release of protected health information in violation of the Health Insurance Portability and Accountability Act of 1996, as amended by the Health Information Technology for

Economic and Clinical Health (HITECH) Act, (hereinafter HIPAA), 42 U.S.C. § 1302(a), and Department of Health and Human Services Regulations 45 C.F.R. § 160 *et seq.*

COUNT II

7. Paragraphs 1 through 4 are incorporated by reference herein.

8. Respondent's actions constitute a violation of Ind. Code § 25-1-9-4(a)(4)(B) in that he/she has continued to practice although the Respondent has become unfit to practice due to failure to keep abreast of current professional theory or practice as evidenced by Respondent's inappropriate refusal to release Patient A's medical records.

WHEREFORE, Petitioner demands an order against the Respondent, that:

1. Imposes the appropriate disciplinary sanction;
2. Directs Respondent to immediately pay all the costs incurred in the prosecution of this case;
3. Provides any other relief the Board deems just and proper.

Respectfully submitted,

GREGORY F. ZOELLER
Attorney General of Indiana
Attorney Number: 1958-98

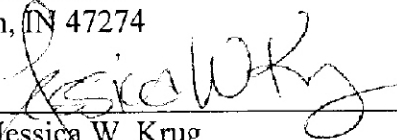
By: 

Jessica W. Krug
Deputy Attorney General
Attorney Number: 26222-49

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing "Complaint" has been served upon the Respondent listed below, by United States mail, first class postage prepaid, on this 2nd day of April, 2012.

Jonathon H. Bevers, M.D.
415 S. Walnut Street
Bloomington, IN 47274



Jessica W. Krug
Deputy Attorney General

Indiana Government Center South, Fifth Floor
302 West Washington Street
Indianapolis, Indiana 46204-2770
Phone: (317) 234-2598
Fax: (317) 233-4393
Jessica.Krug@atg.in.gov

**BEFORE THE MEDICAL LICENSING BOARD OF INDIANA
CAUSE NO. 2012 MLB 0025**

IN THE MATTER OF THE LICENSE OF)
)
JONATHAN HUGH BEVERS, M.D.,)
)
LICENSE NO.: 01038936A)
)



**FINAL ORDER ACCEPTING PROPOSED FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER**

The State of Indiana (“Petitioner”), by the Office of the Attorney General, by Jessica W. Krug, Deputy Attorney General, Counsel for Respondent, Sherry Fabina-Abney, and Jonathan Hugh Bevers, M.D. (“Respondent”) signed a Proposed Settlement Agreement (“Agreement”) which purports to resolve all issues involved in the action by the Petitioner and the Medical Licensing Board of Indiana (“Board”) regarding the Respondent’s license, and which Agreement has been submitted to the Board for approval.

The Board, after reviewing the Agreement at the June 28, 2012 meeting, which was held in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204, now finds it has been entered into fairly and without fraud, duress, or undue influence, and is fair and equitable between the parties. The Board hereby incorporates the Agreement, which is attached hereto and incorporated herein as Exhibit A, and approves and adopts in full the Agreement as a resolution of this matter. Dr. Allen recused himself from the proceedings. The Board approved this Agreement by a vote of 4-2-0. Incorporated into the Agreement was the consensus of both parties to Findings of Fact, Conclusions of Law and Order.

IT IS FURTHER ORDERED, by a vote of 4-2-0, the Board ordered to impose a fine of five hundred dollars (\$500.00) to be paid by Respondent within sixty (60) days of the issuance of this order. This fine must be paid by cash, cashier's check, or money order to the following:

Indiana Professional Licensing Agency
Attn.: Kristen Kelley
402 W. Washington St., Room W072
Indianapolis, IN 46204

WHEREFORE, the Board hereby accepts and approves the Agreement, settling all matters in this case consistent with the terms of the Agreement between the parties, and Respondent is hereby **ORDERED** to abide by all the terms of the Agreement.

SO ORDERED, this 5th day of July, 2012.

MEDICAL LICENSING BOARD OF INDIANA

By: 
frances L. Kelly
Executive Director
Indiana Professional Licensing Agency

fr

CERTIFICATE OF SERVICE


I certify that a copy of the "Final Order Accepting Proposed Findings of Fact, Conclusions of Law and Order" has been duly served upon:

Jonathan Hugh Bevers, M.D.
415 South Walnut Street, Suite 235
Seymour, IN 47274
[service by US Mail]

Sherry A. Fabina-Abney
Ice Miller, LLP
One American Square, Suite 2900
Indianapolis, IN 46282-0200
[service by US Mail]

Jessica W. Krug
Deputy Attorney General
Office of the Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis
jessica.krug@atg.in.gov
[service by Email]

7-5-2012
Date



Donna Moran, Litigation Specialist

Medical Licensing Board of Indiana
Indiana Government Center South
302 West Washington St., Fifth Floor
Indianapolis, IN 46204
Phone: 317-234-2060
Fax: 317-233-42136
Email: pla3@pla.in.gov

Explanation of Service Methods

Personal Service: by delivering a true copy of the aforesaid document(s) personally.

Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.

Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.

BEFORE THE MEDICAL LICENSING BOARD OF INDIANA

CAUSE NO. 2012 MLB 25

IN THE MATTER OF THE LICENSE OF)
)
BEVERS, JONATHAN HUGH, M.D.)
)
LICENSE NO.: 01038936 (Active))
)

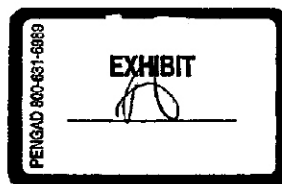


PROPOSED SETTLEMENT AGREEMENT

The Petitioner, the State of Indiana, by Jessica W. Krug, Deputy Attorney General, Consumer Protection Division ("Petitioner"), and Jonathan Hugh Bevers, M.D. ("Respondent"), hereby execute this Agreement to a disposition of the disciplinary complaint filed on April 2, 2012. This Agreement is subject to the review and approval of the Medical Licensing Board of Indiana ("Board") and the Administrative Orders and Procedures Act, Ind. Code § 4-21.5-3 *et seq.* In the event that the Agreement is not approved by the Board, this Agreement shall be null and void and, in accordance with Indiana Rule of Evidence 408, may not be introduced into evidence in any civil, criminal or administrative proceeding.

STIPULATED FINDING OF FACTS

1. Respondent's address on file with the Medical Licensing Board of Indiana is 415 South Walnut Street, Bloomington, IN 47274. Respondent is a licensed medical doctor holding Indiana license number 01038936A.
2. Respondent has been the treating psychiatrist for Patient A since he was a minor child. After Patient A turned eighteen (18) years old, Respondent continued to treat Patient A.



3. In April 2011, Patient A's mother sent paperwork regarding Patient A's application for disability benefits to Respondent to be completed by Respondent in his capacity as Patient A's treating psychiatrist. The forms were sent via facsimile from the mothers' place of employment with the employer's letterhead which contained the employer's address. After completing this paperwork, which contained personal identifying information, along with personal health information of Patient A, Respondent's recommendation about Patient A's need for a guardian, and his opinions based on his professional judgment concerning Patient A's mother's ability to care for the patient appropriately, Respondent's assistant mailed the paperwork to Patient A's mother at her work address despite her previous directions to return it to her home address. Because Patient A's mother uses an alternate name at work, persons at her place of employment could not easily identify who the mail was directed to, opened the envelope, and read the sensitive and legally protected information.

4. When Respondent learned that his office inadvertently sent the forms to the address of the mother's employer, he immediately wrote a letter of apology to her and has educated his staff on verification of where clients desire sensitive documents sent.

STIPULATED CONCLUSIONS OF LAW

1. Respondent's conduct serves as a basis for finding a violation of Ind. Code § 25-1-9-4(a)(4)(B) as evidenced by Respondent's failure to follow proper procedures resulting in the unauthorized release of protected health information.

[REDACTED]

[Handwritten signature]

WHEREAS, this matter is set for hearing before the Board; and

WHEREAS, the Respondent and Petitioner wish to resolve this matter prior to a hearing and have reached a resolution.

IT IS NOW THEREFORE AGREED by Respondent and Petitioner as follows:

TERMS AND CONDITIONS

1. The Board has jurisdiction over the Respondent and the subject matter in this disciplinary action commenced on or about April 2, 2012.
2. The parties execute this Agreement voluntarily.
3. Respondent and Petitioner voluntarily waive their rights to a public hearing on the Complaint and all other proceedings in this action to which either party may be entitled by law, including judicial appeal or review.
4. Petitioner agrees that the terms of this Agreement will resolve any and all outstanding claims or allegations or potential claims or allegations relating to disciplinary action against Respondent's license arising from or related to the Complaint (and any allegations stated or related to therein) filed on April 2, 2012.
5. Respondent has carefully read and examined this Agreement and fully understands its terms and that, subject to a final order issued by the Board, this Agreement is a final disposition of all matters and not subject to further review.
6. Respondent agrees that he will receive the attached **LETTER OF REPRIMAND**, which will be included as a permanent part of his file located at the Indiana Professional Licensing Agency. (See Letter of Reprimand attached hereto as Exhibit "A")
7. Respondent agrees that he shall, pursuant to Indiana Code § 4-6-14-10(b), pay a fee of Five Dollars (\$5.00) to be deposited into the Health Records and Personal Identifying

Information Protection Trust Fund. This fee shall be paid by check or money order payable to the State of Indiana, and submitted to the Indiana Office of the Attorney General to the attention of Katie Thorpe.

8. Respondent further understands that any non-compliance with the statutes or regulations regarding the practice of medicine, or any violation of the Settlement Agreement may result in the State requesting an emergency suspension of Respondent's license, an Order to Show Cause as may be issued by the Board, or a new cause of action pursuant to Indiana Code § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent's license.

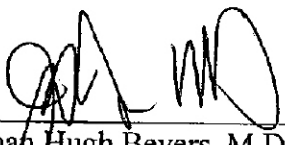
9. The parties agree to the continuing jurisdiction of the Board.

10. Respondent agrees to pay for a copy of the transcript of the presentation of this Agreement to the Board and the court reporter fees associated with this matter.

11. Respondent agrees that the Board has the discretion to issue a fine in this matter.

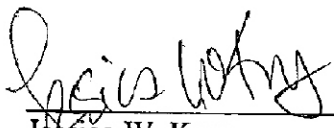
6/28/12

Date


Jonathan Hugh Bevers, M.D.
Respondent

4/25/12

Date


Jessica W. Krug
Attorney No. 26222-49
Deputy Attorney General

June 26, 2012

Jonathan Hugh Bevers, M.D.
415 South Walnut Street
Bloomington, IN 47274

**Re: In the matter of the license of Jonathan Hugh Bevers, M.D.
Before the Medical Licensing Board of Indiana**

Dear Dr. Bevers:

This letter of reprimand issued in accordance with the Findings of Fact and Order issued by the Medical Licensing Board of Indiana resolving the administrative complaint against your medical license filed by the Office of the Attorney General, Division of Consumer Protection on or about April 2, 2012.

The purpose of this reprimand is to stress the important responsibility that you have by reason of possession of a license to practice medicine in the State of Indiana.

The Settlement Agreement, Findings of Fact, and Final Order are attached and incorporated herein as part of this reprimand.

It is your responsibility to conduct your practice of medicine in accordance with the standards of the profession.

Sincerely,

MEDICAL LICENSING BOARD OF INDIANA

By:

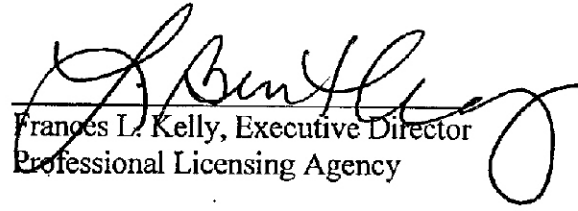
for 
Frances L. Kelly, Executive Director
Professional Licensing Agency

EXHIBIT "A"

BEFORE THE MEDICAL LICENSING BOARD OF INDIANA
CAUSE NO. 2012 MLB 0054

IN THE MATTER OF THE LICENSE OF)
JONATHAN HUGH BEVERS, M.D.)
LICENSE NO: 01038936A (Active))



COMPLAINT

This complaint is brought against the medical license of Jonathan Hugh Bevers, M.D. ("Respondent"), by the State of Indiana, by counsel, Deputy Attorney General Joshua W. Timmons, on behalf of the Office of the Attorney General ("Petitioner") and pursuant to Indiana Code § 25-1-7-7, Indiana Code § 25-1-5-3, Indiana Code art. 25-22.5, the Administrative Orders and Procedures Act, Indiana Code ch. 4-21.5-3 and Indiana Code ch. 25-1-9, and in support alleges and states:

FACTS

1. Respondent's address on file with the Medical Licensing Board of Indiana (Board) is 1272 Bitterwood Court, Columbus, Indiana 47201. Respondent is a licensed medical doctor holding Indiana license number 01038936A.
2. On or about July 5, 2012, the Board approved a settlement agreement wherein Respondent admitted to a violation of Ind. Code § 25-1-9-4(a)(4)(B) as evidenced by Respondent's failure to follow proper procedures resulting in the unauthorized release of protected health information. Respondent was issued a Letter of Reprimand and levied a fine of five hundred dollars (\$500.00).
3. On or about November 1, 2012, Indianapolis Airport Police Department (IAPD) arrested Respondent for trespassing and public intoxication. IAPD found Respondent in a state

of intoxication and walking around unauthorized on the active ramp area of the Indianapolis International Airport, endangering himself, others, and potentially causing disruption to airport operations. Respondent informed the arresting officer that Respondent had “parked his car out here [on the active ramp] and an AirTran employee told [Respondent] to come out here and get it.” Respondent pointed to a Southwest Airlines pickup truck and stated the pickup was his vehicle. While in IAPD custody, it was discovered Respondent was violently attempting to remove the handcuffs from his wrist, causing bruising to himself. He was later transported to the Marion County Jail and released into the custody of the Sheriff of Marion County.

4. IAPD made a Personal Property Log of Respondent’s personal belongings. These belongings included the following items:

- a. Kroger pain relief caplets;
- b. Ranitidine tablets;
- c. CVS allergy tablets;
- d. Diazepam prescription tablets;
- e. Lunesta prescription tablets;
- f. Gabapentin prescription tablets; and
- g. Tramadol prescription tablets.

5. On or about November 8, 2012, Respondent entered into an inpatient treatment program through Resurrection Health Care (Resurrection) located in or around Chicago, Illinois. Respondent believes his diagnosis will be alcohol dependence.

6. According to Indiana State Medical Association (ISMA), Respondent has made a verbal commitment to enroll in a ISMA monitoring agreement after he is released from his treatment program at Resurrection.

7. Respondent has subsequently been formally charged with criminal trespass, a Class A misdemeanor, and public intoxication, a Class B misdemeanor, in Marion County, Indiana, in Cause No. 49F07-1211-BM-075382.

COUNT I

8. Paragraphs 1 through 7 are incorporated by reference herein.

9. Respondent's conduct as described above constitutes a violation of Indiana Code § 25-1-9-4(a)(D) in that Respondent has continued to practice although the practitioner has become unfit to practice due to addiction to, abuse of, or severe dependency upon alcohol or other drugs that endanger the public by impairing a practitioner's ability to practice safely as evidenced by Respondent's being found in a state of intoxication on the active ramp area of the airport, the finding of several prescription drugs on his person, and his charges in Cause No. 49F07-1211-BM-075382.

WHEREFORE, Petitioner demands an order against the Respondent, that:

1. Imposes the appropriate disciplinary sanction;
2. Directs Respondent to immediately pay all the costs incurred in the prosecution of this case;
3. Provides any other relief the Board deems just and proper.

Respectfully submitted,

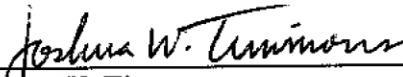
GREGORY F. ZOELLER
Attorney General of Indiana
Attorney Number: 1958-98

By: *Joshua W. Timmons*
Joshua W. Timmons
Deputy Attorney General
Attorney Number: 30932-49

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing "Complaint" has been served upon the Respondent listed below, by United States mail, first class postage prepaid, on this 21st day of November, 2012.

Jonathan Hugh Bevers, M.D.
1272 Bitterwood Court
Columbus, IN 47201



Joshua W. Timmons
Deputy Attorney General

Indiana Government Center South, Fifth Floor
302 West Washington Street
Indianapolis, Indiana 46204-2770
Phone: (317) 234-7137
Fax: (317) 233-4393
josh.timmons@atg.in.gov

BEFORE THE MEDICAL LICENSING BOARD OF INDIANA
CAUSE NO. 2012 MLB 0054

IN THE MATTER OF THE LICENSE OF)
)
JONATHAN HUGH BEVERS, M.D.)
)
LICENSE NO: 01038936A)



**FINAL ORDER ACCEPTING PROPOSED FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER**

The State of Indiana ("Petitioner"), by the Office of the Attorney General, by Joshua W. Timmons, Deputy Attorney General, and, Jonathan Hugh Bevers, M.D. ("Respondent"), and Respondent's legal counsel, Sherry A. Fabina-Abney, signed a Proposed Settlement Agreement ("Agreement") which purports to resolve all issues involved in the action by the Petitioner and the Medical Licensing Board of Indiana ("Board") regarding the Respondent's license, and which Agreement has been submitted to the Board for approval.

The Board, after reviewing the Agreement at the December 6, 2012 meeting, now finds it has been entered into fairly and without fraud, duress, or undue influence, and is fair and equitable between the parties. The Board hereby incorporates the Agreement, which is attached hereto and incorporated herein as Exhibit A, and approves and adopts in full the Agreement as a resolution of this matter. The Board approved this Agreement by a 6 to 0 to 1 vote. Incorporated into the Agreement is the consensus of both parties to Findings of Fact, Conclusions of Law, and Order.

The Board further orders, by a 6 to 0 to 1 vote, that Respondent shall, within ninety (90) days of the Final Order, pay a FINE in the amount of ONE THOUSAND DOLLARS (\$1000.00) payable to the Indiana Professional Licensing Agency at the following address:

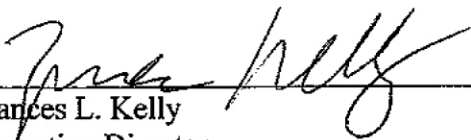
Indiana Professional Licensing Agency
Attn: Medical Board
402 West Washington Street, Room W072
Indianapolis, IN 46204

WHEREFORE, the Board hereby accepts and approves the Agreement, settling all matters in this case consistent with the terms of the Agreement between the parties, and Respondent is hereby **ORDERED** to abide by all the terms of the Agreement.

SO ORDERED, this 14 day of December, 2012.

MEDICAL LICENSING BOARD OF INDIANA

By:



Frances L. Kelly
Executive Director
Indiana Professional Licensing Agency

CERTIFICATE OF SERVICE

I certify that a copy of the "Findings of Fact, Conclusions of Law and Order" has been duly served upon:

Jonathan Hugh Bevers, M.D.
1272 Bitterwood Court
Columbus, Indiana 47201
Service by U.S. Mail

Sherry A. Fabina-Abney
ICE MILLER LLP
One American Square, Suite 2900
Indianapolis, IN 46282-0200
Service by U.S. Mail

Joshua W. Timmons
Deputy Attorney General
302 West Washington Street, 5th Floor
Indianapolis, Indiana 46204
Josh.timmons@pla.in.gov
Service by Email

12-14-2012

Date

Donna Moran

Donna Moran, Litigation Specialist

Medical Licensing Board of Indiana
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2060
Fax: 317-233-4236
Email: pla3@pla.in.gov

Explanation of Service Methods

Personal Service: by delivering a true copy of the aforesaid document(s) personally.

Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.

Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.

BEFORE THE MEDICAL LICENSING BOARD OF INDIANA
CAUSE NO. 2012 MLB 0054

IN THE MATTER OF THE LICENSE OF)
)
JONATHAN HUGH BEVERS, M.D.)
)
LICENSE NO: 01038936A (Active))
)



PROPOSED SETTLEMENT AGREEMENT

The Petitioner, the State of Indiana, by Joshua W. Timmons, Deputy Attorney General, Consumer Protection Division ("Petitioner"), Jonathan Hugh Bevers, M.D. ("Respondent"), and Respondent's legal counsel, Sherry A. Fabina-Abney, hereby execute this Agreement to a disposition of the disciplinary complaint filed on November 21, 2012. This Agreement is subject to the review and approval of the Medical Licensing Board of Indiana ("Board") and the Administrative Orders and Procedures Act, Ind. Code § 4-21.5-3 *et seq.* In the event that the Agreement is not approved by the Board, this Agreement shall be null and void and, in accordance with Indiana Rule of Evidence 408, may not be introduced into evidence in any civil, criminal or administrative proceeding.

STIPULATED FINDING OF FACTS

1. The Attorney General of Indiana is empowered to bring disciplinary complaints in the name of the State of Indiana before the Board pursuant to Ind. Code § 25-1-7 *et seq.*
2. The Board is charged with the duty and responsibility of regulating the practice of medicine pursuant to Ind. Code § 25-22.5-2-7.
3. Respondent's address on file with the Medical Licensing Board of Indiana (Board) is 1272 Bitterwood Court, Columbus, Indiana 47201. Respondent is a licensed medical doctor holding Indiana license number 01038936A.

4. On or about July 5, 2012, the Board approved a settlement agreement wherein Respondent admitted to a violation of Ind. Code § 25-1-9-4(a)(4)(B) as evidenced by Respondent's failure to follow proper procedures resulting in the unauthorized release of protected health information. Respondent was issued a Letter of Reprimand and levied a fine of five hundred dollars (\$500.00).

5. On or about November 1, 2012, Indianapolis Airport Police Department (IAPD) arrested Respondent for trespassing and public intoxication. IAPD found Respondent in a state of intoxication and walking around unauthorized on the active ramp area of the Indianapolis International Airport, endangering himself, others, and potentially causing disruption to airport operations. Respondent informed the arresting officer that Respondent had "parked his car out here [on the active ramp] and an AirTran employee told [Respondent] to come out here and get it." Respondent pointed to a Southwest Airlines pickup truck and stated the pickup was his vehicle. While in IAPD custody, it was discovered Respondent was violently attempting to remove the handcuffs from his wrist, causing bruising to himself. He was later transported to the Marion County Jail and released into the custody of the Sheriff of Marion County.

6. IAPD made a Personal Property Log of Respondent's personal belongings. These belongings included the following items:

- a. Kroger pain relief caplets;
- b. Ranitidine tablets;
- c. CVS allergy tablets;
- d. Diazepam prescription tablets;
- e. Lunesta prescription tablets;
- f. Gabapentin prescription tablets; and

g. Tramadol prescription tablets.

7. On or about November 8, 2012, Respondent entered into an inpatient treatment program through Resurrection Health Care (Resurrection) located in or around Chicago, Illinois. Respondent believes his diagnosis will be alcohol dependence.

8. According to Indiana State Medical Association (ISMA), Respondent has made a verbal commitment to enroll in an ISMA monitoring agreement after he is released from his treatment program at Resurrection.

9. Respondent has subsequently been formally charged with criminal trespass, a Class A misdemeanor, and public intoxication, a Class B misdemeanor, in Marion County, Indiana, in Cause No. 49F07-1211-BM-075382.

STIPULATED CONCLUSIONS OF LAW

1. Respondent's conduct as described above constitutes a violation of Indiana Code § 25-1-9-4(a)(D) in that Respondent has continued to practice although the practitioner has become unfit to practice due to addiction to, abuse of, or severe dependency upon alcohol or other drugs that endanger the public by impairing a practitioner's ability to practice safely as evidenced by Respondent's being found in a state of intoxication on the active ramp area of the airport, the finding of several prescription drugs on his person, and his charges in Cause No. 49F07-1211-BM-075382.

WHEREAS, this matter is set for hearing before the Board; and

WHEREAS, the Respondent and Petitioner wish to resolve this matter prior to a hearing and have reached a resolution.

IT IS NOW THEREFORE AGREED by Respondent and Petitioner as follows:

TERMS AND CONDITIONS

1. The Board has jurisdiction over the Respondent and the subject matter in this disciplinary action commenced on or about November 21, 2012.

2. The parties execute this Agreement voluntarily.

3. Respondent and Petitioner voluntarily waive their rights to a public hearing on the Complaint and all other proceedings in this action to which either party may be entitled by law, including judicial appeal or review.

4. Petitioner agrees that the terms of this Agreement will resolve any and all outstanding claims or allegations or potential claims or allegations relating to disciplinary action against Respondent's license arising from or related to the Complaint (and any allegations stated or related to therein) filed on November 21, 2012.

5. Respondent has carefully read and examined this Agreement and fully understands its terms and that, subject to a final order issued by the Board, this Agreement is a final disposition of all matters and not subject to further review.

6. Respondent agrees that his Indiana medical license will be placed on **INDEFINITE SUSPENSION**.

7. Prior to Respondent petitioning the Board for a hearing to reinstate his license to practice:

(a) Respondent shall complete his treatment at Resurrection and provide the Board with a copy of Resurrection's diagnosis, prognosis, and recommendations.

(b) Respondent shall provide the Board with written reports from all treating physicians and/or counselors in support of Respondent's fitness to return to the practice of medicine;

(c) Respondent shall be a participant in the ISMA Physician Assistance Program (PAP);

(d) Respondent shall cause ISMA PAP to provide a written statement to the Board in support of the Respondent's compliance with his continuing care contract;

(e) Respondent shall enter into an ISMA PAP contract of at least five (5) years and be in complete and total compliance at the time of reinstatement; and

(f) Respondent shall make monthly personal appearances before the Board for the first year of his ISMA PAP contract, and then may petition the Board for quarterly appearances thereafter.

8. If Respondent's Indiana medical license is reinstated in the future, Respondent agrees to maintain a controlled substance prescription log, to prescribe controlled substances only to established patients, and to not prescribe controlled substances for himself or family members.

9. Within sixty (60) days of the adoption of a final order in this matter, pursuant to Indiana Code § 4-6-14-10(b), Respondent agrees that he shall pay a fee of Five Dollars (\$5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid by check or money order payable to the State of Indiana, and submitted to the Indiana Office of the Attorney General to the attention of Katie Thorpe.

10. Respondent further understands that any non-compliance with the statutes or regulations regarding the practice of medicine, or any violation of the Settlement Agreement may result in the State requesting an emergency suspension of Respondent's license, an Order to Show Cause as may be issued by the Board, or a new cause of action pursuant to Indiana Code § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent's license.


11. The parties agree to the continuing jurisdiction of the Board.

12. Respondent agrees to pay for a copy of the transcript of the presentation of this Agreement to the Board and the court reporter fees associated with this matter.

13. Respondent acknowledges and understands that the Board may require Respondent to complete continuing education credits.

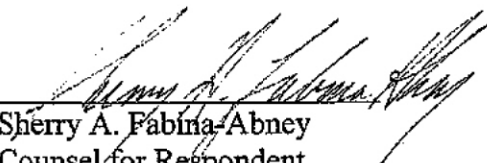
14. In addition, Respondent acknowledges and understands that the Board may impose a fine pursuant to Indiana Code § 25-1-9-9(a)(b).

12/6/12
Date



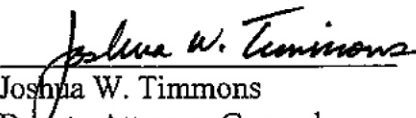
Jonathan Hugh Bevers, M.D.
Respondent

12/6/2012
Date



Sherry A. Fabina-Abney
Counsel for Respondent
Attorney No. 14234-49

12/6/2012
Date



Joshua W. Timmons
Deputy Attorney General
Attorney No. 30932-49