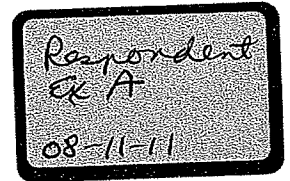


Statement

Ohio Medical Board

11 August 2011



I graduated for the University of Michigan Medical School in May 1975 and commenced my residency in Obstetrics and Gynecology in June 1975 at the University of Cincinnati Medical School. I was licensed to practice medicine in the State of Ohio in 1976. My residency was completed in June 1979, finishing with an award for outstanding ability in operative gynecology. I have practice without incidence for 35 years. I have provided excellent care to my patients. I have complied with all state regulatory requirements. Upon completion of residency I was appointed to the OB/GYN faculty of the UCMS which continues to this date. I have served on the medical school admissions committee for twenty years. During my 30 years of medical practice, I have served in leadership positions of the Cincinnati OB/GYN Society (secretary), Cincinnati Medical Associations (president, secretary). I have traveled to the African continent to do teaching and medical relief work in Ethiopia and Somalia. Community activities involved United Way (vice chair), original member of Cincinnati Citizens Police Review Panel and subsequent initial member of the Citizens Complaint Authority, both charged with police oversight. I currently serve on the Ohio Commission on Minority Health being initially appointed by Governor George Voinovich and reappointed by each succeeding governor. I have served as secretary and chair of the Commission.

In January 2007 a malpractice action was brought against me and two other physicians for the management of pregnancy and the use of an antihypertensive medication. The date of the occurrence was 18 July 2006. The patient is a chronic hypertensive who had delivered two previous pregnancies without complication. She had been under my OB/GYN care 1994-2006. Her hypertensive disease was managed by her internist. It was agreed that this pregnancy be managed jointly by them and me. The medication in question was Benicar. On 20 June 2006 with discussion with her internist, I changed the medication at 30 weeks gestation to Aldomet for continued hypertensive management. During the pregnancy, I nor any of my representatives ordered the medication.

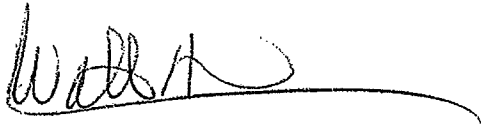
Once the suit was brought, my legal team petitioned the other defendants for a joint defense. This defense approach was refused. We felt positive about our

defensible position as evidenced by expenditures of \$94,700. The other doctors reached an out of court settlement. My defense team learned of adverse testimony to be presented at trial by the other defendants. To minimize potential financial exposure the case was settled for \$250,000 through mediation. The terms of the settlement were full release of all claims, dismissal with prejudice, and denied liability.

In Kentucky, unlike Ohio, there is an annual renewal process for licensure. In the renewal process questions are asked of any malpractice actions from the previous year. In answering in the affirmative, I was asked by the investigator to provide details of the action. This request was fully complied with. During the process a consultant asked for review of similar cases. Those cases were found to meet minimal standards of care. The Medical Board counsel asked me to enter into an Interim Agreed Order (Diversion) to do remediation on hypertension and pregnancy. I informed the Board through its counsel that I would no longer be practicing obstetrics effective the end of November 2010, entering semi retirement and that the Diversion would be of little value because I was no longer accepting new pregnancy patients. The practice was now solely confined to Gynecological care. The financial responsibilities for travel and course fee were prohibitive. Because of my position not to enter Diversion a formal complaint was issued. I waived the right to a formal hearing and signed the Agreed Order. The Board's consultant felt that I needed to enter a documentation program as a part of the order. I used the ACOG standard pregnancy form with other supporting data, but it was determined that more information could have been supplied. To comply with the Board's order I am currently enrolled in the Center for Personalized Education for Physicians (CPEP), Denver, CO, documentation program. I attended a seminar in February 2011 and have submitted charts for review and critique as required. The evaluation process is for 6 months. During the entire it was never determined that I was endangering the lives of the people that I care for.

It would be devastating if the State of Ohio place restrictions on my license. To continue teaching and enjoying full hospital privileges, my license can not be encumbered. My continued participation is predicated on a favorable response to this hearing. My faculty status, the ability to teach residents, medical students, hospital indemnification would be compromised. I no longer practice Obstetrics. My malpractice insurance is only for Gynecology effective December 2010. In order to maintain current status, I need full privileges in OB/GYN. I am currently in negotiations with the Christ Hospital for absorption of my practice into their system. All actions have been suspended pending review and action by this panel.

I hope and pray that a favorable decision be rendered in my behalf.

A handwritten signature in black ink, appearing to read 'Walter T. Bowers II', with a long horizontal flourish extending to the right.

Walter T. Bowers II, MD
#39566