

November 14, 2007

**MINUTES****THE STATE MEDICAL BOARD OF OHIO****November 14, 2007**

Deepak Kumar, M.D., President, called the meeting to order at 1:00 p.m., at the Rhodes State Office Tower, 30 East Broad Street, 3<sup>rd</sup> Floor Administrative Hearing Room, Columbus, Ohio 43215, with the following members present: Nandlal Varyani, M.D., Vice-President; Raymond J. Albert, Supervising Member; Carol L. Egner, M.D.; Dalsukh Madia, M.D.; R. Gregory Browning, Ph.D.; Anquetette Sloan; Jack C. Amato, M.D.; Andrew F. Robbins, Jr., M.D.; and Anita M. Steinbergh, D.O. The following joined the meeting at a later time: David S. Buchan, D.P.M. The following did not attend the meeting: Lance A. Talmage, M.D., Secretary; and Jack C. Amato, M.D.

Also present were: Richard A. Whitehouse, Executive Director; Diann K. Thompson, Assistant Executive Director; Kimberly C. Anderson, Assistant Executive Director; William J. Schmidt, Staff Attorney, Enforcement, Compliance & Investigations; Rebecca J. Marshall, Chief Enforcement Attorney; Mark R. Blackmer, Marcie P. Pastrick, David P. Katko, Karen H. Mortland, Kathleen S. Peterson, Cheryl D. Pokorny, Angela Scott, Daniel S. Zinsmaster, and Lynn Zondorak, Enforcement Attorneys; Barbara J. Pfeiffer, Karen A. Unver, and Kyle C. Wilcox, Assistant Attorneys General; Eileen M. Schmidt, Executive Assistant to the Director; Joan K. Wehrle, Executive Staff Coordinator; Sallie J. Debolt, Executive Staff Attorney; Michael K. Miller, Public Policy & Government Affairs Officer; Karry Thacker, Executive Staff Assistant; Danielle Bickers, Compliance Supervisor; Jean Gillman, Compliance Officer; Barbara Jacobs, Public Services Administrator; Jacqueline A. Moore, Disciplinary Information Assistant.

**MINUTES REVIEW**

Dr. Kumar asked whether any Board members wished to change anything in the draft minutes of September 12 and October 10.

Dr. Varyani asked that, in the matter of Ahmad Shahamat, M.D., in the October 10 minutes, his vote be recorded as an abstention.

**DR. STEINBERGH MOVED TO APPROVE THE MINUTES OF SEPTEMBER 12, 2007, AND THE AMENDED MINUTES OF OCTOBER 10, 2007. DR. VARYANI SECONDED THE MOTION.** A vote was taken

VOTE:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye

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Dr. Robbins - aye  
 Dr. Steinbergh - aye

The motion carried.

EXECUTIVE SESSION

**DR. VARYANI MOVED THAT THE BOARD DECLARE EXECUTIVE SESSION TO CONFER WITH THE ATTORNEY GENERAL'S REPRESENTATIVES ON MATTERS OF PENDING OR IMMINENT COURT ACTION. DR. STEINBERGH SECONDED THE MOTION.** A vote was taken:

VOTE:

Mr. Albert	- aye
Dr. Egner	- aye
Dr. Varyani	- aye
Dr. Madia	- aye
Mr. Browning	- aye
Dr. Robbins	- aye
Dr. Steinbergh	- aye

The motion carried.

Pursuant to Section 121.22(G)(3), Revised Code, the Board went into executive session.

The following joined the meeting after the executive session: Patricia A. Davidson, Chief Hearing Examiner; R. Gregory Porter and Gretchen Petrucci, Hearing Examiners.

REPORTS AND RECOMMENDATIONS

Dr. Kumar announced that the Board would now consider the Reports and Recommendations appearing on its agenda. He asked whether each member of the Board had received, read, and considered the hearing records, the proposed findings of fact, conclusions of law, and proposed orders, and any objections filed in the matters of: Savitri Bhama, M.D.; Joseph Thayer Caligaris, M.D.; Gregory Lee Ebner, D.O.; and Joseph William Fischkelta, P.A. A roll call was taken:

ROLL CALL:

Mr. Albert	- aye
Dr. Egner	- aye
Dr. Varyani	- aye
Dr. Madia	- aye
Mr. Browning	- aye
Dr. Robbins	- aye
Dr. Steinbergh	- aye
Dr. Kumar	- aye

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Dr. Kumar asked whether each member of the Board understands that the disciplinary guidelines do not limit any sanction to be imposed, and that the range of sanctions available in each matter runs from dismissal to permanent revocation. A roll call was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye
	Dr. Kumar	- aye

Dr. Kumar noted that, in accordance with the provision in Section 4731.22(F)(2), Revised Code, specifying that no member of the Board who supervises the investigation of a case shall participate in further adjudication of the case, the Secretary and Supervising Member must abstain from further participation in the adjudication of these matters. In the matters before the Board today, Dr. Talmage served as Secretary and Mr. Albert served as Supervising Member.

The original Reports and Recommendations shall be maintained in the exhibits section of this Journal.

SAVITRI BHAMA, M.D.

Dr. Kumar directed the Board's attention to the matter of Savitri Bhama, M.D. He advised that objections were filed to Hearing Examiner Petrucci's Report and Recommendation and were previously distributed to Board members.

Dr. Kumar continued that a request to address the Board has been timely filed on behalf of Dr. Bhama. Five minutes would be allowed for that address.

Dr. Bhama was accompanied by her attorney, Eric J. Plinke. Mr. Plinke stated that Dr. Bhama's case involves an application for a medical license. Objections to the Hearing Examiner's Report and Recommendation were filed. Mr. Plinke stated that Dr. Bhama has practiced for many years without incident. She has not had any previous disciplinary actions in any of the states in which she has practiced. When she was completing the application, there was a basic misunderstanding on her part of the type and nature of information that the Board was seeking. Mr. Plinke stated that Dr. Bhama has placed herself in this position of being subject to a possible denial. Mr. Plinke stated that this is particularly unfortunate, given that she has practiced for so many years without incident. Mr. Plinke stated that Dr. Bhama is not running from anything. She, actually, didn't even have a job offer when seeking her license to practice in the State of Ohio.

Mr. Plinke stated that he respectfully disagrees that Dr. Bhama acted intentionally in trying to deceive the

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Board, for the reasons he more fully sets forth in his objections. Mr. Plinke at this time deferred to Dr. Bhama.

Dr. Bhama thanked the Board members for their time and kind consideration. Dr. Bhama stated that she has been in the practice of medicine for close to a half century and she has had no problems with any licensing agencies anywhere. As regards to her application for an Ohio license, Dr. Bhama apologized for the dilemma she has created. Dr. Bhama stated that she would like the Board members to know her frame of mind and the circumstances under which the application was completed. She stated that she'd given her application to her brother to type. She was working close to 80 hours a week. She had done 32 hours of continuous duty, had dinner, slept eight hours and then worked another ten hours the next day. She stated that she was exhausted at the time she was addressing issues on the application. Her brother was rushing her to sign the application, so she glimpsed at it and she saw the question about malpractice. Dr. Bhama stated that she figured that that was very important to the Board and that the Board needed that information to reflect the quality of care and the standards of care regarding patient care. Dr. Bhama stated that that information was forwarded to the Board on a separate piece of paper.

Dr. Bhama stated that, regarding question # 3 on the application, she tried to think about it and she knows that she held 19 to 20 positions, and some involved resignations while others were separations. She figured that, if she moved from one job to another job because she got a higher salary or got a position with more authority or because her husband was transferred or because she was transferred to a sister institution, and so forth, the Board wouldn't have much interest in that kind of resignation. It's kind of implied when a person moves from one job to another job. You have to resign from one to go to another. Dr. Bhama stated that she didn't see much significance in this.

Dr. Bhama continued that, as regards to her separation from Clinton Valley Center, that separation was for an issue of a leave of absence. She was sick. She had severe, excruciating migraine headaches, and she requested a leave of absence, which they refused to grant. They separated her. Dr. Bhama stated that she figured that the Board didn't have much concern about that type of issue. She thought that the Board was concerned more about significant issues of misconduct, professional competence, alcohol or drug addiction, boundary issues and things such as that. She was not involved in any of those issues, so the Board really had nothing against her and it was not necessary to put down all that on her application. She also commented that she didn't want to bother her brother again to retype the whole application again giving the reasons for separations and resignations.

Dr. Kumar stated that Dr. Bhama has one minute to conclude her statement.

Dr. Bhama stated that she figured that she already had given the Board members all the curriculum vitae on her application. She entered each and every location where she had worked. She also gave the same information to the Federation Credentials Verification Service (FCVS). She also informed the Board about her new permanent address when she moved back to Michigan. Dr. Bhama indicated that she did not intentionally keep anything from the Board. She may have taken a shortcut, but she had no intent to hide anything. The issue at the Correctional Facility was that they wanted social workers and psychologists to be the supervisors of doctors, and they could make medical decisions without going to medical school and

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without getting any training; but the doctors could not practice medicine and treat patients as they were taught and trained. That led to difficulties, and that was the reason for her separation from that facility. She stood for the protection of consumers and her patients.

Dr. Kumar asked Dr. Bhama to conclude her statement.

Dr. Bhama stated that she was trying to protect patients and consumers. She was just trying to practice medicine as she had been trained. There was interference in the practice of medicine, and it was an illegal separation. Dr. Bhama stated that she demonstrated a high degree of moral and ethical conduct, and she would always demonstrate a high degree of moral and ethical conduct. She has gone through several years of job loss and exorbitant expenses. Dr. Bhama stated again that she would always stand for the patient's best interests.

Dr. Bhama apologized for any inconvenience. She at this time stated that she would like to volunteer her services to the Board to do whatever she can to see that patient care is held in high esteem. She would assist the Board. Dr. Bhama asked that she be made whole and that the Board grant her a license to practice in Ohio.

Dr. Kumar asked whether the Assistant Attorney General wished to respond.

Mr. Wilcox stated that the record speaks for itself and that he has nothing to add at this time.

**DR. STEINBERGH MOVED TO APPROVE AND CONFIRM MS. PETRUCCI'S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND PROPOSED ORDER IN THE MATTER OF SAVITRI BHAMA, M.D. DR. VARYANI SECONDED THE MOTION.**

Dr. Kumar stated that he would now entertain discussion in the above matter.

Dr. Steinbergh stated that this is a case of fraud on the application for licensure in the State of Ohio. Dr. Steinbergh noted that Dr. Bhama answered, "No," to question 3 on the application, which asks:

Have you ever resigned from, withdrawn from, or terminated, or have you ever been requested to resign from, withdraw from or otherwise been terminated from, a position with a medical partnership, professional association corporation, health maintenance organization, or other medical practice organization, either private or public?

Dr. Steinbergh stated that Dr. Bhama then filed the application, falsely indicating that it was accurate. Dr. Steinbergh stated that her evaluation of this hearing record indicates that the Report and Recommendation is appropriate. She added that Dr. Bhama's interpretation of what she feels the Board's interests should be is also inappropriate. She added that one only has to read the license application to know what the Board is interested in. Dr. Bhama should have answered "Yes" to question 3 and, then, she could have clearly explained her answer and what the circumstances were for her resignations. Dr. Steinbergh stated that she doesn't disagree with the thought that one assumes that, when one changes one job, one leaves another.

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Dr. Steinbergh added, however, that she thinks that Dr. Bhama moved too far out of that thought and was thinking about only giving the Board information that she felt was appropriate for the Board to know. Dr. Steinbergh stated that Dr. Bhama should have answered the question, "Yes," and she should have submitted an explanation as to why she answered, "Yes." The Board would have considered her response, and wouldn't be here today to discuss this issue in this way. Dr. Steinbergh added that, especially in areas of termination, her response was clearly inappropriate and inexcusable, as Dr. Bhama had been terminated twice from different practices. She needed to explain to the Board the reasons for those terminations.

Dr. Steinbergh stated that she agrees with the Hearing Examiner's Conclusions of Law and the Proposed Order of permanent denial.

Dr. Egner stated that, in many cases, the Board hears about "untruths," which sounds better than saying, "I told a lie." She noted that, even today, Dr. Bhama talks about "separation," which means "termination." Dr. Egner stated that she thinks that it goes back to Dr. Bhama not wanting the Board to know all of the information. If her reasoning for going from one job to another to another is accurate, Dr. Egner pointed out that Dr. Bhama would have excluded that information on the application, but would have included the terminations. However, she excluded all information. Dr. Egner stated it just makes sense that Dr. Bhama just didn't want the Board to know any of the circumstances of her career. Dr. Egner stated that it is sad, Dr. Bhama has had a long career and this is an unfortunate ending of her career. Dr. Egner added, however, that she agrees with the Report and Recommendation, the Conclusions of Law and the Proposed Order of permanent denial.

Dr. Kumar referred to the following excerpt from the hearing transcript, with Dr. Bhama on the stand:

- Q. And it didn't occur to you when you filled this out to explain why that occurred as the instructions at the [top] of the page tell you, if you answer yes, you have to give a detailed affirmative written response?
- A. Yeah, I figured you were – the Medical Board is going to write to every place that I have worked, and they will know what happened in every job location.

Dr. Kumar stated that the Board wants to know what happened in every job location. It wants to know what happens in every job, as to patient care, or whatever happened. That's the Board's responsibility. Dr. Kumar stated that it's quite clear to him that the intent was there to cover that up.

A vote was taken on Dr. Steinbergh's motion to approve and confirm:

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye

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Dr. Steinbergh - aye

The motion carried.

JOSEPH THAYER CALIGARIS, M.D.

Dr. Kumar directed the Board's attention to the matter of Joseph Thayer Caligaris, M.D. He advised that no objections were filed to Hearing Examiner Porter's Report and Recommendation.

Dr. Kumar continued that a request to address the Board has been timely filed on behalf of Dr. Caligaris. Five minutes would be allowed for that address.

Dr. Caligaris was accompanied by his attorney, Mr. Plinke. Mr. Plinke advised that this was a non-disciplinary hearing. He did not file objections because he and Dr. Caligaris feel that the Report and Recommendation was a fair and accurate summary, and they concur with the Proposed Order as a fair resolution of this matter.

Dr. Caligaris thanked the Board for allowing him to speak. He stated that he entered into a consent agreement in December 2002. His hope at that time was that the Center for Personalized Education for Physicians (CPEP) in Denver, Colorado, would be able to do an objective and complete assessment of his clinical skills and ability, which would hopefully vindicate him and reassure the Board. Dr. Caligaris stated that, unfortunately, that did not happen. He advised that, instead, he feels that CPEP's reports were inaccurate, contentious and self-promoting. He did not understand how or why CPEP did not use the report from the specialty assessor, but instead used the assessment of the intermediaries who had no expertise in his field. Dr. Caligaris stated that he did not understand how CPEP was to perform an educational role for him if it had already destroyed all of the information obtained at the initial assessment.

Dr. Caligaris stated that he did not feel that CPEP's report and their subsequent actions were what he or the Board had expected. He added that Mr. Porter's hearing was more appropriate to the issues concerned, and he trusts Mr. Porter's judgment. Dr. Caligaris stated that he believes Mr. Porter's Report shows that he has no clinical issues because they would have come to light. He added that his colleagues, in fact, do not see any issues either, as noted in Mr. Porter's report.

Dr. Caligaris stated that he feels that, in a sense, he has been under probation for five years. Technically, he's not sure. Everyone from the hospitals where he has practiced, the insurance carriers, the malpractice carriers, the other state medical boards and the D.E.A., have treated him as such after reading the Board's website. This has required a great deal of effort on his behalf to just keep his ability to practice viable.

Dr. Caligaris asked that the Board accept Mr. Porter's Report and Recommendation, adding that it is a fair outcome.

Dr. Kumar asked whether the Assistant Attorney General wished to respond.

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Ms. Pfeiffer stated that she did not.

**MR. BROWNING MOVED TO APPROVE AND CONFIRM MR. PORTER'S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND PROPOSED ORDER IN THE MATTER OF JOSEPH THAYER CALIGARIS, M.D. DR. STEINBERGH SECONDED THE MOTION.**

Dr. Kumar stated that he would now entertain discussion in the above matter.

Dr. Egner stated that she would not recuse herself from this matter. She advised that, although Dr. Caligaris is an OB/GYN in Cincinnati and she knows who he is, she has never had any conversation with him about this matter, and they only say "hello" if they see each other. Dr. Egner stated that she feels that she can remain objective in this matter.

Dr. Egner stated that she is very concerned about Dr. Caligaris' experience with CPEP. She stated that the Board uses CPEP as a tool to help it evaluate a physician's skills, but Dr. Caligaris had many problems throughout the process. She stated that this is a lesson to the Board that it may need to be in some communication with CPEP regarding this matter and for future physicians. Dr. Egner stated that she's not saying that she would never use CPEP again, but she thinks that there are some things that need to be cleared up.

Dr. Egner stated that she thinks that the Report and Recommendation is very well written and is very clear. She has no objections to the Report and Recommendation. She stated that this matter has taken a long time to complete, and to delay any longer would not be good for the Board's process or for Dr. Caligaris.

Dr. Steinbergh stated that she is glad that Dr. Egner spoke to this matter, since Dr. Egner is the only OB/GYN present at this meeting. Dr. Steinbergh noted that Dr. Caligaris was under a consent agreement with the Board. Part of that agreement required him to be evaluated by CPEP, after which the Board would make a decision about necessary monitoring. Dr. Caligaris underwent the CPEP evaluation. As the Report and Recommendation indicates, there were problems with that evaluation. Dr. Steinbergh stated that, from her reading of the record, Dr. Caligaris had every reason to disagree with the CPEP report.

Dr. Steinbergh stated that during this process, which has now been about five years, Dr. Caligaris appears to have appropriately done his part. She added that she thinks that he's learned a great deal from this piece, and she thinks that the Board can be assured that there are now no concerns about standards of care in this case. There may be differences of opinion about how to handle certain cases, but that appears to be what is considered the "art of medicine." Physicians learn certain things in medical school and in post-graduate training, and then they take that information and find that they are successful or unsuccessful with it. That becomes the art of the practice. Dr. Steinbergh stated that she doesn't see anything in the record that indicates that Dr. Caligaris would be inappropriate in his practice.

Dr. Steinbergh stated that Dr. Caligaris has taken it upon himself to address many of the objectives of CPEP. At this point, she finds nothing inappropriate about this physician's practice. She added that he has been in a consent agreement with the Board for five years. Dr. Steinbergh stated that she agrees to the

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release of this consent agreement, with no further action taken against Dr. Caligaris.

Dr. Robbins stated that he also agrees with the Report and Recommendation, as written, and he commended the Hearing Examiner for the thorough job he did. Dr. Robbins stated that, as he went through this case several times, he can only say that the frustration that Dr. Caligaris went through through this process is clearly not lost on him. He stated that it's almost frightening, and he agrees with Dr. Egner's comments. Dr. Robbins stated that this case makes him want to re-evaluate CPEP a little differently, in hopes that the Board doesn't have a similar situation occur in the future. Dr. Robbins stated that he's in full agreement with the Report and Recommendation.

Dr. Kumar stated that he also agrees with the Report and Recommendation. He commended Dr. Caligaris for being astute to pick up that, when the assessor was taking notes, he was stopping Dr. Caligaris to spell words. Dr. Kumar stated that it was amazing to him that an assessor needed spelling for medical terminology. Dr. Kumar again stated that he is in support of the Report and Recommendation.

A vote was taken on Mr. Browning's motion to approve and confirm:

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye
	Dr. Kumar	- aye

The motion carried.

**GREGORY LEE EBNER, D.O.**

Dr. Kumar directed the Board's attention to the matter of Gregory Lee Ebner, D.O. He advised that no objections were filed to Hearing Examiner Petrucci's Report and Recommendation

**DR. STEINBERGH MOVED TO APPROVE AND CONFIRM MS. PETRUCCI'S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND PROPOSED ORDER IN THE MATTER OF GREGORY LEE EBNER, D.O. DR. ROBBINS SECONDED THE MOTION.**

Dr. Steinbergh advised that Dr. Ebner has a felony drug conviction. He had a hearing, but neither Dr. Ebner nor his attorney attended the scheduled hearing. Dr. Steinbergh stated that the hearing record is clear, as is the summary of the evidence in the Report and Recommendation. Dr. Ebner acknowledged the truth of the following facts in court:

- In 2001, Dr. Ebner worked in several "pain clinics" in the Southern District of Ohio;

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- The clinics were owned and operated by an individual and would open and close periodically, opening in different locations, in order to stay ahead of law enforcement;
- He prescribed Schedule III and IV controlled substances inappropriately. Patients came and paid a lot of money to get these drugs;
- He would see between 60 and 70 patients a day, did a cursory examination, and would prescribe medication for pain and sleep.
- Some patients signed an agreement that they would only use a particular pharmacy;
- He evenly split the patient payments with the owner of the institution. At the end of the day, regardless of what cash came in, the money was evenly split. An example given was that, on a day when Dr. Ebner saw 70 patients, each of whom paid \$200, he would receive \$7,000.00 in cash for his work that day and the owner would receive the other \$7,000.00.

Dr. Steinbergh stated that on January 19, 2007, Dr. Ebner pleaded guilty to and was convicted of both counts charged in *U.S. v. Ebner*. Additionally, he: was not permitted to unlawfully possess a controlled substance, he had to pay a fine, he was required to forfeit his residence or make an equivalent cash payment, and he was incarcerated.

Dr. Steinbergh stated that she agrees with the Proposed Order of permanent revocation of this license.

Mr. Browning stated that, unfortunately, this was a pretty straightforward, open and shut case.

Dr. Kumar stated that he was amazed that they would only accept cash from patients. They wouldn't take credit cards or insurance forms.

A vote was taken on Dr. Steinbergh's motion to approve and confirm:

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye
	Dr. Kumar	- aye

The motion carried.

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JOSEPH WILLIAM FISCHKELTA, P.A.

Dr. Kumar directed the Board's attention to the matter of Joseph William Fischkelta, P.A. He advised that no objections were filed to Hearing Examiner Porter's Report and Recommendation.

**DR. STEINBERGH MOVED TO APPROVE AND CONFIRM MR. PORTER'S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND PROPOSED ORDER IN THE MATTER OF JOSEPH WILLIAM FISCHKELTA, P.A. MR. BROWNING SECONDED THE MOTION.**

Dr. Kumar stated that he would now entertain discussion in the above matter.

Dr. Steinbergh stated that this is a Report and Recommendation in the consolidated matters concerning Mr. Fischkelta. She noted that on several occasions Mr. Fischkelta violated the Board's Order of February 11, 2004. This is a case of chemical dependency, impairment. Dr. Steinbergh stated that she thought that the record is quite clear about Mr. Fischkelta, and the Proposed Order of permanent revocation of his certificate to practice as a physician assistant is appropriate.

Dr. Steinbergh stated that Mr. Fischkelta needs to understand that this is not simply a case of impairment. She advised that most times the Board tries very hard to simply revoke a license, allowing the individual to come back at some point if he or she can stay healthy. She stated that she does agree, after reviewing the hearing record, that Mr. Fischkelta lacks the ethical substance that requires honesty in dealing with this Board. She added that the Board expects proper decorum and professionalism in a P.A., as well as in a physician. Health consumers in this state expect the Medical Board to regulate as best it can and to present the highest quality of physicians, physician assistants, and other physician extenders to care for their health needs. Dr. Steinbergh stated that Mr. Fischkelta does not meet that standard, and added that she supports the recommendation of Mr. Porter to permanently revoke Mr. Fischkelta's certificate.

Dr. Madia left during the previous discussion.

A vote was taken on Dr. Steinbergh's motion to approve and confirm:

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye
	Dr. Kumar	- aye

The motion carried.

Dr. Madia returned to the meeting at this time.

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CITATIONS, PROPOSED DENIALS, AND ORDERS OF SUMMARY OR IMMEDIATE SUSPENSION

KENNETH LESTER DREWS, M.D. – LETTER OF PROPOSED DENIAL

At this time the Board read and considered the letter of proposed denial in the above matter, a copy of which shall be maintained in the exhibits section of this Journal.

**DR. STEINBERGH MOVED TO SEND THE LETTER OF PROPOSED DENIAL TO DR. DREWS. DR. VARYANI SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye
	Dr. Kumar	- aye

The motion carried.

TIMOTHY WILLIAM DRURY, II, M.D. – LETTER OF PROPOSED DENIAL

At this time the Board read and considered the letter of proposed denial in the above matter, a copy of which shall be maintained in the exhibits section of this Journal.

**DR. VARYANI MOVED TO SEND THE LETTER OF PROPOSED DENIAL TO DR. DRURY. DR. MADIA SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye
	Dr. Kumar	- aye

The motion carried.

WILLIAM NORRIS KAY, M.D. – CITATION LETTER

At this time the Board read and considered the proposed citation letter in the above matter, a copy of which

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shall be maintained in the exhibits section of this Journal.

**DR. VARYANI MOVED TO SEND THE CITATION LETTER TO DR. KAY. DR. STEINBERGH SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye
	Dr. Kumar	- aye

The motion carried.

Dr. Kumar noted that he, Dr. Varyani and Dr. Madia must abstain from voting on the next citation to be considered by the Board.

It was at this time noted that there would not be sufficient votes to send the citation letter, as a majority vote of those members attending the meeting is required.

**DR. ROBBINS MOVED TO TABLE THE TOPIC OF CITATIONS, PROPOSED DENIALS AND ORDERS OF SUMMARY OR IMMEDIATE SUSPENSION UNTIL LATER IN THE MEETING. DR. STEINBERGH SECONDED THE MOTION.** All members voted aye. The motion carried.

#### RATIFICATION OF SETTLEMENT AGREEMENTS

Board members were provided with copies of settlement agreements negotiated by Board staff and/or the staff of the Office of the Attorney General, as authorized by the Board's Secretary and Supervising Member, and as appropriate, the Board President, as well as copies of summaries of the agreements. The names and license numbers of the licensee or applicant subjects of such settlement agreements were removed from the documents.

#### GREGORY BURNHAM CAMP, M.D. – CONSENT AGREEMENT

**DR. STEINBERGH MOVED TO RATIFY THE PROPOSED STEP I CONSENT AGREEMENT WITH DR. CAMP. DR. MADIA SECONDED THE MOTION.**

Mr. Browning stated that he's for ratifying this agreement, but added that he is concerned about the Board getting into a pattern of routinely addressing relapses by negotiating new consent agreements.

Dr. Egner agreed with Mr. Browning. She stated that this isn't just a relapse; it's a relapse and lying to the

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Board. She stated that she first wondered why this wouldn't go to hearing.

Mr. Browning agreed, and again stated that he is concerned.

Dr. Steinbergh stated that she thinks that the other piece of it is that this is Dr. Camp's first consent agreement with the Board. She agreed that he did lie, but suggested that that is a product of his chemical dependency. She noted that the consent agreement does give Dr. Camp a one-year suspension of his license, which is a good deal of time to begin to heal himself.

Mr. Browning stated that this isn't Dr. Camp's first relapse.

Dr. Steinbergh stated that this is the first time that the Board has dealt with Dr. Camp.

Mr. Browning stated that his concern is that the Board is getting into a pattern of moving to using consent agreements pretty quickly. There are a lot of people out there with big problems, in and out of medicine, who would be delighted to get a consent agreement and move around the legal process in that manner.

A vote was taken on Dr. Steinbergh's motion to ratify the agreement:

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye
	Dr. Kumar	- aye

The motion carried.

#### WENDY KAY DEAN, M.D. – CONSENT AGREEMENT

**DR. STEINBERGH MOVED TO RATIFY THE PROPOSED STEP I CONSENT AGREEMENT WITH DR. DEAN. MR. BROWNING SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye
	Dr. Kumar	- aye

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The motion carried.

JAMES JOHN OTIS, M.D. – SURRENDER OF CERTIFICATE TO PRACTICE MEDICINE AND SURGERY

**DR. STEINBERGH MOVED TO RATIFY THE PROPOSED PERMANENT SURRENDER OF DR. OTIS' LICENSE TO PRACTICE MEDICINE AND SURGERY. DR. MADIA SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye
	Dr. Kumar	- aye

The motion carried.

VIRGIL TIRMONIA, M.D. – SURRENDER OF CERTIFICATE TO PRACTICE MEDICINE AND SURGERY

**DR. STEINBERGH MOVED TO RATIFY THE PROPOSED PERMANENT SURRENDER OF DR. TIRMONIA'S LICENSE TO PRACTICE MEDICINE AND SURGERY. DR. MADIA SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye
	Dr. Kumar	- aye

The motion carried.

Dr. Egner asked whether surrenders of certificates show up on the Board's website.

Mr. Whitehouse advised that they do.

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ROBERT GERALD WORKMAN, M.D. – SURRENDER OF CERTIFICATE TO PRACTICE  
MEDICINE AND SURGERY

**DR. MADIA MOVED TO RATIFY THE PROPOSED PERMANENT SURRENDER OF DR.  
WORKMAN’S LICENSE TO PRACTICE MEDICINE AND SURGERY. DR. STEINBERGH  
SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye
	Dr. Kumar	- aye

The motion carried.

LI-ING CHANG, M.D. – CONSENT AGREEMENT

**DR. VARYANI MOVED TO RATIFY THE PROPOSED CONSENT AGREEMENT WITH DR.  
CHANG. DR. STEINBERGH SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye
	Dr. Kumar	- abstain

The motion carried.

DAVID WALTER MASSIE, M.D. – CONSENT AGREEMENT

**DR. STEINBERGH MOVED TO RATIFY THE PROPOSED STEP I CONSENT AGREEMENT  
WITH DR. MASSIE. MR. BROWNING SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Madia	- aye

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Mr. Browning	- aye
Dr. Robbins	- aye
Dr. Steinbergh	- aye
Dr. Kumar	- aye

The motion carried.

JOSEPH ALOYSIUS RIDGEWAY, IV, M.D. – CONSENT AGREEMENT

**DR. STEINBERGH MOVED TO RATIFY THE PROPOSED STEP II CONSENT AGREEMENT WITH DR. RIDGEWAY. DR. VARYANI SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye
	Dr. Kumar	- aye

The motion carried.

ROBERT VANCOURT REINHOLD, M.D. – CONSENT AGREEMENT

**DR. STEINBERGH MOVED TO RATIFY THE PROPOSED CONSENT AGREEMENT WITH DR. REINHOLD. DR. VARYANI SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

The motion carried.

SUSAN GAIL SWEDA, M.D. – CONSENT AGREEMENT

**DR. STEINBERGH MOVED TO RATIFY THE PROPOSED STEP II CONSENT AGREEMENT WITH DR. SWEDA. MR. BROWNING SECONDED THE MOTION.** A vote was taken:

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ROLL CALL:

Mr. Albert	- abstain
Dr. Egner	- aye
Dr. Varyani	- aye
Dr. Madia	- aye
Mr. Browning	- aye
Dr. Robbins	- aye
Dr. Steinbergh	- aye
Dr. Kumar	- aye

The motion carried.

ASHRAF SOLIMAN BADOUR, M.D. – CONSENT AGREEMENT

**DR. STEINBERGH MOVED TO RATIFY THE PROPOSED CONSENT AGREEMENT WITH DR. BADOUR. DR. VARYANI SECONDED THE MOTION.** A vote was taken:

ROLL CALL:

Mr. Albert	- abstain
Dr. Egner	- aye
Dr. Varyani	- aye
Dr. Madia	- aye
Mr. Browning	- aye
Dr. Robbins	- aye
Dr. Steinbergh	- aye
Dr. Kumar	- aye

The motion carried.

At this time, Dr. Kumar tabled the topic, Ratification of Settlement Agreements, until later in the meeting.

STRATEGIC PLAN PROGRESS REPORT

ENFORCEMENT, COMPLIANCE AND INVESTIGATIONS

At this time, Kimberly C. Anderson, Assistant Executive Director, gave a Power Point presentation on the efforts of the Enforcement, Compliance and Investigations departments. Copies of the slides used shall be maintained in the exhibits section of this Journal.

Dr. Buchan joined the meeting at this time.

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PROBATIONARY APPEARANCES

STEVEN R. ALLEN, SR., M.D.

Dr. Allen made his initial appearance before the Board, pursuant to the terms of his August 9, 2007 Consent Agreement.

In response to Board members' questions, Dr. Allen stated that he's a general surgeon in Cincinnati, Ohio. He indicated that he does understand his consent agreement and does not have any questions about it.

Dr. Allen advised that he's the chief resident in general surgery at the University of Cincinnati. In terms of his health, he's seeing his psychiatrist, Elliott M. Friedeman, M.D., on a monthly basis, and his therapists, Eugene F. Colina, LISW, IMFT, on a weekly basis. He also sees Scott Alan Bresler, Ph.D., a forensic psychologist at the University of Cincinnati, who performed one of his initial evaluations on fitness to return to duty approximately two years ago. Dr. Allen stated that he has been seeing Dr. Bresler on a quarterly basis in terms of his progress on both a personal and professional level.

Dr. Allen stated that he has also been taking his medications, as prescribed. He takes Abilify, 5 mg. per day, and Lamictal.

Upon further questioning, Dr. Allen stated that his personal stressors have actually subsided considerably over the last two years. It kind of came to a head two years ago, and things have actually progressively improved significantly. From a personal standpoint, he's been involved with a woman for about nine months, and they plan on getting married in March. He has a great relationship with his ex-wife; things have improved significantly with them. He stated that everything is going well.

Dr. Steinbergh stated that she believes that Dr. Allen has a new respect for his license, the ability to practice, and the importance of staying well. She added that it appears to her that, as long as he's appropriately medicated and continues counseling, things will go well for him.

Dr. Allen thanked Dr. Steinbergh. He added that, in addition to things going well for him, he applied for a fellowship in trauma critical care for the next step in his career. He was actually matched at the University of Pennsylvania. He stated that this is another positive step for him.

Dr. Steinbergh asked whether Dr. Allen is currently licensed in Pennsylvania.

Dr. Allen stated that he is not. He added that it's an issue, and he's not sure how it's going to go.

Dr. Steinbergh stressed the importance of being up-front about all those issues, and added that, from state to state, there's a great deal of respect for that. She commented that, as he goes into the stressors of a fellowship, the important piece is Dr. Allen taking care of himself and understanding that he's no good if he's not well.

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Dr. Allen stated that C. William Schwab, M.D., who's the Chief of Trauma at the University of Pennsylvania, has offered him psychiatric guidance through a psychiatrist at the University. He's also offered considerable guidance and mentoring in terms of his wellness and keeping on track with the consent agreement. He added that Dr. Schwab has signed off on the consent agreement, and knows the terms and the issues.

Dr. Kumar stated that Dr. Allen was on medicine in 2003, but something happened and he stopped taking it. That's when he got into problems. Dr. Kumar asked what lessons Dr. Allen has learned, and what will prevent Dr. Allen from stopping his medication in the future.

Dr. Allen stated that first and most importantly is the fact that he's come to terms that he has this condition. He takes it very seriously. In the midst of stopping the medication, the implications and consequences were that he lost his entire life. He lost his house, his kids most importantly, and his wife. He added that he can't describe how devastating that was. He added that he knows that it was a consequence of this disease. Dr. Allen stated that he will make sure, by staying well, that that will never happen again. He advised that he was off his medicine for six weeks and, in those six weeks, his whole life was turned upside down.

Mr. Albert stated that Dr. Allen can't continue to beat himself for mistakes in the past. He added that Dr. Allen needs to focus on his recovery and start putting his life back together. Mr. Albert stated that Dr. Allen has a lot of things to prove to people and, if he follows the twelve steps of A.A., he can do that.

**DR. STEINBERGH MOVED TO CONTINUE DR. ALLEN UNDER THE TERMS OF HIS AUGUST 9, 2007 CONSENT AGREEMENT, WITH FUTURE APPEARANCES BEFORE THE BOARD SECRETARY OR DESIGNEE. DR. MADIA SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

The motion carried.

ROBERT L. BRANDT, JR., M.D.

Dr. Brandt made his initial appearance before the Board, pursuant to the terms of his August 9, 2007 Consent Agreement.

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In response to questions by Dr. Steinbergh, Dr. Brandt stated that it is true that he is a family practitioner, with a background in addiction medicine. He stated that he does not practice addiction medicine, but he was certified in the specialty in 1987. He gave that practice up in 1994 because he focused on HIV and AIDS after that and moved his practice.

Dr. Steinbergh stated that she understands the disease process, but thought “man, here’s someone who really has educated himself that way, knows he has the disease, and isn’t working hard enough to prevent it.”

Dr. Brandt indicated that that is incorrect. He asked whether Dr. Steinbergh is talking about this current issue or before. He stated that this was discussed when he came in under his first Step 1 agreement.

Dr. Steinbergh stated that this is not a trick question. She wondered, in his disease process, at what point did he begin to study addiction medicine and, with the knowledge that he has, what allowed him to relapse?

Dr. Brandt stated that, as far as he’s concerned, he didn’t relapse. He made a stupid mistake. Dr. Brandt explained that, when he got home from rehabilitation and treatment, he focused on alcoholism and he focused on doing his program as best as he could. He didn’t think about throwing away an old bottle of pills in his medicine cabinet that he had used for allergies that he gets in the spring and fall. Dr. Brandt explained that this was a surprise to him as much as anybody else; he had no realization that anything had happened until he was notified that one of his drug screens was positive for Darvon. He stated that he didn’t take it intentionally. There was a bottle of pills in his medicine cabinet that were unlabeled. They were just old things he’d had before that, as far as he knew, they were strictly like a decongestant. When he surrendered that bottle of pills and it was reviewed by his drug monitoring physician, they tested the different pills that were in the bottle and there were decongestants, one was an antifungal. Dr. Brandt stated that he cannot explain where the Darvon came from. He took these only at night to be able to open up his sinuses and breathe. Dr. Brandt stated that the only theory he has is that the Darvon was in the bottle, it was an old thing. He added that he has no excuse.

Dr. Steinbergh stated that she always has a problem with a physician taking medication without knowing what that pill is. She stated that, to her, it’s sort of unheard of that a physician would go to a bottle, take a pill and not know what it is.

Dr. Brandt stated that he thought that he knew what it was.

Mr. Albert stated that he wishes he could tell Dr. Brandt how many times he’s heard that story.

Dr. Brandt stated that he’s sorry and that he has no excuse. He advised that when he got home from rehab, he should have just thrown everything away.

Dr. Madia asked whether, after taking the pill, Dr. Brandt realized that it wasn’t helping him.

Dr. Brandt stated that he didn’t because he went to bed right after taking it. He’s assuming that that’s what

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occurred, because he cannot tell the Board the specific incident or day or time.

Dr. Kumar asked whether he continued to take the medication every day.

Dr. Brandt stated that his drug screen was positive only once. He was taking pills out of the bottle because he knew there were some decongestants. How this happened, he doesn't know.

Dr. Buchan stated that, in fact, Dr. Brandt does have an excuse and the Board just heard it. He added that the Board just doesn't like his excuse.

Dr. Brandt stated again that it was an old bottle of pills left over.

Dr. Buchan stated that that's his excuse.

Dr. Brandt agreed, but added that he doesn't even know if it was there. When he surrendered the bottle, they didn't find any others.

Dr. Buchan stated that what is incredulous to him and maybe to some of his peers is that he's trained in addiction medicine and he would allow himself to fall into this trap, and then, secondarily, that he might try to offer this excuse. Dr. Buchan again stated that he finds the excuse to be quite incredulous.

Dr. Buchan continued that Dr. Brandt is under a consent agreement with the Board, and the Board is on his team. He added that, hopefully, the Board won't have this conversation again. Dr. Buchan stated that he'll go on record as saying that he doesn't buy Dr. Brandt's excuse, but he did sign off on Dr. Brandt's consent agreement, so he will move forward with Dr. Brandt and hope and pray that he will continue to stay on the straight and narrow. Dr. Buchan stated that this kind of excuse the Board might buy once, but he can't imagine that it would ever buy it a second time.

Mr. Albert stated that Dr. Brandt should forget all this stuff about taking a pill by mistake. He relapsed and he needs to start working on his recovery. Mr. Albert stated that Dr. Brandt can get the PDR out and look at all the pictures of pills there. He stated that Dr. Brandt won't find one decongestant that looks like a Darvon. Mr. Albert stated that Dr. Brandt needs to start working on his recovery and do what the consent agreement requires, and he'll be back in a few years and the Board will turn him loose, and, hopefully, he'll be okay.

Dr. Steinbergh asked whether Dr. Brandt understands his consent agreement.

Dr. Brandt stated that, as it currently stands right now, he does.

Dr. Steinbergh noted that the Board is being asked to approve someone to perform one of the chemical dependency evaluations required as a condition for reinstatement and someone to perform the psychiatric evaluation required as a condition for reinstatement. She stated that she will move to approve the individuals nominated. She asked Dr. Brandt what he's doing on a day-to-day basis right now, as his

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license is suspended.

Dr. Brandt stated that he is continuing his recovery program as if under the previous agreement. He's attending five meetings a week. Because of the incident, he did have to give up his work, so he's looking for other employment, and he has a potential job with a group practice in the Dayton area when his license is reinstated. Dr. Brandt stated that on a day-to-day basis, he's keeping on his recovery program, taking care of issues around his house, working with his family, keeping up with personal close ties. He stated that his personal support is very good. His father and his sister are in the area, and they're aware of everything that's going on.

**DR. STEINBERGH MOVED TO APPROVE MARK H. THOMAS, M.D., TO PERFORM ONE OF THE CHEMICAL DEPENDENCY EVALUATIONS REQUIRED FOR REINSTATEMENT; DOUGLAS A. SONGER, M.D., TO PERFORM THE PSYCHIATRIC EVALUATION REQUIRED FOR REINSTATEMENT; AND TO CONTINUE DR. BRANDT UNDER THE TERMS OF HIS AUGUST 9, 2007 CONSENT AGREEMENT, WITH FUTURE APPEARANCES BEFORE THE BOARD SECRETARY OR DESIGNEE. MR. BROWNING SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

The motion carried.

DAROLD R. LANCE, JR., D.O.

Dr. Lance made his initial appearance before the Board, pursuant to the terms of his August 9, 2007 Step I Consent Agreement.

In response to Board members' questions, Dr. Lance stated that he is well. He acknowledged that he was previously before the Board for an issue with alcohol and marijuana, mostly alcohol. Concerning what happened with the first consent agreement Dr. Lance had with the Board, he stated that he was talking with Karen Mortland, Enforcement Attorney for the Board, and he explained to her that it was hard for him to come up with \$12,500 up front to go to rehab. He had been going to three A.A. meetings week to try to show that he was complying. While attending one A.A. meeting in Chillicothe, he fell on some church steps and broke both knees, both tibia, a fibula and a femur, and he was house-confined on the second floor of his home for over six weeks. He finally got out to see an orthopedic surgeon, who pulled some MRIs which demonstrated the fractures. Dr. Lance stated that he had to learn how to walk again before he could

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go into treatment. Dr. Lance stated that he mentioned his difficulties to people at the Board offices. Then, at the end of February, he developed a GI bleed from taking non-steroidals. He was not using any narcotics for pain control. He had not been drinking at that time through December, because he couldn't leave the house. His family and friends knew the situation he was in and they didn't offer to bring him any alcohol, nor did he ask them. Then he had to get medically stable after the GI bleed. He stated that he finally went to rehab in May 2007 at Glenbeigh. He's not been drinking since then. Dr. Lance stated that he's from Jackson, Ohio, which is a very small county, and he's learned a lot about the medical community, and that other physicians are not willing to get involved with other doctors who have difficulties with the Medical Board. He finally got a monitor for his urine screens, a doctor of dental surgery in Chillicothe.

Dr. Buchan noted that Dr. Lance needs a supervising physician, as well. He asked whether Dr. Lance had worked that out.

Dr. Lance asked whether that wouldn't be the monitoring physician.

Ms. Bickers stated that it's OPHP.

Dr. Lance stated that he's talked with Dr. Sateran.

Dr. Buchan asked Dr. Lance to explain about his drug screens, and asked whether he's had any screens yet.

Dr. Lance stated that he has not had any screens yet. He stated that he's working on it, and he's going to OPHP. He added that he was advised that if his monitor has screens lying around, he could borrow one of those until the ones in his name come in.

Dr. Buchan stated that it's been three months since the Board has entered into this agreement with Dr. Lance.

Dr. Lance acknowledged that in those three months, he's not had a urine screen. He added that he's been attending the A.A. meetings, Caduceus and aftercare.

Dr. Buchan asked Dr. Lance whether he understands his consent agreement.

Dr. Lance stated that he does.

Dr. Buchan asked Dr. Lance what he is thinking.

Dr. Lance stated that he was trying to find physicians to become monitors, and it was very difficult. There is that timeframe where you have to respond within six hours. He was trying to find someone local. His personal physician was willing, but ended up sending a certified letter to him and to the Medical Board, which should be on file, stating that he had suddenly changed his mind and was not willing to do any of that. That put him on the search for someone else.

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Dr. Buchan asked staff members present whether it is typical that physicians in outlying areas would have difficulties finding monitors.

Ms. Bickers stated that it is not typical, at least not for this length of time. She added that it does depend on where the physician is located.

Dr. Lance stated that he had talked with someone with OPHP who says that he knows of a physician in Gallipolis that might be willing. He doesn't know any in Jackson County.

Dr. Buchan stated that he feels badly for Dr. Lance because, from where the Board sits, he has not been in compliance with his consent agreement.

Dr. Steinbergh asked whether Dr. Lance has been through a 28-day inpatient program.

Dr. Lance stated that he has been, at Glenbeigh. He was there from the middle of May through June 2007. He signed releases for Glenbeigh to send information to the Board.

Mr. Albert asked whether Dr. Lance belongs to OPHP.

Dr. Lance stated that he will be, once he gets the check in. He has the contract and he had to supply a monitor. He finally has one.

Mr. Albert stated that he will meet with Dr. Lance outside of the Board room, once the Board has dismissed him.

Dr. Steinbergh stated that she would move to continue Dr. Lance in this consent agreement. She stated that if Dr. Lance wants to practice medicine, there are certain things that he has to do.

Dr. Buchan stated that he's willing to give Dr. Lance another shot, and that he would like Dr. Lance to appear before the full Board again in December. He stated that, from his perspective, Dr. Lance is out of compliance with the consent agreement, and the agreement speaks to that issue. He asked Dr. Lance if he knows what can happen if he's out of compliance.

Dr. Lance stated that the Board will enter into a new consent agreement, or it will revoke his license.

Dr. Buchan stated that he's prepared to do that, but he also understands that the Board could give this another month.

**DR. BUCHAN MOVED TO CONTINUE DR. LANCE UNDER THE TERMS OF HIS AUGUST 9, 2007 CONSENT AGREEMENT, WITH HIS NEXT APPEARANCE TO BE BEFORE THE FULL BOARD IN DECEMBER 2007. DR. STEINBERGH SECONDED THE MOTION.**

Dr. Buchan advised Dr. Lance that the Board is on his team, and is willing to give this another shot. He

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added that he believes that Dr. Lance can succeed, but he has to be a better teammate. Dr. Buchan commented that this conversation has not gone well today, but he does anticipate improvement. He added that Dr. Lance will get through this, if he desires to get through it.

Dr. Lance stated that he wants the Board to appreciate that he did not enjoy having both of his knees broken, having to learn how to walk again, being house-confined for over a month, and finding a physician willing to even look at him. When he did get out of the house and showed the consent agreement to the first physician he saw, the physician said that he didn't want Dr. Lance as a patient.

Dr. Buchan stated that that's a lesson learned, and the Board will work through it with him, if he follows the rules. He stated that Dr. Lance comes from a different place than a lot of the probationers, but that doesn't mean that he cannot comply.

Dr. Robbins asked Dr. Lance whether he self-treated himself when he fractured his knees.

Dr. Lance stated that he just stayed home and rested in bed.

Dr. Robbins asked whether that's what Dr. Lance tells a patient to do who fractures his or her knees.

Dr. Lance stated that he saw an orthopaedic surgeon afterwards, who ordered the MRIs, and he said that no surgery was needed, he's done quite well. That was seven weeks after the injury.

Dr. Buchan stated that Dr. Robbins' point is well taken. For seven weeks, Dr. Lance self-treated. Dr. Buchan stated that that's just not right.

Dr. Lance stated that he couldn't get downstairs.

Dr. Robbins stated that he should have called 9-1-1.

Dr. Lance stated that he had to have his son come and help him with the activities of daily living.

Dr. Kumar commented that, at this point, Dr. Lance understands where the Board is coming from. There's a motion on the floor for him to appear in December. That motion was seconded.

Dr. Varyani commented that it seems like the more the Board talks, it is trying to tell Dr. Lance what the consent agreement is, and he in turn is telling the Board that he has difficulties. The more the Board hears, it sounds like an excuse. You self-treat yourself for six weeks, then go to a doctor, and then he wants the Board to feel sorry for him? He commented that Dr. Lance expects the Board to believe that, when he had the fractures, he did not do anything for pain relief.

Dr. Varyani stated that this is a partnership, and the Board is doing its best. He stated that in the next 30 days, Dr. Lance must try to get his act together.

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Dr. Madia asked whether the Board can help Dr. Lance find a monitoring physician.

Ms. Bickers stated that it is Dr. Lance's responsibility to find a monitoring or supervising physician. The Board will help, if it can. She reminded the Board that this is Dr. Lance's second Step 1 consent agreement. He's had significant time to get this into place.

Dr. Varyani again stated that it's a partnership between the Board and the physician. He added that the Board can only help people who want to help themselves. The Board cannot help people who do not wish to help themselves.

Dr. Lance stated that he understands and that he appreciates that.

A vote was taken on Dr. Buchan's motion:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

The motion carried.

MICHAEL G. STRAYER, M.T.

Mr. Strayer made his initial appearance before the Board, pursuant to the terms of the Board's Order of May 9, 2007.

In response to Board members' questions, Mr. Strayer acknowledged that he was arrested in November 2003, convicted of one felony count of possession of drugs (cocaine) on August 4, 2004. He advised that at that time, he was using cocaine, and had been for nine months. He served one year in the State Penitentiary, and was released June 9, 2005. Since that time, he graduated from massage therapy school. He was recently granted a license. He went before the judge this past August for an expungement of his conviction, and his expungement was withdrawn. He's currently working as a massage therapist.

Mr. Strayer stated that, after his arrest, he's stayed clean from cocaine from the time that he went to rehab in January and February 2004, until the current day.

Concerning what he is doing for his own health, Mr. Strayer advised that he's never been to aftercare, he just tries to stay healthy. He's been a vegetarian for years, and is still currently a vegetarian. He tries to exercise and keep himself in shape and busy. He hasn't needed any drugs or alcohol for any reason. He

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stated that he believes in holistic care, and should he be injured and in pain, he doesn't even take aspirin. He commented that he underwent general surgery and never used any pain medications. He can deal with pain on his own and has never needed any medication to relieve himself from pain.

Dr. Steinbergh asked what kind of decision he will make if he's in a bad accident and needs an analgesic.

Mr. Strayer stated that he'd be honest with the doctor who is treating him, but under the physician's supervision, he will take anything he needs to.

Dr. Robbins asked whether Mr. Strayer drinks alcohol at all.

Mr. Strayer stated that he has a beer, maybe, a couple of times a year at most. He commented that, other than that, he doesn't care to drink, adding that it doesn't do anything for his heart or for his weight. He had a drink two months ago while attending a wedding in Texas. He had a glass of champagne, and that was it.

In response to further Board members' questions, Mr. Strayer stated that he is currently in talks with a chiropractor in Fairlawn, OH, to start working with him. He added that he probably won't start working with him until after the holidays. He also currently volunteers his time for a biotech firm. They deal with AminoTherapy, an all-natural substance made from ten forms of mushrooms. He's been working with them, and hopefully will continue to work with them for the rest of his life.

Dr. Buchan and Dr. Steinbergh both cautioned Mr. Strayer against any use of alcohol or drugs, noting that he does have the disease of chemical dependence.

**DR. STEINBERGH MOVED TO CONTINUE MR. STRAYER UNDER THE TERMS OF THE BOARD'S ORDER OF MAY 9, 2007, WITH FUTURE APPEARANCES BEFORE THE BOARD SECRETARY OR DESIGNEE. DR. BUCHAN SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

The motion carried.

HEATHER LOUISE WHITTY, M.T.

Ms. Whitty made her initial appearance before the Board, pursuant to the terms of her July 11, 2007 Consent Agreement.

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In response to Board members' questions, Ms. Whitty stated that she is doing well, keeping busy. She will be on probation for two years. She advised that she has psychiatric diagnosis of depressive disorder, atypical; bipolar disorder, in full remission. She sees her psychiatrist monthly; and any time she feels off, she gives her psychiatrist a call. Ms. Whitty advised that she has been on Depo-Provera injections for over three years now, and that has helped her keep her serotonin levels at a good level while taking her medication. Ms. Whitty stated that it has been a big accomplishment for that to work for her.

Ms. Whitty stated that currently she is keeping busy starting her business. She's an independent contractor, working with a doctor in Perrysburg and she is not his employee. The physician is a laser, cosmetic doctor. She works in his office and she has an agreement with him that he would make a percentage of each massage.

Dr. Steinbergh stated that her understanding of this type of disease and how important it is for people, family or friends, to be monitoring her and letting her know if they think problems are beginning. She asked whether Ms. Whitty has that kind of feedback.

Ms. Whitty advised that she does. She stated that she's an only child and is very close to her parents. She has never, ever, rejected any treatment. If anything, this has scared her in the past to where she goes without having anybody telling her that she has to. She stated that her parents are able to recognize even the slightest problem. She added that there have been times when she didn't know, for sure, right away. It has been a very long time since they've had to deal with that situation, but they are definitely beside her, as are close friends of hers.

**DR. BUCHAN MOVED TO CONTINUE MS. WHITTY UNDER THE TERMS OF HER JULY 11, 2007 CONSENT AGREEMENT, WITH FUTURE APPEARANCES BEFORE THE BOARD SECRETARY OR DESIGNEE. DR. MADIA SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

The motion carried.

#### PRESIDENT'S REPORT

Dr. Kumar at this time advised that he would like to make a couple of announcements. He stated that, at 4:00 p.m., on the Wednesday session of the December meeting, the Board members will meet briefly with

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Governor Strickland. Where and how that meeting will take place is still being discussed. He asked Board members to adjust their agendas accordingly in order to be present.

Dr. Kumar stated that the Board members will have a Christmas dinner with senior staff following the Wednesday session.

Mr. Whitehouse stated that the staff members will buy their own meals.

Dr. Kumar stated that the Board will hold its regular holiday luncheon for Board staff after the Thursday meeting in December.

Dr. Kumar stated that draft reports from the Federation of State Medical Boards (FSMB) on maintenance of licensure have been distributed to Board members. He asked that Board members' comments be submitted by January 7.

Dr. Kumar stated that the Executive Committee discussed whether or not the Board should take a resolution to the Federation about changing the Federation's bylaws, and how there should be regional representation on the Federation's Board of Directors. Dr. Kumar stated that it was felt that the Board should start working on this behind the scenes, and at the grassroots level. Dr. Kumar stated that this Board will work hard to get Dr. Talmage elected to the Board of Directors.

Dr. Kumar added that the Board will make every effort to nominate Ms. Thompson for an award, based on her efforts toward the common license project.

Dr. Kumar stated that the Committee reviewed a suggestion made by staff to change the Board's meeting schedule.

Mr. Whitehouse advised that this was an idea that arose from his questioning as to why the Board does things in the way it does. He stated that he had questioned why the Board meets twelve times a year when the statute requires four meetings. He noted that there have been a number of meetings that have been one-day meetings, and one meeting was canceled due to weather problems. Mr. Whitehouse stated that he had wondered whether the Board really needs to meet twelve times a year, or whether ten meetings a year might be better. Mr. Whitehouse stated that the Committee had some interesting discussions, and he's looking for more discussion by the Board.

Mr. Whitehouse referred the Board to the memorandum in the agenda materials, listing possible dates using an every-five-week schedule. He stated that he is considering proposing this out of respect for the time the Board members have to devote to the Board. It is also a cost-saving, and will save the Board roughly \$10,000 a year if the Board meets ten times rather than twelve. Mr. Whitehouse stated that when he first began working for the Board, he was told that the staff spends a week preparing for the Board meeting, spends a week at the Board meeting, spends a week recovering from the Board meeting, and then has a week to do all the rest of the things that it has to do. He stated that the proposal would afford the opportunity to get a couple more weeks off for the staff.

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Mr. Whitehouse indicated that this idea came from trying to imagine how the Board might function differently. He was looking at the functions of the committees, the roles of Board members serving on the committees, what committees do, and how they meet. He stated that he hasn't discussed this proposal with all Board members, but had thought that he would bring it to Board members' attention at this time, when the 2009 dates are being considered.

Dr. Kumar asked Dr. Steinbergh to lead the discussion.

Dr. Steinbergh stated that she had some thoughts on this proposal: some positive and some not-so-positive. She stated that there would be a cost-savings for the Board as a whole, as well as for the individual Board members, who lose time from their practices during meeting dates. However, she has concerns about reducing the meetings for a couple of reasons, including the volume of work that is produced for the Board each month, in regard to Reports and Recommendations, Settlement Agreements, and the need to get those in a timely fashion. Dr. Steinbergh stated that, at this point, the Board spends Wednesday at the meeting and by 10:00 a.m. on Thursday, a lot of Board members are gone. The current schedule allows Board members to leave early and get back to their practices; however, if the Board meets ten times per year, the members must commit themselves to two days. They won't be able to leave at 10:00 a.m. on Thursday, there would be too much work to do. She stated that another concern is that, with more work to do, Board members might not be able to produce work in a positive way. The Board shouldn't hurry through a meeting just to get it done.

Dr. Steinbergh stated that her concerns also involve educational pieces for new Board members. She stated that coming to the Board meeting every month was a good thing in terms of educating herself. It's a learning curve, and that seemed to help. She added that conversations at the Regional Boards' Meeting has demonstrated to her that the boards who meet more frequently are more engaged and feel more confident about their decisions than some boards that don't meet as often.

Dr. Kumar stated that one concern he had is the number of Reports and Recommendations, Personal Appearances and Settlement Agreements, squeezed into ten meetings rather than twelve. He stated that some of the Reports and Recommendations are more complicated and take more time to prepare. It's a lot more data to read through and assimilate when portions of the agenda package aren't received until the weekend before the Board meeting. He stated that he doesn't feel that he will be able to read everything thoroughly.

Dr. Kumar stated that another concern is that currently there are some items for committees that haven't been handled because there is no time on the agenda to add them. If the number of meeting dates is lessened, it will be even harder to get these items on an agenda. Dr. Kumar stated that he's not in favor of ten meetings, unless there is a total change in how committee work is done.

Dr. Varyani stated that he believes that there was one meeting this year that was relatively light. He asked what the Board will get in return for saving \$10,000.00. He asked whether he would get the agenda materials, which he received on Friday this month, earlier. He stated that his weekends belong to his

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family. He, therefore, basically has two days to read everything. If the workload increases and he still gets the agenda materials on Friday, is it worth it? He indicated that many times he's reading things for the first time during the meeting itself. If the agenda is made heavier, but he still has the same amount of time to review materials, it's not worth the \$10,000.00 savings.

Mr. Whitehouse stated that the \$10,000.00 wasn't really something that he would use as a big selling point. His main point is that the Board and staff would get as much, if not more, done. He stated that it will free up some days for everyone, and does mean, probably a little bit more preparation.

Dr. Varyani stated that he's been on the Board three years, as has Mr. Whitehouse. He stated that you first have to have a yardstick before you say you're going to do this, this and this. It's been three years, and he feels that he's been patient, and everyone else has been patient, but he wants to know where the yardstick is. The first thing he wants to do is have the measurement: this is my baseline, I want to go here, I don't want to go here, but this is what I want to do and how much is it going to cost me to do that. Dr. Varyani stated that that's how he does business, and he doesn't think that the Board is there yet. He wants to get there.

Dr. Egner stated that she's not happy that this is the forum in which the Board is having this discussion and that this is the first time that she, personally, has heard about this. She stated that she's not on the Executive Committee, but somehow she thinks that she should have known that this was up for discussion. Dr. Egner stated that, secondly, if she reads the memorandum correctly, and she knows that Mr. Whitehouse is saying that money is not the primary issue, but the Board has a \$7.8 million budget and operating expenses of \$1,039,000. She stated that \$10,000.00 to her is nothing. In her own practice, she doesn't have a budget like the Board's budget and if someone said to her that he would save her \$10,000.00 on something that is a huge change, she probably would say that \$10,000.00 in her practice, one way or another, is meaningless.

Dr. Egner stated that she looks at this proposal and asks what it says. It's saying that the Board wants to take a new direction and part of the new direction is that the Board will involve its members less. She stated that that really worries her.

Mr. Whitehouse stated that, technically, in terms of time under this plan, there would actually be more days than those spent at the Board meeting. You'd have a real second day, maybe a full second day.

Dr. Egner stated that she leaves the Thursday meeting at 11:00 a.m., and she's been consistent about that because she has office hours. If someone said to her that that's not working and that they want to extend the Board meeting a little longer and that her leaving at 11:00 is a problem, she would adjust her office hours. She will do what needs to be done.

Dr. Egner stated that she feels that the Board is becoming more disengaged anyway, and that this would be just another way to disengage.

Dr. Kumar stated that he appreciates Dr. Egner's comments. He stated that the first time he's heard about

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this proposal is when he saw the agenda. He had no idea that this was even in the pipeline, and that's why he felt that full Board discussion was needed.

Mr. Browning stated that it's a new idea, and it appears to be a proposal to make a judgment today, and he doesn't think that the Board is in a position to make a judgment about this. It raises other operational and management questions about how the Board is moving forward, and more information is needed. It appears that it would be easier for the staff and that the staff could be more productive if the Board met fewer days. Why ten versus six, eight, seven? He stated that he doesn't understand, but there was no development of the question. The Board needs to decide that first and then see what makes sense in terms of an answer. It's kind of an answer in search of a question. He stated that he feels the Board needs some time, and he's not prepared to vote in favor of this proposal today.

Dr. Buchan advised that this is the first time he's heard of this, as well. He stated that, at first blush, his sense was to get a little back on his heels and suggest that the importance of what the Board does demands 100% effort. He's not sure he understands the concept of lessening the Board members' presence. The fact that the Board members deal with licensees and the citizens of this state and, more critically, their lives suggests to him a "full court press." He doesn't understand why the Board would cut back.

It was the consensus of the Board to stay with the current system.

Dr. Robbins stated that, when he first saw this proposal, his initial response was pretty much what the Board has said; but as he dwelt on it a little bit, he personally thinks that when you increase efficiency, a lot more gets accomplished. He stated that the money is not an issue here. He stated that he's not saying that he is ready to vote to do ten meetings; but he would say, categorically, that, even if the Board keeps everything the same, it needs to change Thursday. He stated that, in his mind, the Thursday sessions are very unproductive. He feels that he would get much more accomplished if he were back in Cincinnati than he's getting accomplished here. He suggested structuring Thursday with specific topics and specific things, to make it more like a Wednesday. Dr. Robbins stated that at one point in his practice, he operated over two days. Later, he changed his surgical schedule to one day, and now accomplishes more in the one day than he did in the two. His sense is that that kind of thing would happen here, too. Dr. Robbins stated that he doesn't think that anyone is suggesting that they want to disengage. He stated that the way he would look at this proposal, at the very least, is that, if the Board stays the way it is, it should look at Thursdays more critically. If the Board stays at twelve meetings, it should look at Thursdays. He stated that he is personally very unhappy with the Thursday session and has been for quite a while.

Dr. Kumar stated that he agrees, and that is why he's had retreat sessions on Thursdays, as well as meetings with the professional associations to make Thursday more meaningful.

FISCAL REPORT BY SUSAN LOE, ADMINISTRATOR, FISCAL, HUMAN RESOURCES, AND INFORMATION TECHNOLOGY

At this time the Board observed a Power Point presentation given by Ms. Loe, concerning the Board's current fiscal status.

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RATIFICATION OF SETTLEMENT AGREEMENTS

**MR. BROWNING MOVED TO REMOVE THE TOPIC OF RATIFICATION OF SETTLEMENT AGREEMENTS FROM THE TABLE. DR. STEINBERGH SECONDED THE MOTION.** All members voted aye. The motion carried.

SAMUEL ELMER PERLER-TOMBOLY, M.D. – CONSENT AGREEMENT

**DR. ROBBINS MOVED TO RATIFY THE PROPOSED CONSENT AGREEMENT WITH DR. PERLER-TOMBOLY, M.D. DR. MADIA SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye
	Dr. Kumar	- aye

The motion carried.

**DR. ROBBINS MOVED TO TABLE THE TOPIC, RATIFICATION OF SETTLEMENT AGREEMENTS, UNTIL THE THURSDAY SESSION OF THE BOARD. MR. BROWNING SECONDED THE MOTION.** All members voted aye. The motion carried.

CITATIONS, PROPOSED DENIALS AND ORDERS OF SUMMARY OR IMMEDIATE SUSPENSION

At this time Dr. Kumar removed the topic from the table.

MAHENDRA KUMAR MAHAJAN, M.D. – CITATION LETTER

At this time the Board read and considered the proposed citation letter in the above matter, a copy of which shall be maintained in the exhibits section of this Journal. Dr. Kumar again noted that he and Dr. Varyani would have to abstain in this matter.

Dr. Madia indicated that, although he does know Dr. Mahajan, he does not feel that their acquaintance is such that he should be required to abstain in this matter.

**DR. STEINBERGH MOVED TO SEND THE CITATION LETTER TO DR. MAHAJAN. MR. BROWNING SECONDED THE MOTION.** A vote was taken:

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ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Varyani	- abstain
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye
	Dr. Kumar	- abstain

The motion carried.

Thereupon at 4:32 p.m. the November 14, 2007 session of the State Medical Board of Ohio was duly adjourned.

We hereby attest that these are the true and accurate approved minutes of the State Medical Board of Ohio, meeting on November 14, 2007, as approved on December 12, 2007.

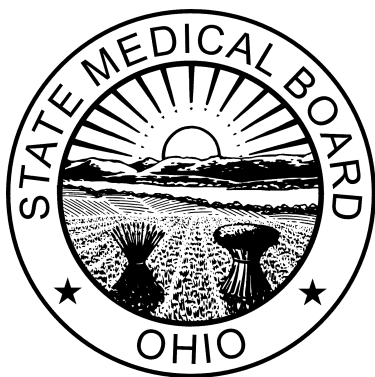


Deepak Kumar, M.D., President



Lance A. Talmage, M.D., Secretary

(SEAL)



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## MINUTES

### THE STATE MEDICAL BOARD OF OHIO

November 15, 2007

Deepak Kumar, M.D., President, called the meeting to order at 8:00 a.m., at the Vern Riffe Center for Government and the Arts, 77 S. High St., Columbus, Ohio 43215, Room #1932, with the following members present: Nandlal Varyani, M.D., Vice-President; Raymond J. Albert, Supervising Member; Carol L. Egner, M.D.; David S. Buchan, D.P.M.; Dalsukh Madia, M.D.; R. Gregory Browning, Ph.D.; Andrew F. Robbins, Jr., M.D.; and Anita M. Steinbergh, D.O. The following joined the meeting at a later time: Lance A. Talmage, M.D., Secretary. The following did not attend the meeting: Jack C. Amato, M.D.

Also present were: Richard A. Whitehouse, Executive Director; Diann K. Thompson, Assistant Executive Director; Kimberly C. Anderson, Assistant Executive Director; William J. Schmidt, Staff Attorney, Enforcement, Compliance & Investigations; Kyle C. Wilcox, Assistant Attorney General; Eileen M. Schmidt, Executive Assistant to the Director; Joan K. Wehrle, Executive Staff Coordinator; Sallie J. Debolt, Executive Staff Attorney; Michael K. Miller, Public Policy & Government Affairs Officer; Danielle Bickers, Compliance Supervisor; Jean Gillman, Compliance Officer; Kay L. Rieve, Administrative Officer; Cathy Hacker, P.A. Program Administrator; Karry Thacker, Executive Staff Assistant;

#### LICENSURE, PROBATION AND REINSTATEMENT CONSENT AGENDA

Dr. Kumar advised that at this time he would like the Board to consider the probationary reports, the probationary requests, and the licensure applications on today's consent agenda. Dr. Kumar asked whether any Board member wished to consider either an application for licensure or a probationary report or request separately. He noted that all probationers are in compliance.

There was no request to consider an item separately.

**DR. MADIA MOVED TO ACCEPT THE COMPLIANCE STAFF'S REPORTS OF CONFERENCES ON OCTOBER 9 AND 12, 2007, WITH: ASHFAQ TAJ AHMED, M.D.; MARK L. ALLEN, M.D.; MARK E. BLAIR, M.D.; TRACIE L. BOLDEN, M.D.; ROBERT R. BRIGHTWELL, D.O.; JOHN D. BROWNLEE, M.D.; JOSEPH CLAUDE CARVER, M.D.; RICHARD G. DAY, M.D.; PATRICK R. DENNISON, D.O.; DIXIE A. DOOLEY, D.P.M.; JANICE ELECTA GREEN DOUGLAS, M.D.; PAUL E. DUNCAN, M.D.; DANN WILLIAM GANZHORN, M.D.; JONATHAN L. HAIMES, M.D.; BYRON C. LEAK, M.D.; BRUCE JEFFREY MERKIN, M.D.; FRANCINE R. MOSLEY, M.D.; NYKOLAI VASIL PIDHORODECKYJ, M.D.; DAVID A. RATH, M.D.; ROBERT S. REEVES, JR., M.D.; MARK ALLEN RENZ, M.D.; JON P. RYAN, D.O.; SCOTT THOMAS STEWART, P.A.; AND SUSAN GAIL SWEDA, M.D. DR. MADIA FURTHER MOVED TO ACCEPT THE COMPLIANCE STAFF'S REPORTS OF CONFERENCES AND THE SECRETARY AND SUPERVISING MEMBER'S RECOMMENDATIONS AS FOLLOWS FOR**

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**BOTH PROBATIONARY REQUESTS AND REINSTATEMENT REQUESTS:**

- **TO APPROVE CRAIG L. BIERER, D.O.'S REQUEST TO DISCONTINUE HIS PSYCHIATRIC SESSIONS REQUIREMENT;**
- **TO GRANT CYNTHIA W. BRONER, M.D.'S REQUEST FOR APPROVAL OF STEPHEN F. PARISER, M.D., TO PERFORM ONE OF THE PSYCHIATRIC EVALUATIONS REQUIRED FOR REINSTATEMENT;**
- **TO GRANT JASON V. CHURCH, M.D.'S REQUEST TO CHANGE HIS MONITORING PHYSICIAN FROM BRIAN ZEHNDER, M.D., TO JOHN G. ALLRED, D.O., WITH 10 CHARTS REVIEWED PER MONTH;**
- **TO GRANT KEVIN R. CLARK, M.D.'S REQUEST TO CHANGE HIS MONITORING PHYSICIAN FROM JOHN R. STROEMER, M.D., TO STEPHEN M. DELISI, M.D.;**
- **TO GRANT AMANUEL A. DANIACHEW, M.D.'S PROPOSED PRACTICE PLAN AS A FELLOW IN FORENSIC PATHOLOGY IN THE OFFICE OF THE CUYAHOGA COUNTY CORONER, AND TO APPROVE HIS REQUEST TO CHANGE HIS MONITORING PHYSICIAN FROM F. DAVID OSBORN, M.D., TO JOSEPH A. FELO, D.O., WITH TEN CHARTS REVIEWED PER MONTH;**
- **TO APPROVE DUSTIN K. BLAKESLEE, D.O., TO SERVE AS STEVEN F. GREER, M.D.'S TREATING PSYCHIATRIST;**
- **TO APPROVE HUSAM E. HAMED, M.D.'S REQUEST TO CHANGE HIS APPEARANCE SCHEDULE FROM EVERY THREE MONTHS TO ANNUALLY;**
- **TO APPROVE TIM R. VALKO, M.D., TO SERVE AS FLORENCE B. MATYAS, M.D.'S TREATING PSYCHIATRIST;**
- **TO APPROVE ROBERT M. ANTHENELLI, M.D., TO SERVE AS THOMAS A. NGUYEN, M.D.'S SUPERVISING AND MONITORING PHYSICIAN, WITH TEN CHARTS REVIEWED PER MONTH;**
- **TO APPROVE THOMAS A. RANIERI, M.D.'S REQUEST TO CHANGE THE MONITORING PHYSICIAN FROM RAFAEL VELEZ, M.D., TO JOEL S. ENRIQUEZ, M.D.;**
- **TO APPROVE JORDEN BRENT WEISS, D.O., TO SERVE AS LEROY P. RISE, M.D.'S TREATING PSYCHIATRIST;**
- **TO APPROVE MICHAEL R. JENNINGS, M.D., TO SERVE AS STEPHEN J. ROLFE, M.D.'S**

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**MONITORING PHYSICIAN, WITH TEN CHARTS REVIEWED PER MONTH;**

- **TO APPROVE THOMAS M. ROBB, D.O., TO SERVE AS RICHARD S. SKOBLAR, M.D.'S EVALUATING PHYSICIAN FOR PURPOSES OF CHANGING THE NUMBER OF HOURS HE WORKS;**
- **TO APPROVE PETER A. RAMIREZ, M.D., TO SERVE AS ANDREAS HERBERT SZOKOLOCZY-SYLLABA, D.O.'S TREATING PSYCHIATRIST AND PAUL D. ENTNER, PH.D., TO SERVE AS HIS TREATING PSYCHOLOGIST;**
- **TO APPROVE GARY W. WALTZ, M.D.'S REQUESTS TO REDUCE HIS APPEARANCE SCHEDULE FROM EVERY THREE MONTHS TO EVERY SIX MONTHS AND TO REDUCE HIS DRUG SCREENS REQUIREMENT FROM ONCE A WEEK TO TWICE A MONTH; AND**
- **TO GRANT GREGORY S. ZINNI, M.D.'S REQUEST FOR A CHANGE IN HIS MONITORING PHYSICIAN FROM LESLIE A. MURPHY, M.D., TO JOSEPH P. AMBROSE, D.O.**

**DR. MADIA FURTHER MOVED TO APPROVE FOR LICENSURE, CONTINGENT UPON ALL REQUESTED DOCUMENTS BEING RECEIVED AND APPROVED IN ACCEPTANCE WITH LICENSURE PROTOCOLS, THE PHYSICIAN APPLICANTS LISTED IN EXHIBIT "A", THE P.A. APPLICANTS LISTED IN EXHIBIT "B," AND THE ACUPUNCTURE APPLICANTS LISTED IN EXHIBIT "C." MR. BROWNING SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

The motion carried.

**RECOMMENDATION FOR APPOINTMENT TO ADVISORY GROUP ON DIALYSIS**

Section 4723.71, O.R.C., establishes the Advisory Group on Dialysis under the auspices of the Ohio Board of Nursing. Paragraph (B)(3) requires the appointment of "a physician, recommended by the state medical board, who specializes in nephrology." In November 2005, the Board recommended Anil K. Agarwal, M.D., for the appointment. Dr. Agarwal's two-year appointment has expired, and the Board of Nursing has requested the Board's recommendation for his reappointment. Dr. Agarwal is eligible for reappointment.

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Dr. Steinbergh stated that Dr. Agarwal has indicated that he is willing to continue on the Committee.

**DR. STEINBERGH MOVED TO RECOMMEND THE REAPPOINTMENT OF ANIL K. AGARWAL, M.D., TO THE ADVISORY GROUP ON DIALYSIS. MR. BROWNING SECONDED THE MOTION.** All members voted aye. The motion carried.

#### ADMINISTRATIVE REPORT

Mr. Whitehouse noted that there are no students from the Ohio University College of Osteopathic Medicine present at this month's meeting. He stated that there will be attendees in December. He added that the Board has been getting very good feedback from the College. Mr. Whitehouse advised that he has been invited to attend a conference with the American Osteopathic Association in St. Louis in March or April. There will be a panel presentation with West Virginia to discuss the Board's efforts in this regard and to share this information with other states. He stated that at the end of the year the staff will gather feedback on the program and bring it to the Board with recommendations to what the next step should be.

Ms. Wehrle advised that the College has developed a formal evaluation form that the students have to fill out. She stated that, prior to the Board meeting, she and Mr. Whitehouse speak to the students to tell them what is going to happen at the meeting. After the meeting, the student fills out a form to be turned in. She advised that the feedback the Board has received is very good. She will distribute a compilation of student comments to Board members in the near future.

Dr. Kumar asked whether the program has been offered to other medical schools.

Mr. Whitehouse indicated that, after the Board has received enough input to guarantee that the program is meaningful, the Board will offer the program to other schools. There are some obvious logistical issues that would have to be faced. Staff is looking into technology options to use in the future. He added that the staff is also looking into recording the very relevant portions of the meeting that the Board thinks speak to certain issues. He stated that the goal is to put this on the Board's website so that anyone can access it at any time.

Mr. Whitehouse reviewed his written report, a copy of which shall be maintained in the exhibits section of this journal.

#### PRESIDENT'S REPORT

Dr. Kumar stated that, in September, when the Board was considering the Report and Recommendation in the matter of Walter Stephen Shonkwiler, D.P.M., the Board directed that a letter be sent to the Department of Health, expressing the Board's concern about the East Columbus Surgical Center allowing Dr. Shonkwiler to continue practicing, even though he did not have privileges at an area hospital, in opposition to the Center's bylaws. He stated that a letter has been drafted and distributed to Board members for their review.

**DR. BUCHAN MOVED TO SEND THE LETTER TO THE OHIO DEPARTMENT OF HEALTH. DR. STEINBERGH SECONDED THE MOTION.** All members voted aye. The motion carried.

A copy of the letter shall be maintained in the exhibits section of this journal.

#### REPORTS OF ASSIGNED COMMITTEES

##### LEGISLATIVE LIAISON & RULES COMMITTEE

Mr. Miller referred the Board to the Committee's written report, a copy of which shall be maintained in the exhibits section of this journal.

Mr. Miller stated the Committee discussed H.B. 253, legislation allowing Advanced Practice Nurses to prescribe Schedule II controlled substances. He advised that the Committee requested that staff draft a position statement that would support the prohibition of prescribing of Schedule II drugs by APN's in retail health care settings; the requirement for "physician initiation" prior to prescribing and/or limiting the prescribing for this disorder to APN clinical nurse specialists with clinical expertise in psychiatry/mental health; and the requirement for "physician initiation" prior to prescribing and/or limiting the prescribing to an APN certified registered nurse practitioner with clinical expertise in palliative and acute care.

Board members expressed concern about drug diversion increasing as a result of this legislation, and recommended an outcome study.

Concerning H.B. 245, concerning acupuncture, Mr. Miller advised that the bill would (1) remove the referral/prescription requirement for any acupuncturist that has been licensed for 12 months or longer; (2) revises the required designation of individuals seeking to obtain or renew a license as an acupuncturist from "Diplomate in Acupuncture" to "Diplomate in Acupuncture or Oriental Medicine;" and (3) provides that a person who is exempt from licensure by reason of performing acupuncture as part of a training program must perform it under the general supervision of an acupuncturist who holds a license for not less than 12 months.

Dr. Kumar commented that the Board was opposed to the removal of the physician referral requirement.

Mr. Miller stated that the bill requires a diagnostic exam from a physician within the last year, which must relate to what the acupuncture is treating.

Dr. Kumar stated that it's not just a matter of diagnosis, but a measure of the effectiveness of the treatment. Dr. Kumar stated that the Board should express opposition to this legislation.

Dr. Varyani expressed concern about opposing the bill, noting that the Board is perceived as being obstructionist.

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Dr. Steinbergh stated that the Board can go on record as having concerns.

Mr. Miller stated that Dr. Steinbergh's suggestion is reasonable. He advised that only six states require referral, while three other states require physician supervision.

Dr. Buchan and Dr. Steinbergh expressed concern about patients delaying seeking treatment for a condition that may be serious.

Dr. Varyani expressed concern about H.B. 149, the optometry prescribing bill.

Mr. Miller stated that the Ohio Ophthalmology Association and the Ohio Optometry Association are working on compromises to that bill at this time.

Dr. Talmage arrived at the meeting at this time.

#### LICENSURE COMMITTEE

Dr. Robbins advised that the Committee reviewed a number of licensure applications.

#### Marc T. Awobuluyi, M.D.

Dr. Robbins advised that Dr. Awobuluyi is applying for a full license, and has requested a waiver of the USMLE seven-year rule. He is over the ten-year time limit by ten months due to the time needed to complete his Ph.D. in neurobiology and medical school training at Harvard. He passed Steps 1, 2 and 3 on the first attempts with scores of 85, 82, and 76. Dr. Awobuluyi graduated from the Harvard Medical School MD/PhD program in May 2000. He is currently serving as a Neuropathology Fellow at the University of California, San Francisco. Dr. Awobuluyi holds licenses in Massachusetts and California, and was Board Certified in Diagnostic Radiology in 2006.

Dr. Robbins advised that the Committee recommends approval.

**DR. STEINBERGH MOVED TO APPROVE DR. AWOBULUYI REQUEST FOR A WAIVER OF THE SEVEN-YEAR RULE, AND TO GRANT DR. AWOBULUYI A LICENSE, CONTINGENT UPON ALL REQUESTED DOCUMENTS BEING RECEIVED AND APPROVED IN ACCORDANCE WITH LICENSURE PROTOCOLS. DR. BUCHAN SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmge	- abstain
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye

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Mr. Browning - aye  
Dr. Robbins - aye  
Dr. Steinbergh - aye

The motion carried.

Giles Boland, M.D.

Dr. Robbins advised that Dr. Boland is requesting that the Board deem his training and experience in the U.K. and his 12 months of internship, and 24 months of clinical fellowship in the United States to be equivalent to the 24 months of graduate medical education through the second-year level of GME so that he may be granted a license.

Dr. Boland graduated from Queen Mary's School of Medicine in July 1984. He trained at the London Hospital in a Surgery residency from August 1984 to February 1986. Dr. Boland immigrated to the U.S. in March 1986, and began the Internal Medicine internship at Yale from June 1986 to June 1987. He then moved back to the U.K. and worked and trained in Medicine and Radiology from August 1987 to June 1992. Dr. Boland returned to the U.S. and completed the Fellowship in Interventional Radiology from July 1992 to June 1994. He has practiced at Massachusetts General since 1994, and is currently serving as an Associate Professor in Radiology at Harvard Medical School since 1994. Dr. Boland also serves as a teleradiologist at Martha Vineyard Hospital since March 2003. He took the FLEX exam in Pennsylvania in June 1988. Dr. Boland holds licenses in Florida, Maine, Massachusetts and New York, and is certified by the American Board of Radiology since 1996.

Dr. Robbins advised that the Committee recommends approval.

**DR. STEINBERGH MOVED TO FIND THAT DR. BOLAND'S PREVIOUS TRAINING AND EXPERIENCE ARE EQUIVALENT TO 24 MONTHS OF APPROVED TRAINING THROUGH THE SECOND YEAR LEVEL, AND TO GRANT DR. BOLAND A LICENSE, CONTINGENT UPON ALL REQUESTED DOCUMENTS BEING RECEIVED AND APPROVED IN ACCORDANCE WITH LICENSURE PROTOCOLS. DR. VARYANI SECONDED THE MOTION.** A vote was taken:

ROLL CALL:

Mr. Albert - aye  
Dr. Egner - aye  
Dr. Talmge - aye  
Dr. Varyani - aye  
Dr. Buchan - aye  
Dr. Madia - aye  
Mr. Browning - aye  
Dr. Robbins - aye  
Dr. Steinbergh - aye

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The motion carried.

Fariba Gharai, M.D.

Dr. Robbins advised that Dr. Gharai is requesting a good cause waiver of the seven-year rule. Dr. Gharai is over the seven-year time limit by four months. She passed Step 1 on the third attempt (77), Step 2 on the second attempt (75), and Step 3 on the fifth attempt (79). Dr. Gharai has sent a letter of explanation claiming she went over the seven-year limit for USMLE because she was not aware that some states have a seven-year policy or limited number of attempts.

Dr. Gharai graduated from the Rosalind Franklin University in North Chicago in June 1996. She then began a Surgery residency at East State University in Johnson City, Tennessee from June 1996 to June 2003. She entered a Cardiothoracic Surgery Fellowship at Chandler Medical Center from July 2003 to October 2004. She then entered a Cardiothoracic residency at West Virginia University from July 2005 to July 2007. She has completed over nine years of post-graduate training in the U.S. Dr. Gharai holds licenses in Florida, Kentucky and Virginia, and has been certified by the American Board of Surgery since 2004.

Dr. Robbins stated that the Committee had significant discussion on this application. The majority of the Committee felt that not being aware of the seven-year policy is not good cause and recommends denial.

**DR. BUCHAN MOVED TO PROPOSE TO DENY DR. GHARAI'S REQUEST FOR A WAIVER OF THE SEVEN-YEAR RULE ON THE BASIS THAT SHE DID NOT SHOW GOOD CAUSE. MR. ALBERT SECONDED THE MOTION.**

Dr. Talmage stated that the seven-year rule needs to be re-examined, if the Board is using it as being a measure of whether or not a physician is qualified. He stated that he believes that Dr. Gharai is qualified. He spoke against denying Dr. Gharai's application.

Dr. Varyani agreed with Dr. Talmage. He noted that she was only four months over the time limit, and stated that he sees no reason to deny her application, other than the seven-year rule.

Mr. Browning stated that he made the same points in Committee yesterday. He acknowledged that Dr. Gharai's reasons for not finishing the exam sequence in the seven years are not good; but, on the merits of the case, everything suggests that she's a qualified surgeon. Forcing her back to the process doesn't make sense.

Dr. Buchan stated that until the rule is changed, the Board needs to mean what it says and say what it means.

Mr. Browning stated that he doesn't disagree, but the Board does have discretion. The Board gets to decide on a case by case basis.

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A vote was taken on the motion to deny:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- nay
	Dr. Talmge	- nay
	Dr. Varyani	- nay
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- nay
	Dr. Robbins	- aye
	Dr. Steinbergh	- nay

The motion failed.

**DR. STEINBERGH MOVED TO GRANT DR. GHARAI A WAIVER OF THE SEVEN-YEAR RULE AND TO GRANT HER APPLICATION FOR LICENSURE, CONTINGENT UPON ALL REQUESTED DOCUMENTS BEING RECEIVED AND APPROVED IN ACCORDANCE WITH LICENSURE PROTOCOLS. DR. VARYANI SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- nay
	Dr. Egner	- aye
	Dr. Talmge	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- nay
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

The motion carried.

Sharon K. Hull, M.D.

Dr. Robbins advised that Dr. Hull has applied for licensure and indicated that she has not been engaged in the clinical practice of medicine since 2003. She is requesting endorsement of her National Board of Medical Examiners Diplomat status. Dr. Hull has worked as a Research Associate Professor and Interim Chair of Medical Humanities at Southern Illinois University School of Medicine.

Dr. Hull graduated from Southern Illinois University in May 1987. She completed training in Family Medicine at Union Hospital in Terre Haute, Indiana from July 1987 to June 1990. Dr. Hull worked as an Emergency Room physician in Indiana and Illinois from January 1990 to November 1992. She then worked at Southern Illinois University in different capacities in the Student Clinic as Chief of Women's Health and Assistant Dean of Student Affairs. She entered a Preventative Medicine residency at Southern

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Illinois University in July 2003 to June 2005, and continued and is currently serving as a Research Associate Professor and Interim Chair. Dr. Hull is Board Certified in Family Medicine (1990) and Preventive Medicine (2006).

**DR. ROBBINS MOVED TO APPROVE DR. HULL'S APPLICATION FOR OHIO LICENSURE SUBJECT TO SUCCESSFUL COMPLETION OF THE SPEX OR BOARD RECERTIFICATION EXAMINATION. DR. VARYANI SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmge	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

The motion carried.

Malini Narayanan, M.D.

Dr. Robbins advised that Dr. Narayanan is requesting a waiver of good cause for the seven-year rule. Dr. Narayanan is over the seven-year time limit by 29 months. She passed Steps 1 and 2 on the first attempt with scores of 86 and 83, and Step 3 on the third attempt with a score of 87. Dr. Narayanan sent a letter of explanation claiming she went over the seven-year limit for USMLE for several personal reasons, including that she was in a seven-plus year neurosurgery residency; working between 90-120 hours a week; and dealing with a failing marriage and illness of her father.

Dr. Narayanan graduated from the University of Chicago in June 1998. She then began a Neurosurgery residency at Children's Hospital/Brigham and Women's Hospital in Boston from July 1998 to June 2005. Dr. Narayanan then entered a Pediatric Neurosurgery Fellowship at University of Chicago Hospitals in June 2005 to August 2006, and entered a Neurosurgery fellowship at University of Chicago from August 2006 to September 2007. Dr. Narayanan has completed over eight years of post-graduate training in the U.S. Dr. Narayanan holds an active Illinois license.

Dr. Robbins advised that the Committee did not feel that Dr. Narayanan showed good cause for being over the seven-year limit.

**DR. ROBBINS MOVED TO PROPOSE TO DENY DR. NARAYANAN'S REQUEST FOR A WAIVER OF THE SEVEN-YEAR LIMIT ON THE BASIS THAT SHE DIDN'T SHOW GOOD CAUSE FOR BEING OVER THE LIMIT. DR. VARYANI SECONDED THE MOTION.**

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Dr. Varyani stated that he seconded the motion to get it on the table for discussion. He noted that everyone is advising the Board that Dr. Narayanan is well trained and an excellent physician and that there is a need for her. He stated that, unless someone has an issue with Dr. Narayanan's competence, he would recommend approval.

Dr. Robbins stated that the problem was that she was over the seven years by 29 months, which is not a short amount of time. He added that the Committee was completely conflicted.

Dr. Talmage stated that he would simply repeated what he said earlier. He has the same feeling in this case.

Dr. Buchan stated that he is still struggling with this, but, after listening to the Board's discussion, he is willing to vote to grant the waiver.

Dr. Steinbergh left the room during the previous discussion.

A vote was taken on Dr. Robbins' motion:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- nay
	Dr. Talmge	- nay
	Dr. Varyani	- nay
	Dr. Buchan	- nay
	Dr. Madia	- nay
	Mr. Browning	- nay
	Dr. Robbins	- aye

The motion failed.

**DR. BUCHAN MOVED TO GRANT DR. NARAYANAN A WAIVER OF THE SEVEN-YEAR RULE, AND TO GRANT HER A LICENSE, CONTINGENT UPON ALL REQUESTED DOCUMENTS BEING RECEIVED AND APPROVED IN ACCORDANCE WITH LICENSURE PROTOCOLS. DR. VARYANI SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- nay
	Dr. Egner	- aye
	Dr. Talmge	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- abstain
	Dr. Robbins	- nay
	Dr. Kumar	- aye

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The motion carried.

Robert N. Robison, M.D.

Dr. Robbins advised that Dr. Robison is applying for licensure in Ohio, and has indicated that he has not been engaged in the clinical practice of medicine since March 1991. He is currently employed as the Chief Medical Officer at Horizon Mercy Healthcare.

Dr. Robison graduated from the University of Maryland in June 1977. He is requesting endorsement of his National Board of Medical Examiners Diplomate status. He completed training in Family Practice at Harrisburg Hospitals in Harrisburg, Pennsylvania from July 1980 to June 1991. He worked as a physician at HealthAmerica of Central Pennsylvania from March 1991 to August 1996, and then worked for Pennsylvania Physicians Care from 1996 to September 1997. Dr. Robison currently serves as Chief Medical Officer of Horizon Mercy Healthcare since September 1997. Dr. Robison was originally Board Certified in Family Medicine in 1980 and recertified his boards in 2005.

**DR. ROBBINS MOVED TO GRANT DR. ROBISON A LICENSE TO PRACTICE MEDICINE AND SURGERY, CONTINGENT UPON ALL REQUESTED DOCUMENTS BEING RECEIVED AND APPROVED IN ACCORDANCE WITH LICENSURE PROTOCOLS, AND SUBJECT TO HIS PASSING THE SPEX OR SPECIALTY BOARD RECERTIFICATION EXAMINATION. DR. VARYANI SECONDED THE MOTION.**

Dr. Buchan stated that he has a question about board recertification. He noted that Dr. Robison apparently recertified in 2005, two years ago.

Ms. Rieve stated that Dr. Robison is keeping up with his recertification process through C.M.E., but she's not sure that he's been recertified.

Board members agreed that that is not recertification.

Dr. Buchan stated that he doesn't understand the Family Medicine Board. He knows the American Board of Family Practice, but not the American Board of Family Medicine.

Dr. Steinbergh returned to the meeting at this time.

Dr. Talmage stated that, as he understands it, the American Board of Family Practice has transitioned to the American Board of Family Medicine. He's unsure as to whether this is that board.

Dr. Kumar stated that Dr. Talmage is correct.

Dr. Talmage stated that recertification by that board is an exam process. If he hasn't passed the exam process, that's not true recertification.

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Dr. Buchan stated that he can't appreciate through the documentation that he can present a recent recertification document. If Dr. Robison can do that, then the challenge of academic excellence has been met. He stated that he wants to see the certificate to understand whether it's recertification or compliance with C.M.E.

Dr. Steinbergh agreed.

Dr. Varyani stated that, irrespective of everything, Dr. Robison hasn't clinically practiced for a while. Unless he sees a certificate, he would require SPEX or recent recertification exam.

Dr. Steinbergh and Dr. Buchan stressed that the staff needs to be certain that this is a specialty board certified by the ABMS and not by a different group of specialty boards.

Dr. Kumar stated that the Board of Family Medicine is an ABMS board.

**DR. VARYANI ASKED DR. ROBBINS TO ACCEPT A FRIENDLY AMENDMENT TO HIS MOTION THAT WOULD ACCEPT EVIDENCE OF RECENT CERTIFICATION AS WELL. DR. ROBBINS AGREED TO THE FRIENDLY AMENDMENT.**

A vote was taken on Dr. Robbins motion, as amended:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmge	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

The motion carried.

Kenichi Tamama, M.D.

Dr. Robbins explained that there are two issues to review with regards to Dr. Tamama, a request for good cause waiver of the seven-year rule, and the fact that he has not practiced clinical medicine since July 2005. Dr. Tamama is over the seven-year time limit by five months. He passed Step 1 on the first attempt with a score of 85, Step 2 on the second attempt with a score of 81, and Step 3 on the first attempt with a score of 83. Dr. Tamama graduated from the Gunma University in Maebashi, Japan in March 1995. He reports in his letter of explanation that the delay in passing Step 3 was due to his return to Japan to complete a PhD. His then returned to the U.S. to take Step 3, which was not possible until he was over the seven-year time

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limit.

**DR. ROBBINS MOVED TO APPROVE DR. TAMAMA'S REQUEST FOR A GOOD CAUSE WAIVER. DR. MADIA SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmge	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

The motion carried.

Dr. Robbins advised that the second issue is that Dr. Tamama has not practiced medicine since July 2005. He graduated from medical school in Japan in March 1995, and completed an internship at the U.S. Naval Hospital in Okinawa from April 1995 to April 1996. He then completed training in Internal Medicine at Beth Israel Hospital in New York from July 1996 to June 1997. Dr. Tamama then returned to Japan and worked as a physician at Shinohara Hospital from August 1997 to May 1998. Dr. Tamama entered Gunma University Graduate School and began a Ph.D. Program in Laboratory Medicine from April 1998 to September 2001. He worked as a physician and postdoctoral fellow in Japan until July 2002 when he immigrated to the U.S. and began a residency in clinical pathology at the University of Pittsburgh Medical Center from July 2002 to June 2005. Dr. Tamama currently serves as a postdoctoral fellow at the University of Pittsburgh School of Medicine since July 2005. Dr. Tamama holds licenses in California and Pennsylvania, and was Board Certified in Clinical Pathology in August 2005.

**DR. ROBBINS MOVED TO GRANT DR. TAMAMA A LICENSE, CONTINGENT UPON ALL REQUESTED DOCUMENTS BEING RECEIVED AND APPROVED IN ACCORDANCE WITH LICENSURE PROTOCOLS, AND SUBJECT TO PASSING THE SPEX OR BOARD RECERTIFICATION EXAMINATION. DR. MADIA SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmge	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye

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Dr. Steinbergh - aye

The motion carried.

Ginger Sommerfelt, M.T. Applicant

Dr. Robbins advised that Ms. Sommerfelt is applying to sit for the December 4, 2007 Massage Therapy examination and has requested special accommodations under the Americans with Disabilities Act of 1990. She has been diagnosed with Adult Attention Deficit with Hyperactivity Disorder. She has documented her disability by submitting an evaluation from Lisa Marsh, M.D., and a letter from Michael Bumbulis, Ph.D., from the Cleveland Institute of Medical Massage, documenting the accommodations she received at the school. Ms. Sommerfelt is requesting a taped exam, extended testing time (time and a half), and a separate testing area. She is taking both the Basic Science and Limited Branches portions of the exam.

**DR. ROBBINS MOVED TO APPROVE MS. SOMMERFELT'S REQUEST FOR SPECIAL ACCOMMODATIONS OF A TAPED EXAM, EXTENDED TESTING TIME OF TIME AND A HALF, AND A SEPARATE TESTING AREA. DR. STEINBERGH SECONDED THE MOTION.**

A vote was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmge	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

The motion carried.

David Detzel, L.M.T.

Dr. Robbins advised that Mr. Detzel is applying for restoration of his massage therapy license, originally issued in 2002. Mr. Detzel has indicated on his application for restoration that he has not actively practiced massage therapy since 2005.

**DR. ROBBINS MOVED TO APPROVE MR. DETZEL'S APPLICATION FOR RESTORATION OF LICENSE TO PRACTICE MASSAGE THERAPY, SUBJECT TO SUCCESSFUL COMPLETION OF THE LIMITED BRANCH PORTION OF THE MASSAGE THERAPY LICENSURE EXAMINATION. DR. MADIA SECONDED THE MOTION. A vote was taken:**

ROLL CALL:	Mr. Albert	- aye
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Dr. Egner	- aye
Dr. Talmge	- aye
Dr. Varyani	- aye
Dr. Buchan	- aye
Dr. Madia	- aye
Mr. Browning	- aye
Dr. Robbins	- aye
Dr. Steinbergh	- aye

The motion carried.

Amy Root, MT Applicant

Dr. Robbins advised that Ms. Root applied to sit for the December 4, 2007 Massage Therapy examination. She has requested special accommodations under the Americans with Disabilities Act of 1990. Ms. Root has been diagnosed with Adult Attention Deficit with Hyperactivity Disorder. She is requesting a taped exam, extended testing time (time and a half), and a separate testing area. She is taking both the Basic Science and Limited Branches portions of the exam.

**DR. ROBBINS MOVED TO GRANT MS. ROOT'S REQUEST FOR SPECIAL ACCOMMODATIONS OF A TAPED EXAM, EXTENDED TESTING TIME OF TIME AND A HALF AND A SEPARATE TESTING AREA. DR. MADIA SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmge	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

The motion carried.

Marietta Medel, M.D.

Dr. Robbins advised that Dr. Medel has applied for licensure but has not practiced clinical medicine since July 2004. She has been at home caring for her family and studying to pass the L.M.C.C. examination so she could obtain an Ohio license. She just passed the qualifying examination in L.M.C.C, which is comparable to the clinical competency examination for USMLE. She is requesting endorsement of her L.M.C.C. licentiate status.

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Dr. Medel graduated from the University of the East in April 1975. She trained and practiced in the Philippines and Nigeria until July 1983 when she immigrated to the U.S. She worked in non-medical jobs until she entered the residency for Geriatric Psychiatry at Nathan Kline Institute for Psychiatric Research in Orangeburg, NY from October 1986 to January 1990. Dr. Medel then immigrated to Canada, and worked in various research positions until May 1999. She returned to the U.S. and entered an Internal Medicine residency at the University of Toledo Medical Center from July 1999 to June 2000, and entered a Neurology residency at University of Toledo from July 2000 to June 2003. She then completed a fellowship at Henry Ford Hospital from July 2003 to June 2004. Dr. Medel previously held training licenses in Ohio and Michigan.

**DR. ROBBINS MOVED TO GRANT DR. MEDEL'S APPLICATION FOR ENDORSEMENT LICENSURE, CONTINGENT UPON ALL REQUESTED DOCUMENTS BEING RECEIVED AND APPROVED IN ACCORDANCE WITH LICENSURE PROTOCOLS, AND SUBJECT TO HER SUCCESSFUL COMPLETION OF THE SPEX. DR. STEINBERGH SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmge	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

The motion carried.

Pratibha Raghavendra, M.D.

Dr. Robbins advised that Dr. Raghavendra is applying for licensure in Ohio. She is requesting endorsement of her USMLE scores. Dr. Raghavendra has indicated that she has not been engaged in the clinical practice of medicine since June 2000. She has listed on her resume that she has been a homemaker since July 2000.

Dr. Raghavendra graduated from Bangalore Medical College in Bangalore, India in January 1989. She trained and practiced in India until November 1996 when she immigrated to the U.S. She was in an Internal Medicine residency program at the Montefiore Medical Center in the Bronx from July 1997 to June 2000. She has been at home with her family since 2000. Dr. Raghavendra is Board Certified in Internal Medicine since 2000, and holds licenses in Kentucky and Illinois.

**DR. ROBBINS MOVED TO GRANT DR. RAGHAVENDRA'S REQUEST FOR ENDORSEMENT**

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**LICENSURE, CONTINGENT UPON ALL REQUESTED DOCUMENTS BEING RECEIVED AND APPROVED IN ACCORDANCE WITH LICENSURE PROTOCOLS, AND SUBJECT TO HER PASSING THE SPEX OR BOARD RECERTIFICATION EXAMINATION. DR. MADIA SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmge	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

The motion carried.

Dr. Robbins at this time stated that the Committee will re-look at the seven-year rule.

#### IMPAIRMENT COMMITTEE

Ms. Bickers advised that the Committee reviewed and approved proposed compliance guidelines. She stated that the Committee would like the Board members to review these guidelines for possible approval in December.

Mr. Albert asked that Board members with proposed revisions contact him or Ms. Bickers.

#### PRESCRIBING AND PAIN COMMITTEE

Dr. Madia stated that the Committee is currently reviewing the Board's rules on prescribing for weight control. It has some concerns with the rules, as written. It also reviewed concerns expressed by the Pharmacy Board. Dr. Madia advised that the Board's staff will work with members of the Pharmacy Board staff to draft a revision of the rules for presentation to the Board.

Concerning the second item on the Committee's agenda, Mr. Miller advised that the Board received an inquiry from Bob Zaayer, PA-C, Chair of P.A.P.C. related to whether, in an emergency room setting, a physician can write a prescription for a patient that he or she has not personally physically examined and diagnosed, based upon an evaluation done by a physician assistant whom the physician supervises. The Committee directed him to draft a letter stating that, in the Board's opinion, it is a violation of Rule 4731-11-09 OAC (Prescribing For Patients Not Seen by a Physician). Mr. Miller stated that the rule does allow for P.A.s prescribing in institutional settings; but a patient who has not been admitted to the hospital, would not be considered an "inpatient," and, therefore, it would be a violation of the rule.

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**DR. MADIA MOVED TO SEND THE LETTER TO MR. ZAAYER. DR. VARYANI SECONDED THE MOTION.** All members voted aye. The motion carried.

LIMITED BRANCH & ALTERNATIVE MEDICINE COMMITTEE

Dr. Buchan stated that the Committee reviewed a number of applications for Certificates of Good Standing from limited branch schools.

**DR. BUCHAN MOVED TO GRANT A CERTIFICATE OF GOOD STANDING TO CENTRAL PENNSYLVANIA SCHOOL OF MASSAGE, INC. DR. BUCHAN FURTHER MOVED TO RECERTIFY THE FOLLOWING LIMITED BRANCH SCHOOLS: EVEREST INSTITUTE, LAKELAND COMMUNITY COLLEGE, OHIO INSTITUTE OF HEALTH CAREERS, AND SHI, SINCLAIR COMMUNITY COLLEGE. MR. ALBERT SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmge	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

The motion carried.

Dr. Buchan stated that the Committee also reviewed proposed revisions to Section 4731.19, Ohio Revised Code, the section of the statutes that deals with determining the sufficiency of preliminary education of applicants for limited branch examination. The revisions will primarily affect the conditions for admission to examination for massage therapists, as the Board is not aware of any other state that licenses cosmetic therapists. The proposal would allow a massage or cosmetic therapist that meets one of the following three requirements to sit for the appropriate licensing examination:

1. Have obtained a diploma or certificate from a school, college, or institution in good standing as determined by the board, showing the completion of the required courses of instruction; or
2. Hold a current license, registration or certificate, that is in good standing, in another state for massage therapy or cosmetic therapy, as applicable; or
3. Hold certification from a national certification body and have obtained a diploma or certificate from a school, college or institution showing completion of the required course of instruction which meets the requirements as determined by the board through rule.

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**DR. BUCHAN MOVED TO SEEK THE PROPOSED REVISIONS TO SECTION 4731.19, ORC. DR. VARYANI SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmge	- aye
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

The motion carried.

#### P.A. COMMITTEE

Since Dr. Talmage did not attend the previous day's meeting, Dr. Steinbergh reported for the Committee. She advised that Mr. Zaayer had approached the Committee, advising that the PAPC would like to see standardized education for P.A.s who wish to perform certain procedures. The Committee will review this in January.

Dr. Kumar stated the Committee also discussed the new "Physician Assistant Special Services Addendum Plan." He asked Ms. Hacker to address the Board on this topic.

Ms. Hacker stated that the 2006 P.A. legislation changed the name of the "supplemental utilization plan" to "special services plan." If approved, the application in the Board's agenda, which refers to the new legislation and rules, will replace the supplemental plan application on the Board's website. She noted that the Committee recommended changing the proposed application by removing the word, "addendum," from the title, updating the Board's address, and make some non-substantive changes to Part IV of the application.

**DR. VARYANI MOVED TO APPROVE THE "PHYSICIAN ASSISTANT SPECIAL SERVICES PLAN," AS MODIFIED BY THE COMMITTEE. DR. BUCHAN SECONDED THE MOTION.** All members voted aye. The motion carried.

Dr. Steinbergh stated that the Committee also revised a draft protocol for application processing and recommend approving the protocol.

Ms. Thompson reviewed the proposal, a copy of which shall be maintained in the exhibits section of this journal, with the Board.

**DR. STEINBERGH MOVED TO APPROVE THE PROPOSED PROTOCOL FOR APPLICATION PROCESSING. DR. VARYANI SECONDED THE MOTION.** All members voted aye. The motion carried.

SCOPE OF PRACTICE COMMITTEE

Dr. Steinbergh stated that the Committee reviewed a proposed response to the Ohio Society of Medical Assistants' inquiry as to whether a physician may delegate the insertion/starting of an IV to a medical assistant (M.A.), as long as the delegation is in compliance with the Delegation Rules, Chapter 4731-23 of the Ohio Administrative Code. The proposed response, a copy of which shall be maintained in the exhibits section of this journal, was drafted for the Committee's consideration following the Board's discussion in October. Dr. Steinbergh stated that the Committee did approve the draft with the insertion of the language, "peripheral IV." Another Committee member suggested defining what a peripheral IV is. Dr. Steinbergh stated that she was the lone dissenter in the vote to send the letter. She advised that Dr. Varyani would lead the Board's discussion and, if the Board approves the letter, Dr. Varyani will sign the letter on behalf of the Committee.

Dr. Varyani stated that the Board discussed this matter at length in October. He stated that the gist of the matter is that M.A.s will be able to start an IV, but they will not be able to infuse anything through that IV. He stated that the previous day the Committee decided that they cannot start IVs in children, age 12 and under. Also, the Committee required that the M.A.s be familiar with universal precautions and education.

**DR. VARYANI MOVED TO APPROVE AND SEND THE PROPOSED AMENDED RESPONSE TO THE OHIO SOCIETY OF MEDICAL ASSISTANTS. DR. BUCHAN SECONDED THE MOTION.**

Ms. Debolt advised that, concerning the prohibition against an M.A. starting an IV in patients under age 12, there is an exception for those working in a dedicated pediatric health care facility.

Dr. Buchan stated that the Committee decided that this is a medical task that can be delegated to an unlicensed person.

Dr. Varyani stated that he thought that the response was narrowed to medical assistants.

Dr. Robbins questioned what a medical assistant is.

Dr. Egner stated that a receptionist could answer the phones on Monday and then be an M.A. on Tuesday. She added that she feels it is totally inappropriate for an M.A. to start an IV. They are not licensed and the Board has no jurisdiction over them. Dr. Egner stated that this is, at least, the practice of nursing, and the Nursing Board should be involved in this inquiry.

Dr. Varyani disagreed about sending this to the Nursing Board.

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Dr. Kumar stated that this involves delegation by physicians.

Dr. Egner asked what would be the downside of asking the Nursing Board.

Ms. Thacker advised that three representatives of the Nursing Board were present during the Committee discussion, and they did not oppose the concept.

Dr. Steinbergh commented that the Nursing Board representatives did suggest that the term, "peripheral," be defined.

Dr. Varyani stated that, the physician is doing the delegation and physicians know what "peripheral" means. It's the arm below the shoulder and the leg below the knee.

A vote was taken on Dr. Varyani's motion:

ROLL CALL:	Mr. Albert	- nay
	Dr. Egner	- nay
	Dr. Talmge	- nay
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- nay
	Mr. Browning	- nay
	Dr. Robbins	- nay
	Dr. Steinbergh	- nay

The motion failed.

Dr. Steinbergh asked that Ms. Debolt draft a letter that reflects that there has been discussion by the Board, and the Board's response is that an M.A. cannot start an IV.

Dr. Steinbergh stated that the Committee also reviewed a revised response to the Ohio Board of Nursing as to whether the limited interpretation of an x-ray for the purpose of verifying placement of a PICC line is the practice of medicine. She noted that this matter was discussed thoroughly in October, and the letter was revised based on that discussion. A copy of the draft letter shall be maintained in the exhibits section of this journal.

Dr. Robbins asked why the Board would tell someone that he or she is qualified to insert a PICC line, but not to tell that it was in.

Dr. Egner stated that this is talking about a licensed person who has gone through training, follows rules, and who works in a hospital setting. Dr. Egner stated that this individual should be able to look at an x-ray and say that the PICC line is in the right place. She added that it is totally irrational not to allow it.

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Dr. Robbins agreed, stating that they shouldn't be placing PICC lines if they can't look at an x-ray to see whether or not it is properly placed.

Dr. Steinbergh asked for a count on those wishing to send the letter, which states that R.N.s cannot interpret x-rays for the purpose of verifying the placement of a PICC line.

ROLL CALL:	Mr. Albert	- nay
	Dr. Egner	- nay
	Dr. Talmge	- nay
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- nay
	Dr. Robbins	- nay
	Dr. Steinbergh	- aye
	Dr. Kumar	- aye

**NOTING THAT A VOTE AT THIS TIME WOULD BE TIED, DR. BUCHAN MOVED TO TABLE THIS MATTER. DR. MADIA SECONDED THE MOTION.** All members voted aye. The motion carried.

#### RATIFICATION OF SETTLEMENT AGREEMENTS

**DR. BUCHAN MOVED TO REMOVE THIS MATTER FROM THE TABLE. DR. VARYANI SECONDED THE MOTION.** All members voted aye. The motion carried.

Mr. Albert was out of the room during the discussion of this matter.

#### CELESTE DANEEN BREWER-EDWARDS, P.A. – CONSENT AGREEMENT

**DR. BUCHAN MOVED TO RATIFY THE PROPOSED STEP I CONSENT AGREEMENT WITH MS. BREWER-EDWARDS. DR. VARYANI SECONDED THE MOTION.** A vote was taken:

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Talmge	- abstain
	Dr. Varyani	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

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The motion carried.

STRATEGIC PLAN PROGRESS REPORT – EXECUTIVE STAFF

At this time, Joan Wehrle, Executive Staff Coordinator, made a power point presentation, outlining the duties and efforts of the Board's Executive Staff. A copy of the power point presentation will be maintained in the exhibits section of this Journal.

**DR. STEINBERGH MOVED TO ADJOURN. DR. ROBBINS SECONDED THE MOTION.** All members voted aye. The motion carried.

Thereupon at 11:27 a.m. on November 15, 2007, the November 14-15, 2007 meeting of the State Medical Board of Ohio was duly adjourned.

We hereby attest that these are the true and accurate approved minutes of the State Medical Board of Ohio, meeting on November 14-15, 2007, as approved on December 12, 2007.



Deepak Kumar, M.D., President



Lance A. Talmage, M.D., Secretary

(SEAL)

