

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

In the Matter of

FAIDHERBE CEUS, M.D.  
License No. 43-01-089616,  
\_\_\_\_\_  
Respondent.

Docket No. 19-011832  
File No. 43-18-151647

FINAL ORDER

On September 9, 2019, the Department of the Attorney General, Licensing and Regulation Division on behalf of the Department of Licensing and Regulatory Affairs (Department) executed a First Superseding Administrative Complaint charging Respondent with violating the Public Health Code, MCL 333.1101 et seq.

An administrative hearing was held in this matter before an administrative law judge who, on August 17, 2020, issued a Proposal for Decision (PFD) setting forth recommended Findings of Fact and Conclusions of Law.

On September 8, 2020, the Department of the Attorney General, Licensing and Regulation Division, on behalf of the Department, filed Petitioner's Exceptions to August 19, 2020, Proposal for Decision.

On September 8, 2020, Respondent filed Exceptions to Proposed Findings.

On September 8, 2020, Respondent filed Respondent's Amended Exceptions to Proposed Findings.

On September 15, 2020, the Department of the Attorney General, Licensing and Regulation Division, on behalf of the Department, filed Petitioner's Response to Respondent's Exceptions to Proposal for Decision.

The Michigan Board of Medicine Disciplinary Subcommittee (DSC), having reviewed the administrative record, considered this matter at a regularly scheduled meeting held via Zoom on January 20, 2021, and accepted the administrative law judge's Findings of Fact and Conclusions of Law contained in the PFD. Therefore,

IT IS ORDERED that for violating MCL 333.16221(a):

Respondent is placed on PROBATION for a minimum of one (1) day and not to exceed six (6) months, commencing on the effective date of this Order. The terms of probation shall be as follows:

1. CONTINUING EDUCATION: Respondent shall successfully complete and submit satisfactory evidence of completing a minimum of six (6) hours of continuing education (CE) accepted by the Board in the area of effective communication skills.

This CE **shall not** apply in computing Respondent's current CE requirements for license renewal.

Respondent shall seek and obtain pre-approval of the CE from the Chairperson of the Board or the Chairperson's designee.

Respondent shall direct requests for pre-approval and proof of the successful completion of the CE to the Department at [BPL-Monitoring@michigan.gov](mailto:BPL-Monitoring@michigan.gov)

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

Respondent shall be automatically discharged from probation upon receipt by the Department of satisfactory evidence of the successful completion of the probationary terms as set forth above, PROVIDED compliance occurs within six (6) months, Respondent has paid the fine as set forth below, has complied with the terms of this Order and has not violated the Public Health Code.

Respondent is FINED \$3,000.00 to be paid within 120 days of the effective date of this Order. 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 43-18-151647**.

If Respondent fails to comply with the terms and conditions of this Order, Respondent's license shall be automatically suspended for a minimum of one (1) day. If, within six (6) months of the suspension of the license, Respondent complies with the terms of this Order, the license shall be automatically reinstated.

If Respondent's license remains suspended for more than six (6) months, Respondent must apply for reinstatement of the license. If Respondent applies for

reinstatement of the license, application for reinstatement shall be in accordance with sections MCL 333.16245 and 333.16247.

This Order 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 reported to the National Practitioner Data Bank, and any other entity as required by state or federal law.

This Order shall be effective 30 days after the date signed by the DSC's Chairperson or authorized representative, as set forth below.

Dated: January 27, 2021

**MICHIGAN BOARD OF MEDICINE  
DISCIPLINARY SUBCOMMITTEE**

By: 

Michael Draminski, Manager  
Compliance Section  
Bureau of Professional Licensing  
Authorized Representative

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DISCIPLINARY SUBCOMMITTEE

In the Matter of

FAIDHERBE CEUS, M.D.,  
License No. 43-01-089616

Complaint No. 43-18-151647

FIRST SUPERSEDING ADMINISTRATIVE COMPLAINT

Attorney General Dana Nessel, through Assistant Attorney General Bridget K. Smith, on behalf of the Department of Licensing and Regulatory Affairs, Complainant herein, files the within First Superseding Administrative Complaint against Faidherbe Ceus, M.D. (Respondent), alleging upon information and belief as follows:

1. The Board of Medicine (Board), an administrative agency established by the Public Health Code (Code), 1978 PA 368, as amended, MCL 333.1101 *et seq.*, is empowered to discipline licensees under the Code through its Disciplinary Subcommittee.
2. Respondent is currently licensed to practice as a physician pursuant to the Public Health Code. At all times relevant to the complaint, Respondent was employed at Kalamazoo Psychiatric Hospital (facility) as a psychiatrist and on-call physician.
3. Section 16221(a) of the Code provides the Disciplinary Subcommittee with the authority to take disciplinary action against a licensee for 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 or any conduct, practice or condition that impairs, or may impair, the ability to safely and skillfully practice as a physician

4. Section 16221(b)(i) of the Code authorizes the DSC to take disciplinary action against Respondent for incompetence, which is defined at section 16106(1) of the Code as a "departure from, or failure to conform to, minimal standards of acceptable and prevailing practice for a health profession, whether or not actual injury to an individual occurs."

5. Section 16226 of the Code authorizes the DSC to impose sanctions against persons licensed by the Board if, after opportunity for a hearing, the DSC determines that a licensee violated one or more of the subdivisions contained in section 16221 of the Code.

### ALLEGATIONS

6. At 8:00 a.m. on February 8, 2018, at the facility's morning meeting, Respondent was notified that patient E.S. (initials are used to protect the Individual's identity) had been discharged from Bronson Hospital the day before after experiencing false labor pains. Respondent was the on-call physician for the evening and instructed facility staff to monitor patient E.S. closely.

7. At or around 5:30 p.m. on February 8, 2018, following several visits, from patient E.S.'s primary care physician throughout the afternoon concerning her labor pain, patient E.S. asked to be sent to Bronson Hospital as her labor pains increased. Patient E.S.'s primary care physician had left the facility at

approximately 5:15 p.m. Facility nursing staff relayed patient E.S.'s request to Respondent, who instructed facility staff to monitor her closely and call with any changes.

8. At or around 1:30 a.m. on February 9, 2018, following several hours of patient E.S. walking throughout the facility exhibiting signs of labor pain, facility nursing staff contacted Respondent. Respondent provided no new orders.

9. At or around 2:30 a.m. on February 9, 2018, facility nursing staff contacted Respondent and left a voice message for him. At 2:48 a.m., Respondent returned the facility's call. Following facility staff indicating to him that patient E.S. was still experiencing pain, Respondent provided no new orders.

10. At, or around 6:00 a.m. on February 9, 2018, patient ES walked into a nearby bathroom alone and gave birth to her child on a facility toilet.

11. During a subsequent interview with the Office of Recipient Rights, Respondent initially denied receiving any calls about E.S. after 5:30 p.m. on February 8, 2018. However, during a September 24, 2018 interview with the Bureau's Investigator, Respondent presented cell phone records indicating he had called the facility around 2:48 a.m. on February 9, 2018. Respondent explained that at that time he was placed on hold and eventually hung-up without speaking to the nurse. Respondent failed to follow-up or make any additional effort to ascertain E.S.'s condition, despite her ongoing complaints.

## COUNT I

12. Respondent's conduct as described above constitutes negligence and failure to exercise due care in violation of section 16221(a) of the Code.

## COUNT II

13. Respondent's conduct as described above constitutes negligence and failure to exercise due care in violation of section 16221(b)(i) of the Code.

THEREFORE, Complainant requests that this Complaint be served upon Respondent and that Respondent be offered an opportunity to show compliance with all lawful requirements for retention of the aforesaid license. If compliance is not shown, Complainant further requests that formal proceedings be commenced pursuant to the Public Health Code, rules promulgated pursuant to it, and the Administrative Procedures Act of 1969, MCL 24.201 et seq.

RESPONDENT IS HEREBY NOTIFIED that, pursuant to section 16231(8) of the Public Health Code, Respondent has 30 days from receipt of this complaint to submit a written response to the allegations contained in it. The written response shall be submitted to the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, Michigan, 48909, with a copy to the undersigned assistant attorneys general. Further, pursuant to section 16231(9), failure to submit a written response within 30 days shall be treated as an admission of the allegations contained in the complaint and shall result in

transmittal of the complaint directly to the Board's Disciplinary Subcommittee for imposition of an appropriate sanction.

FURTHER, the administrative complaint previously filed against Respondent on January 22, 2019 is hereby WITHDRAWN and replaced in full by this superseding complaint.

DANA NESSEL  
Attorney General



Bridget K. Smith (P71318)  
Assistant Attorney General  
Licensing & Regulation Division  
3<sup>RD</sup> Floor Williams Building  
525 Ottawa  
P.O. Box 30758  
Lansing, Michigan 48933  
Telephone: (517) 335-7569  
Fax: (517) 241-1997

Dated: September 9, 2019

#### PROOF OF SERVICE

The undersigned certifies that on the date indicated above a copy of the foregoing document was served upon Faidherbe Ceus, M.D., Respondent, by mailing the same enclosed in an envelope bearing first class postage fully prepaid and plainly addressed as follows:

Faidherbe Ceus, M.D.,

Date: September 12, 2019

  
Kassandra Mudge