

**STATE OF VERMONT
BOARD OF MEDICAL PRACTICE**

In re: Eike Blohm, MD)	Docket No. MPS 040-0420
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)	

STIPULATION AND CONSENT ORDER

NOW COME Eike Blohm MD and the Vermont Board of Medical Practice and agree and stipulate as follows:

1. Eike Blohm MD (“Respondent”) holds Vermont medical license number 042.0013721 first issued by the Vermont Board of Medical Practice on March 15, 2017. Respondent is a physician.
2. Jurisdiction in this matter vests with the Vermont Board of Medical Practice (“the Board”), pursuant to 26 V.S.A. §§ 1353-1354, 1370-74 and 3 V.S.A. §§ 809-814.

FINDINGS OF FACT

3. Respondent worked as an emergency room physician at the University of Vermont Medical Center (“UVMMC”) in Burlington, VT from July 2017 until April 2020.
4. The Board opened this matter in April 2020 upon information that Respondent had hidden a camera in a staff bathroom at the hospital and made video recordings of hospital employees without their knowledge or consent. The Board assigned the investigation of this alleged behavior to the South Investigative Committee of the Board (hereafter the “Committee”).

5. The South Investigative Committee reached a Cessation of Practice Agreement with Respondent while the matter was under investigation. It was approved by the full Board on May 12, 2020.
6. The Committee subsequently learned that Respondent had been federally indicted on child pornography charges and thus expanded the scope of its investigation.
7. At the conclusion of its investigation, the Committee found the following facts:
 - a. On or about December 2, 2018 Respondent put his hands on the breast and buttocks of his patient (hereafter "Patient 1") while she was in a hospital room at UVMMC and non-responsive. This touching occurred without Patient 1's consent and was performed for Respondent's sexual gratification, not for a medical purpose.
 - b. During the same encounter on or about December 2, 2018 Respondent photographed himself touching Patient 1 on the breast and buttocks while she was unresponsive.
 - c. On or about April 16, 2019 to April 16, 2020, Respondent hid a camera inside the bathroom of his residence and captured images of the intimate areas of a woman he paid to clean his house while she used the bathroom during the course of her housecleaning services. This conduct occurred without his housecleaner's knowledge or consent, and under circumstances in which she had a reasonable expectation of privacy in her surroundings.
 - d. On the evening of November 3, 2019, Respondent held a Halloween party at his residence during which he used the camera hidden in his bathroom to record images of intimate areas of his guests' bodies while they were using the

bathroom. This conduct occurred without his guests' knowledge or consent, and under circumstances in which the guests had a reasonable expectation of privacy in their surroundings.

- e. From November 4, 2019 until April 16, 2020, Respondent kept a hidden camera in his home bathroom. While the camera was in this location, Respondent captured images of intimate areas of a college student's body. She was frequently at his residence during this period to provide services that included housesitting, pet-sitting, and babysitting for a child in the home. This conduct occurred without the student's knowledge or consent, and under circumstances in which she had a reasonable expectation of privacy in her surroundings.
- f. Respondent also used the camera in his bathroom to capture approximately 250 images from December 12, 2019 to March 17, 2020. Respondent captured images of intimate areas of several adults and a minor at this location. This conduct occurred without the knowledge or consent of the individuals involved, and under circumstances in which the individuals had a reasonable expectation of privacy in their surroundings.
- g. During the period from November 6, 2019 until March 13, 2020, Respondent hid a camera inside an area of UVMMC known as the Attending Hub, which was used by hospital employees to change into or out of their hospital scrubs. While the camera was hidden in the Attending Hub, Respondent captured approximately 31 images that included the intimate areas of hospital employees' bodies. This conduct occurred without the employees' knowledge or consent, and under

circumstances in which the employees had a reasonable expectation of privacy in their surroundings.

- h. Beginning on or about March 20, 2020, Respondent hid a camera inside a staff bathroom at UVMMC. The camera was programmed to record video footage of individuals inside the bathroom and captured over six hundred images at this location including images of the intimate areas of people's bodies. This conduct occurred without the knowledge or consent of the individuals involved, and under circumstances in which the individuals had a reasonable expectation of privacy in their surroundings.
- i. Respondent later moved the camera to a second staff bathroom at UVMMC in early April 2020. He captured over three hundred recorded images at this location which included images of the intimate areas of people's bodies. This conduct occurred without the knowledge or consent of the individuals involved, and under circumstances in which the individuals had a reasonable expectation of privacy in their surroundings.
- j. In addition, investigators seized an Apple iPad belonging to Respondent which contained images of child pornography as that term is defined in 18 U.S.C.A. § 2256(8).
- k. As a result of the misconduct identified in subsections (a) above, on January 12, 2022 Respondent was convicted in the Vermont Superior Court Criminal Division of one felony count of Lewd and Lascivious conduct pursuant to 13 V.S.A § 2601. During that hearing, he was also convicted and sentenced for multiple

misdemeanor counts of Voyeurism pursuant to 13 V.S.A. § 2605 for the behavior identified in subsections (b) – (e) and (g) – (i) above.

1. On March 22, 2022 Respondent was convicted in United States District Court of one felony count of possession of child pornography pursuant to 18 U.S.C. § 2252(a)(4)(B) and (b)(2).

CONCLUSIONS OF LAW

8. The Board may find that “disruptive behavior that involves interaction with physicians, hospital personnel, office staff, patients, or support persons of the patient or others that interferes with patient care or could reasonably be expected to adversely affect the quality of care rendered to a patient” constitutes unprofessional conduct. 26 V.S.A. § 1354(a)(35).
9. Respondent violated this provision for his conduct with Patient 1 as well as with staff at the hospital. He first violated this provision when he touched and photographed the breast and buttocks of Patient 1 for his own sexual gratification while she was nonresponsive at the hospital. This misconduct caused Patient 1 emotional harm when she discovered Respondent’s violation of her body and her privacy. Respondent also violated this provision by making recordings of hospital employees without their knowledge or consent. Respondent’s covert recordings at the hospital, once discovered, disrupted his workplace by causing his coworkers emotional distress and a lost sense of safety and security at work, thus interfering with their ability to provide orderly and efficient care to patients.
10. The Board may also find that conduct that “evidences unfitness to practice medicine” is unprofessional conduct. 26 V.S.A. § 1354(a)(7).

11. Respondent engaged in conduct that evidences unfitness to practice medicine when he engaged in the conduct described in paragraph 7 above. Patients entrust their physicians with the care of their bodies as part of the treatment relationship. Respondent has shown that he is not fit to receive that trust after using covert methods to gain access to intimate images of people's bodies without their knowledge or consent for his own sexual gratification. His possession of child pornography is also evidence of an unfitness to practice medicine as he is participating in a market for images that depict the real or simulated sexual abuse and exploitation of children.
12. Furthermore, the Board may find unprofessional conduct when a licensee is convicted of a crime related to the practice of the profession or the conviction of a felony. 26 V.S.A. § 1354(a)(30).
13. Respondent has been convicted of two felonies: lewd and lascivious conduct and possession of child pornography. He has also been convicted of numerous misdemeanor counts of Voyeurism related to images he captured at the hospital of Patient 1 and his coworkers. These misdemeanors relate to Respondent's practice of the profession because Patient 1 was entrusted to his care as his patient with whom he had a treatment relationship. Respondent also had access to Patient 1's hospital room and the locations necessary to place the concealed camera in staff only areas of the hospital due to his employment as a physician at the hospital.
14. Consistent with Respondent's cooperation with the Board, he acknowledges that if the State were to file charges it could satisfy its burden at a hearing and a finding adverse to him could be entered by the Board, pursuant to 26 V.S.A. §§ 1354(a)(7), (a)(30), and

(a)(35). His violation of any one of these three provisions separately and apart from the others is a sufficient basis for this licensing action and stipulated sanction.

15. Respondent agrees that the Board will adopt and incorporate as its facts and conclusions in this matter Paragraphs 1 through 22 herein, and further agrees that this is an adequate basis for the Board actions detailed in this agreement. Any representation by Respondent herein is made solely for the purposes set forth in this agreement.
16. Therefore, in the interest of Respondent's desire to fully and finally resolve the matter presently before the Board, he has determined that he shall enter into this agreement with the Board. Respondent enters no further admissions here, but to resolve this matter without further time, expense and uncertainty; he has concluded that this agreement is acceptable and in the best interest of the parties.
17. Respondent acknowledges that he is knowingly and voluntarily entering into this agreement with the Board. He acknowledges and agrees that at all times and in all communications and proceedings related to this matter before the Board he has had the right to be represented by counsel. Respondent has carefully reviewed and considered this Stipulation and Consent Order
18. Respondent agrees and understands that by executing this document he is waiving any right to challenge the jurisdiction and continuing jurisdiction of the Board in this matter, to be presented with a specification of charges and evidence, to cross-examine witnesses, and to offer evidence of his own to contest any allegations by the State.
19. The parties agree that upon the Board's acceptance of this Stipulation and Consent Order, and pursuant to the terms herein, the above-captioned matter shall be resolved by the

Board. Thereafter, the Board will take no further action as to this matter absent non-compliance with the terms and conditions of this document by Respondent.

20. This Stipulation and Consent Order is conditioned upon its acceptance by the Vermont Board of Medical Practice. If the Board rejects any part of this document, the entire agreement shall be considered void. Respondent agrees that if the Board does not accept this agreement in its current form, he shall not assert in any subsequent proceeding any claim of prejudice from any such prior consideration. If the Board rejects any part of this agreement, none of its terms shall bind Respondent or constitute an admission of any of the facts of the alleged misconduct, it shall not be used against Respondent in any way, it shall be kept in strict confidence. And it shall be without prejudice to any future disciplinary proceeding and the Board's final determination of any charge against Respondent.
21. Respondent acknowledges and understands that this Stipulation and Consent Order shall be a matter of public record, shall be entered in his permanent Board file, shall constitute an enforceable legal agreement, and may and shall be reported to other licensing authorities, including but not limited to the Federation of State Medical Boards Board Action Databank and the National Practitioner Data Bank. In exchange for the actions by the Board, as set forth herein, Respondent expressly agrees to be bound by all terms and conditions of this Stipulation and Consent Order.
22. The parties therefore jointly agree that, should the terms and conditions of this Stipulation and Consent Order be deemed acceptable by the Board, it may enter an order implementing the terms and conditions herein.


ORDER

WHEREFORE, based on the foregoing and the consent of Respondent, the Board enters as its facts and conclusions in this matter Paragraphs 1 through 22 above. It is hereby ORDERED that:


1. Upon Board approval of this Stipulation, Respondent is hereby relieved from the Cessation of Practice Agreement that went into effect on May 12, 2020.
2. Respondent's Vermont medical license shall hereby be REVOKED on a PERMANENT basis.

SIGNATURES


Dated at _____, Vermont, this ____ day of _____, 2022.

DocuSigned by:
 5/4/2022
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David Liebow, DPM
Chair, South Investigative Committee
Vermont Board of Medical Practice

Dated at Montpelier, Vermont, this ____ day of _____, 2022.

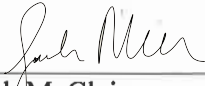
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 5/4/2022
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Approval as to legal form
Megan Campbell, Esquire
Assistant Attorney General
Vermont Attorney General's Office
109 State Street
Montpelier, VT 05609-1001

Dated at Wednesday, New York, this 11th day of May, 2022.


Eike Blohm, MD

**AS TO EIKE BLOHM, MD
APPROVED AND ORDERED
VERMONT BOARD OF MEDICAL PRACTICE**

Signed on Behalf of the Vermont Board of Medical Practice

By: 
Sarah McClain
Chair
Vermont Board of Medical Practice

Vote documented in the Vermont Board of Medical Practice meeting minutes,
dated June 1, 2022.

Dated: June 1, 2022