

5. Respondent acknowledges that he has been offered the opportunity to obtain and receive legal advice and counsel regarding this matter. Respondent agrees and understands that by executing this Agreement he is waiving at this time such rights as he may possess to challenge the jurisdiction and continuing jurisdiction of the Board in this matter, and to a public hearing on any motion that the State might have filed pursuant to 3 V.S.A. §§ 809 and 814. He agrees and fully understands that by executing this document he is waiving the necessity of any proceedings, findings and order by the Board, pursuant to 3 V.S.A. § 814(c), to achieve disposition of this matter. Thus, Respondent voluntarily and knowingly agrees to the terms and conditions therein.

6. Respondent has indicated his desire to continue to cooperate fully with the Board. Thus, the parties have agreed to enter into the instant Agreement, which is intended to serve as an interim means of affording Respondent the best possible opportunity to focus upon his personal and medical needs while providing for the protection of the health and welfare of his patients.

Cessation of Practice

7. **It is agreed by the parties that Respondent shall cease and desist immediately and hereafter, following his execution of this Agreement, from any and all practice of medicine in the State of Vermont.**

8. Respondent shall neither prescribe nor dispense any drugs to patients, associates, himself, family members or others after execution of this Agreement.

9. Respondent shall execute and submit a Voluntary Surrender of Controlled Substances Privileges document with the U.S. Drug Enforcement Agency ("DEA"). Respondent

acknowledges that by executing this document, he agrees to voluntarily surrender his DEA Certification of Registration. He further acknowledges that execution and submission of this document to the DEA will result in the immediate termination of his DEA registration.

10. Respondent agrees that the Board, in its sole discretion, may consider and approve a petition from Respondent at a later date for modification or relief from the terms and conditions of this Agreement, when the circumstances of Respondent's medical or personal needs so warrant. Respondent understands that if he desires to seek modification or relief, he must first present a written petition to the North Investigative Committee ("the Committee") of the Board requesting such modification or relief. Respondent agrees and understands that the Committee will make a recommendation to the Board as to whether Respondent's petition for modification or relief should be granted. Respondent understands and agrees that, in order for a petition for relief or modification to be granted, the Board must approve his request for relief or modification and issue an Order to that effect.

Express Provisions

11. Respondent agrees, pending further proceedings or order of the Board, to:
- a. Cooperate fully and in good faith with all further investigations of these matters by the Board;
 - b. Cease and desist, effective immediately, pursuant to this order of the Board, from any and all practice of medicine, including any and all prescribing of any kind for patients, associates, himself, family members or others; office visits; consultations; examinations; treatment; and surgery; and

- c. Adhere to all terms and conditions set forth above and herein until relieved of such obligation by further order of the Board.

General Provisions

12. Respondent assures and agrees that he shall provide his continued cooperation with the Board and its investigators.

13. Respondent recognizes the Board's obligation in all cases to investigate as required and to act expeditiously to protect the public health, safety and welfare. Respondent makes no statement or admission here other than to assure his continued cooperation with the Board and its statutory responsibilities. Respondent acknowledges that no promises have been made to him regarding the final disposition of any matter or other action of the Board.

14. Respondent agrees that he has read and carefully considered all terms and conditions herein and agrees that these may be adopted as an enforceable order of the Board, pursuant to 3 V.S.A. §§ 129(a)(3), 809(d) and 26 V.S.A. §§1353, and agrees to accept and be bound by these until such time as he may be expressly relieved of these or they are modified, in writing, by an order of the Board.

15. The parties agree that this Agreement does not constitute disciplinary action. However, the parties acknowledge that this Agreement shall be a public document, shall be made part of Respondent's licensing file, and may be reported to other licensing authorities. Respondent's license status will be changed to "Practice Cessation" upon approval by the Board.

16. This Cessation of Practice Agreement is subject to review and acceptance by the Board and shall not become fully and finally effective until presented to and approved by the Board. However, this in no way limits Respondent's obligation to cease and desist from the

practice of medicine as stated in Paragraph 7 above. If the Board rejects any part of this Agreement, the entire Agreement shall be void. The parties agree and request that the Board enter a binding order adopting the terms and conditions set forth herein.

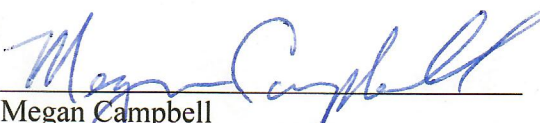
17. Respondent agrees that the Board shall retain jurisdiction in this matter and may enforce as necessary the terms set forth herein, pursuant to 26 V.S.A. §1354(25) or other statutory provisions.

SIGNATURES

DATED at Chelsea, Vermont, this 26th day of October, 2020.

STATE OF VERMONT

THOMAS J. DONOVAN
ATTORNEY GENERAL

By: 
Megan Campbell
Assistant Attorney General
Office of the Attorney General
109 State Street
Montpelier, VT 05609

DATED at _____, Pennsylvania, this ____ day of _____, 2020.

Robert A. Micley, MD, Respondent

DATED at _____, Vermont, this ____ day of _____, 2020.

Shireen T. Hart, Esq.
Primmer Piper Eggleston & Cramer PC
30 Main St., Suite 500
P.O. Box 1489
Burlington, VT 05402-1489

SIGNATURES

DATED at Chelsea, Vermont, this _____ day of _____, 2020.

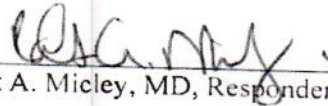
STATE OF VERMONT

THOMAS J. DONOVAN
ATTORNEY GENERAL

By: _____

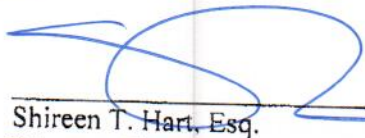
Megan Campbell
Assistant Attorney General
Office of the Attorney General
109 State Street
Montpelier, VT 05609

DATED at Waverly, Pennsylvania, this 33 day of October, 2020.



Robert A. Micley, MD, Respondent

DATED at Burlington, Vermont, this 24 day of October, 2020.



Shireen T. Hart, Esq.
Primmer Piper Eggleston & Cramer PC
30 Main St., Suite 500
P.O. Box 1489
Burlington, VT 05402-1489

**AS TO ROBERT MICLEY, MD
APPROVED AND ORDERED
VERMONT BOARD OF MEDICAL PRACTICE**

Signed on Behalf of the Vermont Board of Medical Practice

By: Richard Bernstein
Richard Bernstein, MD
Chair
Vermont Board of Medical Practice

Vote documented in the Vermont Board of Medical Practice meeting minutes,
dated November 4, 2020.

Dated: 11/6/20