

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

In the Matter of

WILLIAM D. STRAMPEL, D.O.
License No. 51-01-014110

Complaint No. 51-18-150101

CONSENT ORDER AND STIPULATION

CONSENT ORDER

A superseding administrative complaint dated August 20, 2019 was filed with the Disciplinary Subcommittee of the Board of Osteopathic Medicine and Surgery on August 22, 2019, charging William D. Strampel, D.O. (Respondent) with having violated sections 16221(a), (b)(i), (b)(v), (b)(vi), (b)(xi), (h), and (i) of the Public Health Code, MCL 333.1101 *et seq.*

Based on Respondent's conviction alleged in the first superseding complaint, and pursuant to section 162333(5) of the Public Health Code, the Department summarily suspended Respondent's license to practice osteopathic medicine by order dated August 22, 2019.

The parties have stipulated that the Disciplinary Subcommittee may enter this consent order. The Disciplinary Subcommittee has reviewed the stipulation contained in this document and agrees that the public interest is best served by resolution of the outstanding complaint. Therefore, the Disciplinary Subcommittee finds that the allegations of fact contained in the complaint, except for the facts alleged in paragraphs 42 and 47, are true and that Respondent has violated sections 16221(a), (b)(v), and (b)(vi), of the Public Health Code.

Accordingly, for these violations, IT IS ORDERED:

The order of summary suspension previously issued is DISSOLVED.

Respondent's license to practice medicine is PERMANENTLY SURRENDERED on the effective date of this order. The license shall not be renewed, reinstated, reissued, or reactivated, limited or otherwise, at any future date, nor shall Respondent apply for or otherwise seek licensure under any other provision of the Public Health Code.

Respondent is FINED \$35,000 to be paid by check, money order, or cashier's check made payable to the State of Michigan (with complaint number 51-18-150101 clearly indicated on the check or money order) and shall be payable within six months of the effective date of this order. The timely payment of the fine shall be Respondent's responsibility. Respondent shall mail the fine to: Department of Licensing and Regulatory Affairs Bureau of Professional Licensing, Enforcement Division, Compliance Section, P.O. Box 30189, Lansing, Michigan 48909.

Counts II, V, VI, and VII of the first superseding complaint, alleging a violation of sections 16221(b)(i), (b)(xi), (h), and (i) of the Public Health Code, are DISMISSED.

Paragraphs 42 and 47 of the first superseding complaint are withdrawn.

Respondent shall direct any communications to the Department that are required by the terms of this order to: Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, Enforcement Division, Compliance Section, P.O. Box 30670, Lansing, Michigan 48909.

Respondent shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.

This order shall not be modified for any cause whatsoever.

If Respondent violates any term or condition set forth in this order, Respondent will be in violation of Mich Admin Code, R 338.1632, and section 16221(h) of the Public Health Code.

This order shall be effective on the date signed by the Chairperson of the Disciplinary Subcommittee or the Disciplinary Subcommittee's authorized representative, as set forth below.

Signed on 12/05/2019

MICHIGAN BOARD OF OSTEOPATHIC
MEDICINE AND SURGERY

By Molly B. McFagan
Chairperson, Disciplinary Subcommittee

STIPULATION

The parties stipulate as follows:

1. Respondent does not contest the allegations of fact and law in the complaint. Respondent understands that, by pleading no contest, he does not admit the truth of the allegations but agrees that the Disciplinary Subcommittee may treat the allegations, except those alleged in paragraphs 42 and 47, as true for resolution of the complaint and may enter an order treating the allegations as true.
2. Respondent understands and intends that, by signing this stipulation, he is waiving the right under the Public Health Code, rules promulgated under the Public Health Code, and the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, to require the Department to prove the charges set forth in the complaint by presentation of evidence and legal authority, and to present a defense to the charges

before the Disciplinary Subcommittee or its authorized representative. Should the Disciplinary Subcommittee reject the proposed consent order, the parties reserve the right to proceed to hearing.

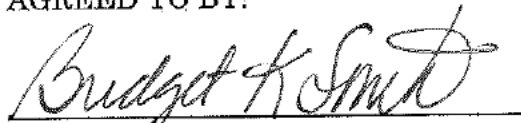
3. The Disciplinary Subcommittee may enter the above consent order. An attorney from the Licensing and Regulation Division may discuss this matter with the Disciplinary Subcommittee in order to recommend acceptance of this resolution.

4. The parties considered the following factors in reaching this agreement:

- A. In the process of resolving this matter, Respondent's attorney explained that Respondent only received the video described in paragraph 36 of the first superseding complaint one week prior to Lawrence Nassar's termination.

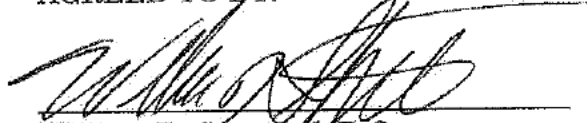
5. By signing this stipulation, the parties confirm that they have read, understand, and agree with the terms of the consent order.

AGREED TO BY:



Bridget K. Smith (P71318)
Assistant Attorney General
Attorney for Complainant
Dated: 10-11-19

AGREED TO BY:



William D. Strampel, D.O.
Respondent

Dated: 10-11-19



John D. Dakmak (P58210)
Attorney for Respondent
Dated: 10-11-19

LF: 2018-0215826-B/Strampel, William Derkey, D.O., 150101/Order - Consent Order and Stipulation - 2019-10-07

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

In the Matter of

WILLIAM D. STRAMPEL, D.O.
License No. 51-01-014110

Complaint No. 51-18-150101

ORDER OF SUMMARY SUSPENSION

A first superseding administrative complaint has been issued against Respondent as provided by the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 *et seq.*, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 *et seq.*

Section 16233(5) of the Public Health Code compels the Department to find that the public health, safety and welfare requires emergency action if a licensee is convicted of a felony or a misdemeanor punishable by imprisonment for a maximum term of two years or a misdemeanor involving the illegal delivery, possession or use of a controlled substance.

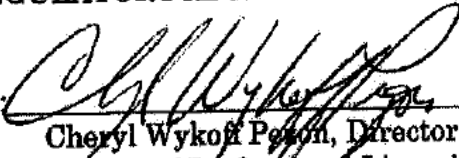
Based on Respondent's conviction, as set forth in the first superseding administrative complaint, the Department concludes that the public health, safety, and welfare requires emergency action.

THEREFORE, IT IS ORDERED that Respondent's medical license shall be SUMMARILY SUSPENDED commencing on the date this order is served.

Under Mich Admin Code, R 792.10702, Respondent has the right to petition for the dissolution of this order of summary suspension. This petition shall clearly state that it is a Petition for Dissolution of Summary Suspension and shall be filed with the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, P.O. Box 30670, Lansing, Michigan 48909, with a copy served upon the Department of Attorney General, Licensing & Regulation Division, P.O. Box 30758, Lansing, Michigan, 48909.

Questions concerning the Order of Summary Suspension may be directed to (517) 335-7569. Upon receipt of such a petition, an administrative hearing will immediately be scheduled before an administrative law judge, who shall dissolve the order of summary suspension unless sufficient evidence is produced to support a finding that the public health, safety, or welfare requires emergency action and a continuation of the suspension order.

DEPARTMENT OF LICENSING AND
REGULATORY AFFAIRS

By: 
Cheryl Wykoff Peterson, Director
Bureau of Professional Licensing

Dated: 08/22/19

LF: 2018-0215828-B/Strampel, William Derkey, D.O., 150101/Order - of Summary Suspension - 2018-08-20

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

In the Matter of

WILLIAM D. STRAMPEL, D.O.
License No. 51-01-014110

Complaint No. 51-18-150101

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 William D. Strampel, D.O. (Respondent), alleging upon information and belief as follows:

1. The Board of Osteopathic Medicine and Surgery, an administrative agency established by the Public Health Code, 1978 PA 368, as amended, MCL 333.1101 *et seq*, is empowered to discipline licensees under the Code through its Disciplinary Subcommittee (DSC).

2. Respondent is licensed to practice medicine as an osteopathic physician pursuant to the Code. From 2002 until 2018, Respondent served as the Dean of the Michigan State University College of Osteopathic Medicine (College). The office of the dean is statutorily created and must be "headed by an osteopathic physician. . . ." MCL 290.661. In his role as dean, Respondent was "responsible for the development and maintenance of the school in osteopathic medicine."

3. Section 16221(a) of the Code authorizes the DSC to take disciplinary action against a licensee for 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, or any conduct, practice, or condition that impairs, or may impair, the ability to safely and skillfully practice as an osteopathic physician.

4. Section 16221(b)(i) of the Code authorizes the DSC to take disciplinary action against a licensee for incompetence, which is defined in 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 16221(b)(v) of the Code authorizes the DSC to take disciplinary action against a licensee for conviction of a misdemeanor punishable by imprisonment for a maximum term of two years; conviction of a misdemeanor involving the illegal delivery, possession, or use of a controlled substance; or conviction of any felony other than a felony listed or described in another subparagraph of this subdivision. A certified copy of the court record is conclusive evidence of the conviction.

6. Section 16221(b)(vi) of the Code authorizes the DSC to take disciplinary action against a licensee for lack of good moral character, defined in section 1 of 1974 PA 381, as amended; MCL 338.41 *et seq*, as the "propensity on the

part of the person to serve the public in the licensed area in a fair, honest, and open manner."

7. Section 16221(b)(xi) of the Code authorizes the DSC to take disciplinary action against a licensee for conviction of a misdemeanor that is reasonably related to, or that adversely affects, the licensee's or registrant's ability to practice in a safe and competent manner. A certified copy of the court record is conclusive evidence of the conviction.

8. Section 16221(h) of the Code authorizes the DSC to take disciplinary action against a licensee for aiding or abetting in a violation of this article or of a rule promulgated under this article.

9. Section 16221(i) of the Public Health Code authorizes the DSC to take disciplinary action against a licensee for failure to report under section 16222(1) or 16223 of the Code.

10. Section 16222(1) of the Code provides that a licensee who has knowledge that another licensee has committed a violation under section 16221, article 7, or article 8, of the Code "shall report the conduct and the name of the subject of the report to the Department."

11. Section 16233(5) of the Public Health Code provides for the summary suspension of a license, reading, in pertinent part, as follows:

After consultation with the chair of the appropriate board or task force, or his or her designee, the department may summarily suspend a license or registration if the public health, safety, or welfare requires emergency action in accordance with section 92 of the administrative procedures act of 1969, being section 24.292 of the Michigan Compiled Laws. If a licensee or

registrant is convicted of a felony; a misdemeanor punishable by imprisonment for a maximum term of two years; or a misdemeanor involving the illegal delivery, possession, or use of a controlled substance, the department shall find that the public health, safety, or welfare requires emergency action and, in accordance with section 92 of the administrative procedures act of 1969, shall summarily suspend the licensee's license or the registrant's registration.

12. 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

Abuse of Authority

13. During his time as dean, Respondent used his position of authority to harass, discriminate, demean, sexually proposition, and sexually assault female students. Respondent also abused his authority, through threats and manipulation, to solicit, receive, and possess pornographic images of women who appeared to be MSU students.

Student 1

14. In June 2017, Respondent met with Student 1 (S-1) (numbers used to protect identity) to discuss her score on a recent exam. During the meeting, Respondent made comments that were sexual in nature, including discussing the difficulties in sending and receiving nude photos and the benefits to a 26-year-old woman in having sex with an older man. S-1 was 26 at the time of the conversation

and believed that Respondent was requesting or suggesting sexual activity in exchange for consideration relative to her education at the College.

Student 2

15. In 2011, S-2 met with Respondent to discuss the fact she had nearly fallen asleep in class. Respondent made her turn around in front of him so that he could observe her body before making derogatory comments about her appearance, including suggesting that she start dressing sexier if she wanted to make it in the medical field.

16. In 2013, S-2 met with Respondent to discuss her residency. Respondent again asked her to turn around to allow him to see her body and made additional derogatory comments about women.

17. In 2014, S-2 attended a dinner honoring scholarship recipients. During the dinner, S-2 was asked to take a photograph with the scholarship donor and Respondent, who was attending the dinner in his role as dean. While S-2 was standing next to Respondent waiting for the picture to be taken, Respondent reached around and grabbed her buttocks.

Student 3

18. In 2014, S-3 went to Respondent's office to discuss the possibility of re-taking an exam. When she entered his office, he looked her up and down several times in a way that made her feel uncomfortable. Respondent then agreed to allow her to retake the exam if she signed a contract stating she would leave the College if she failed any other exam going forward.

19. S-3 subsequently failed another exam. When she met with Respondent again, he suggested she may not have the ability to pass the exam or pursue certain careers, noting that she was not "gonna be the centerfold of the year in *Penthouse* magazine."

20. Respondent indicated that he would consider allowing S-3 to take a remediation exam but if he did, he was "gonna own [her]," advising that he would "own [her] for two or three years, [and] can have anything [he] wants. That's how it works." S-3 believed Respondent was requesting or suggesting sexual activity in exchange for consideration relative to her education at the College.

Student 4

21. In approximately 2006, Respondent was talking to S-4 while they were working at a flu clinic. During the conversation, Respondent advised S-4 that it was easy to get women drunk and that it was good when they were drunk because it was easy to have sex with them.

22. In February 2010, S-4 attended the College's annual ball. During the ball, Respondent came up behind S-4 and grabbed her buttocks.

Student 5

23. In 2005, Respondent utilized S-5, a nursing student at the time, as a model for his first-year physical examinations course. During the examination, which included a pelvic and breast examination, Respondent looked S-5 up and down in a manner unnecessary for examination purposes, which S-5 interpreted as sexual. Following the examination, Respondent paid S-5 \$200 cash from his wallet.

Student 6

24. In 2009, S-6 contacted Respondent about admission to the College. Respondent offered to interview her in person at a hotel bar during a conference in Las Vegas, where S-6 was an undergraduate student.

25. When Respondent and S-6 met at the hotel bar, Respondent immediately offered her a drink. Respondent proceeded to make sexual innuendos and tell S-6 suggestive stories throughout the meeting, including stories about using fully nude models for examination classes.

26. S-6 was uncomfortable with Respondent's lack of professionalism during the meeting and ultimately chose not to attend MSU for medical school because of it.

27. Subsequently, S-6 told her advisor at the University of Nevada, Las Vegas about Respondent's conduct. Her advisor reported Respondent's conduct to the American Osteopathic Association. The AOA contacted MSU, and staff advised the AOA they were not surprised, as that was just the way Respondent acted.

Student 7

28. S-7 was a medical student at the College from approximately 2008 until her graduation in 2012.

29. S-7 became pregnant shortly before her residency program was set to begin. S-7 emailed Respondent asking if she could talk to him about her residency program in light of her pregnancy. Respondent agreed to meet with S-7 but advised

her to wear a low-cut shirt to the meeting. S-7 met with Respondent but chose not to wear a low-cut shirt. During the meeting, Respondent yelled at her for getting pregnant while she was a medical student.

30. S-7 agreed to meet with Respondent a second time regarding her request to be assigned a residency program closer to home so that she would be closer to her husband and baby. S-7 advised Respondent she planned to bring her husband with her to this meeting. Although Respondent suggested it was in her best interest to attend the meeting alone, S-7 still brought her husband to meet with Respondent. During the meeting, Respondent openly discussed his sex life with the couple and again chided them for getting pregnant while S-7 was in school.

31. Ultimately, Respondent denied S-7's request for a Lansing-area residency and she was initially assigned to Detroit. Due to unrelated circumstances, she was ultimately able to move to a residency in Lansing that was abandoned by another student.

32. Shortly thereafter, during a school-wide conference that was televised to all three campuses, Respondent made comments to the student body that he was the father of S-7's unborn child even though he was not.

33. At the College's graduation ceremony, while S-7 was shaking Respondent's hand, Respondent commented on S-7's high heel shoes and told her that her legs were "looking hot." Because she did not want to jeopardize her medical career, S-7 did not report these incidents.

Forensic Examination

34. On February 2, 2018, pursuant to a search warrant, the Department of Attorney General's Special Agent Investigators seized a computer from Respondent's office on campus.

35. Forensic examination of that computer uncovered approximately 50 photos of nude or partially nude women, sex toys, and pornography. Many photos appeared to be female MSU students and appeared to be taken by the women in the photos. This is consistent with complaints that Respondent had solicited nude photos from at least one female medical student.

36. The forensic examination also revealed a video of former MSU Sports Medicine doctor Lawrence Nassar performing a vaginal procedure on a young female patient. Nassar has been convicted of multiple counts of criminal sexual conduct for performing this procedure under the guise of medical treatment.

37. Receipt and possession of this type of graphic material violates the Acceptable Use Policy for MSU Information Technology Resources.

Supervision of the MSU Sports Medicine Clinic

38. As Dean of the College, Respondent had direct supervisory authority over the MSU Sports Medicine Clinic. During that time, Nassar was a licensed Doctor of Osteopathic Medicine, as well as a faculty member and clinician at the clinic. In 2018, the DSC permanently revoked Nassar's osteopathic license based, in part, on his convictions from criminal sexual conduct involving patients of the Clinic.

39. In April 2014, a female patient reported that Nassar engaged in inappropriate sexual conduct during a treatment session at the MSU clinic. The MSU Office of Institutional Equity (OIE) opened a Title IX investigation into the complaint.

40. Initially, Respondent prohibited Nassar from seeing patients during the pendency of the Title IX investigation. However, on June 30, 2014, nearly a month before the investigation concluded, Respondent gave Nassar permission to return to seeing patients as long as he had "someone in the room with [him] at all times until the report is finished."

41. On July 28, 2014, OIE emailed Respondent the final Title IX report. The report concluded, among other things, that Nassar's failure to adequately explain sensitive procedures was opening the practice up to liability and "exposing patients to unnecessary trauma based on the possibility of perceived inappropriate sexual misconduct."

42. Subsequent investigation revealed that Nassar assaulted at least four female patients between the time that Respondent allowed him to return to practice and the time the Title IX report was released.

43. Following receipt of the report, Respondent purported to implement treatment protocols for Nassar to follow that were designed to protect patients and the Clinic.

44. On July 30, 2014, Respondent emailed Nassar confirming these protocols in writing. According to his email, Respondent and Nassar had agreed to the following:

- Having another person (resident, nurse, etc.) in the room whenever approaching a patient to perform procedures close to a sensitive area.
- The procedure that led to the complaint would be modified to be sure that there is little to no skin-to-skin contact when in "these regions." Should the procedure be absolutely necessary, the procedure would be explained in detail with another person in the room for both the explanation and the procedure.
- New people in the practice will be oriented to be sure they understand these requirements.

45. Respondent sent the same email to the Title IX office, indicating he would enforce such protocols on Nassar.

46. Despite these representations, Respondent did not enforce or monitor these protocols, nor did he alert other Clinic employees about the existence of the protocols or their applicability to Nassar.

47. Following the Title IX investigation, and his conversations with Respondent, Nassar continued "treating" numerous patients without oversight. As a result, Nassar was able to commit sexual assault against multiple additional patients in violation of both the Public Health Code and the Michigan Penal Code.

48. Respondent failed to notify Complainant of Nassar's conduct when he became aware of the 2014 allegation.

49. Respondent fired Nassar in 2016. During a subsequent meeting about an unrelated sexual assault, Respondent stated that "patients lie to get doctors in trouble" and he did not believe the accusations against Nassar. He also stated that he did not want to fire Nassar.

Criminal Charges

50. On March 27, 2018, the Department of Attorney General filed charges against Respondent in the Ingham County Circuit Court. Specifically, Respondent was charged with Misconduct of a Public Official, a felony, Criminal Sexual Conduct-4th Degree, a high court misdemeanor, and two counts of Public Officer-Willful Neglect of Duty, a misdemeanor.

51. On June 12, 2019, a jury found Respondent guilty of Misconduct of Public Official, a felony and two counts of Public Officer-Willful Neglect of Duty, a misdemeanor. On August 7, 2019, the Ingham County Circuit Court sentenced Respondent to one year in jail with credit for 1 day. The conviction was based, in part, on the conduct alleged above.

COUNT I

52. Respondent's conduct as described above constitutes negligence and failure to exercise due care, including negligent delegation to, or supervision of employees, in violation of section 16221(a) of the Code.

COUNT II

53. Respondent's conduct as described above constitutes incompetence, in violation of Section 16221(b)(i) of the Code.

COUNT III

54. Respondent's conviction for Misconduct of Public Official, as described above, constitutes conviction of any felony other than a felony listed or described in another subparagraph of this subdivision, in violation of section 16221(b)(v).

COUNT IV

55. Respondent's conduct as described above constitutes a lack of good moral character, in violation of section 16221(b)(vi) of the Code.

COUNT V

56. Respondent's misdemeanor convictions as described above constitute convictions of a misdemeanor that is reasonably related to or that adversely affects the licensee's or registrant's ability to practice in a safe and competent manner in, violation of section 16221(b)(xi) of the Code.

COUNT VI

57. Respondent's conduct as described above in paragraphs 38 through 49 constitutes aiding or abetting Nassar in a violation of the Public Health Code, in violation of section 16221(h) of the Code.

COUNT VII

58. Respondent's conduct as described above in paragraphs 38 through 49 constitutes knowledge that another licensee has committed a violation under section 16221 and failure to report that conduct as required by section 16222(1), in violation of section 16221(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, 1969 PA 306, as amended; MCL 24.201 *et seq.*

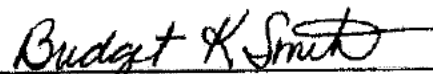
Further, Complainant requests that pending the hearing and final determination Respondent's license to practice medicine in the State of Michigan be summarily suspended pursuant to section 92 of the Administrative Procedures Act and section 16233(5) or (6) of the Public Health Code for the reason that, based upon the allegations set forth herein, to permit Respondent to continue to practice the profession constitutes a danger to the public health, safety, and welfare requiring emergency action.

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. Pursuant to section 16192(2) of the Code, Respondent is deemed to be in receipt of the complaint 3 days after the date of mailing listed in the attached proof of service. 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 attorney general.

Further, pursuant to section 16231(9) of the Code, failure to submit a written response within the 30 day-period 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 May 16, 2018 is hereby WITHDRAWN and replaced in full by this first superseding complaint.

DANA NESSEL
Attorney General



Bridget K. Smith (P71318)
Assistant Attorney General
Licensing & Regulation Division
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Dated: August 20, 2019

LF: 2018-0215826-3/Strampel, William Derkey, D.O., 150101/First Superseding Administrative Complaint -- 2019-08-20