

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

In the Matter of

TIMOTHY LAMAR CHAPMAN, M.D.
License No. 43-01-076878,
Respondent.

File No. 43-22-000464

CONSENT ORDER

On August 21, 2023, the Department of Licensing and Regulatory Affairs executed an Administrative Complaint (Complaint) charging Respondent with violating the Public Health Code, MCL 333.1101 et seq.

Respondent neither admits nor denies the facts alleged but agrees that the DSC shall treat the allegations as true for purposes of this Consent Order and Stipulation, which findings shall have the same force as if evidence and argument were presented in support of the allegations. The DSC has reviewed this Order and agrees that the public interest is best served by resolution of the outstanding Complaint

Therefore, pursuant to the stipulation of the parties, Count II, MCL 333.16221(b)(i), of the Complaint is dismissed. The DSC finds that the remaining allegations of fact contained in the Complaint are true and constitute violation(s) of MCL 333.16221(a) of the Public Health Code.

Accordingly, IT IS ORDERED that for the cited violation(s) of the Public Health Code:

Respondent is FINED \$500.00 to be paid to the State of Michigan within 90 days of the effective date of this Order. The fine shall be paid electronically through Respondent's [MiPLUS account](#) **OR** by mail with a check or money order directly to: Department of Licensing and Regulatory Affairs, Enforcement Division, Compliance Section, P.O. Box 30189, Lansing MI 48909. If the fine is paid by mail, the check or money order shall be made payable to the State of Michigan and shall clearly display File Number 43-22-000464.

Respondent shall upload supporting documentation to the EDOC Record found under the Enforcement tab in Respondent's [MiPLUS account](#) or send as an email attachment to BPL-Monitoring@michigan.gov. Questions, requests for approval, and other communications shall be emailed to BPL-Monitoring@michigan.gov

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

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.

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

MICHIGAN BOARD OF MEDICINE

By: Lauren Brown for _____
Chairperson, Disciplinary Subcommittee

Dated: January 15, 2025

STIPULATION

1. The parties agree that Count II of the Complaint shall be dismissed; additionally, Respondent neither admits nor denies the facts alleged in the Complaint but agrees that the DSC shall treat the allegations as true for purposes of this Order, which findings shall have the same force and effect as if evidence and arguments were presented in support of the allegations.

2. Respondent understands and intends that, by signing this Stipulation, Respondent is waiving the right, pursuant to the Public Health Code, the rules promulgated thereunder, and the Administrative Procedures Act, MCL 24.201 *et seq.*, to require the Department to prove a violation of the Public Health Code by presentation of evidence and legal authority, and Respondent is waiving the right to appear with an

attorney and such witnesses as Respondent may desire to present a defense to the charges.

3. 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.

4. Michael Chafty, M.D., a member of the Board who supports this proposal, and the Department's representative are both free to discuss this matter with the DSC and recommend acceptance of the resolution set forth in this Order.

5. Factors taken into consideration in the formation of this Order:

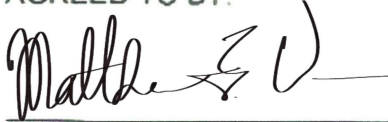
- a. Respondent provided evidence of completing the following continuing education (CE) courses, a total of seven and three-quarters (7.75) hours, all approved by the Board Chair:
 - i. Mental Health Documentation & Medical Necessity: Simple, Clear Guidelines that Maintain Quality of Care and Protect Your Practice (six and one-quarter (6.25) hours).
 - ii. Evaluation, Management, Coding, and Documentation: What All Psychiatrists In Clinical Practice Need to Know (one and one-half (1.5) hours).

Respondent has agreed not to use the above CE courses for licensure renewal.

6. This Order is approved as to form and substance by Respondent and the Department and may be entered as the final order of the DSC in this matter.

7. This proposal is conditioned upon acceptance by the DSC. Respondent and the Department expressly reserve the right to further proceedings without prejudice should this Order be rejected.

AGREED TO BY:



Matthew F. Wiersma, Analyst
Regulation Section I
Enforcement Division

Dated: November 4, 2024

AGREED TO BY:



Timothy Lamar Chapman, M.D.
Respondent

Dated: 10/25/24

APPROVED AS TO FORM BY:



Alan T. Rogalski (P44550)
Attorney for Respondent

Dated: 10/25/24

mfw/

STATE OF MICHIGAN
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In the Matter of

TIMOTHY LAMAR CHAPMAN, M.D.
License No. 43-01-076878,
Respondent.

File No. 43-22-000464

ADMINISTRATIVE COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs, 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 and has a controlled substance license.

3. For historical purposes, the following events occurred:

- a. On March 13, 2008, an Order of Summary Suspension and an Administrative Complaint, in file 43-08-107331, were executed against Respondent for an August 14, 2007 conviction.
- b. On July 23, 2013, in resolution of the March 13, 2008 Order of Summary Suspension and Administrative Complaint, in file 43-08-107331, the Board's DSC executed a Consent Order and

Stipulation that suspended Respondent's medical license for six (6) months and one (1) day. The Consent Order required that Respondent petition the Board for reinstatement of his license to practice medicine in the state of Michigan.

- c. On December 22, 2009, a Final Order Granting Reinstatement was executed against Respondent whereby the Board reinstated Respondent's medical license and placed Respondent on probation for one (1) year. The terms of probation, in part, required that Respondent undergo an evaluation and comply with the recommendations of the Health Professional Recovery Program (HPRP).
- d. On August 14, 2018, a First Superseding Administrative Complaint, file number 43-17-147576, was executed against Respondent based on a June 5, 2017 conviction for Alcohol-Operating While Intoxicated-1st offense.
- e. On January 16, 2016, in resolution of the August 14, 2018 First Superseding Administrative Complaint, file number 43-17-147576, the DSC entered into a Consent Order that required Respondent to continue to comply with the requirements of a monitoring agreement Respondent had previously entered into and pay a \$5,000.00 fine.

4. At all relevant times, Respondent was employed as a physician, specializing in psychiatry, for Harbor Oaks (facility) in New Baltimore, Michigan.

5. On or about August 18, 2020, patient C.V.¹ presented to St. Mary's Hospital – Emergency Room due to a mental health situation. Following evaluation at St.

¹ Initials used to protect patient's identity.

Mary's, she was transported to the facility where Respondent assumed care of patient C.V. On August 20, 2020, Respondent found patient C.V. suitable for inpatient treatment.

6. On August 22, 2020, Respondent filed a clinical certificate with Macomb County Probate Court for involuntary inpatient treatment for patient C.V. due to her on mental health status. Further on August 22, 2020, patient C.V. filed an intent to terminate mental health treatment, which the facility and Respondent did not honor.

7. Throughout patient C.V.'s stay at the facility, Respondent failed to document daily thorough evaluations of patient C.V.'s necessity for ongoing treatment at the facility.

8. On September 1, 2020, a hearing was held in Macomb County Probate Court where the presiding judge found insufficient evidence for patient C.V. to necessitate inpatient treatment and required the facility to release patient C.V.

9. As a part of the Department's investigation into Respondent's conduct, an expert reviewed the matter and found that Respondent violated general duty and departed from minimal practice standards. The expert opined the following:

- a. The documentation does not support that the patient's behavior necessitated a hospital admission of this length of time. An admission of this length of time (13 days) does not appear to be supported by the facts and documentation of the case.
- b. Lamotrigine² was prescribed, which is not a medication that helps with acute mania. The length of admission in this case was not appropriate given the facts and

² Lamotrigine is an anti-epileptic medication.

documentation of this case. For those reasons, the care for this patient was not within the minimal standard of care.

- c. There is an inadequate level of documentation of a thorough enough daily examination by Respondent to warrant ongoing inpatient admission for the length of time they were in the hospital, thus indicating a failure to exercise due care.
- d. Respondent's direction to continue hospitalization when it was not clearly warranted, was a departure, or failure to conform to, minimal standards of acceptable and prevailing practice for the profession.

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, demonstrates Respondent's "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," and accordingly "incompetence," in violation of MCL 333.16221(b)(i).

RESPONDENT IS NOTIFIED that, pursuant to MCL 333.16231(8), Respondent has 30 days from the date of receipt of this Complaint to submit a written response to the allegations contained in it. Pursuant to MCL 333.16192(2), Respondent is deemed to be in receipt of the complaint three (3) days after the date of mailing listed

in the attached proof of service. The written response shall be submitted by email to the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing to LARA-BPL-RegulationSection@michigan.gov. If unable to submit a response by email, Respondent may submit by regular mail to the **Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 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: August 21, 2023



Matthew F. Wiersma, Analyst
Regulation Section I
Enforcement Division

MFW/rjr