



YOUR REPORT

FROM THE STATE MEDICAL BOARD OF OHIO

SUMMER 2002

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A WORD FROM THE PRESIDENT

Change, it is often said, is a fundamental feature of life in the modern, technological age. While some embrace, others resist, and still others merely endure the changes in their lives, it is ultimately the nature of each individual change that determines how welcome it is to be. The lives of organizations are no less prone to those vacillations than are individuals.

The Board experienced again its annual rite of passage as Anant Bhati, M. D., completed in January his year as President of the Board and I assumed the Presidency. The Board and I thank him for his service.

Another passage came as Charles D. Steinecker, M. D., completed his second five-year term on the Board and chose not to seek appointment to a third term. We thank him for his services to the Board.

While Dr. Steinecker will be missed, we happily welcome Patricia J. Davidson, M. D., to the Board. Dr. Davidson was appointed by Governor Bob Taft and confirmed by the Senate in May. Dr. Davidson practices pediatric anesthesiology in Columbus.

The State Medical Board of Ohio is well recognized nationally as a highly effective licensing organization by its peers and by citizen

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From the Secretary & Supervising Member

by Anand G. Garg, M.D., Ph.D., Secretary
and Raymond J. Albert, Supervising Member

All licensees and their colleagues have options--and obligations--when it comes to substance abuse.

The Ohio Medical Board takes about 150 disciplinary actions each year, and has ranked among the top ten medical boards in the nation for “serious” actions taken against physicians for the past seven years. The organizations that track physician regulation define “serious” actions as those resulting in revocation, suspension or probation.

Drug and alcohol impairment is one of the primary grounds for serious action against physicians and other licensees. Simply put, your misuse and abuse of drugs and alcohol can and will cause you to lose your license. That loss may be sudden, as the result of a pre-hearing suspension. It may prevent you from treating your patients and from earning a living for months, or even years, while you work on getting sober. Ultimately, that loss may be permanent, barring you forever from practicing the profession you’ve worked so hard to attain.

In this column, we’d like to share the Medical Board’s philosophy about impairment. We’d also like to explain the system that now exists under Ohio law to reconcile (1) the Board’s regulatory duty to protect health care consumers from incompetent and dangerous practitioners, with (2) the reality of impairment.

The Medical Board embraces the disease concept of impairment. That means that the

Board has recognized that chemical dependency is a disease that may be successfully addressed with proper treatment, allowing those in recovery to resume their careers subject to appropriate monitoring. Vigilant monitoring is a hedge against relapse, which is seen as one element of the disease. The Board will work with an impaired practitioner to support his or her successful recovery and return to practice, provided that the practitioner has not engaged in acts that result in a criminal conviction or which might have an adverse impact on others.

The Medical Board being a public agency, Ohio law dictates that the actions taken by the Board are matters of public record, including the monitoring of impaired practitioners via probation. Understandably, practitioners who are abusing drugs or alcohol may be hesitant about contacting the Medical Board for assistance in recovery because of the thought that their personal affairs will be a matter of public discussion. In order to encourage impaired practitioners to seek help, the Ohio General Assembly created a statutory system in 1987 that permits initial referral of an impaired practitioner for assessment, treatment and follow-up monitoring without the practitioner ever having to come to the attention of the Medical Board.

This private sector route to recovery depends on recognition by the Medical Board of treatment facilities to stand in the Board’s stead, overseeing assessment, treatment and monitoring with the same diligence the Board would employ to ensure public protection. Section 4731.25, Ohio Revised Code, and Rules 4731-16-07 through 4731-16-09, Ohio Administrative Code, detail the obligations of treatment providers, as well as criteria and mechanisms for obtaining Medical Board approval. **It is important to note that participation in a program that is not administered by a Board-approved provider will not afford an impaired**

practitioner the same statutory protections. A current list of approved treatment providers is available on the Medical Board's website at <http://www.state.oh.us/med/Formala/TREATMNT.pdf>.

A practitioner who seeks assistance through the private sector will not be reported to the Medical Board by an approved provider, so long as the practitioner complies with assessment, treatment and aftercare requirements. The provider is obligated to report the practitioner to the Board if the practitioner fails to comply or suffers a relapse at any time during or following aftercare.

A report from a treatment provider is one of several ways that the Medical Board might find out about an impaired practitioner. The Board might also hear from a patient, an employer, a co-worker, a social acquaintance, or even a family member. And what about fellow practitioners? Ohio law actually requires a practitioner who believes that a colleague may be unable to practice due to impairment to report that belief to the Medical Board. Failure to report could result in formal disciplinary action against the licensee who neglected to blow the whistle.

Although we'll save an exhaustive review of Ohio's mandatory reporting laws for a future column, there are a couple of points that are especially pertinent to impairment: (1) The law does not require a practitioner to gather evidence to support a report of his or her belief to the Medical Board. **A simple "belief" is enough.** (2) The law does not relieve a practitioner from the requirement of reporting to the Medical Board simply because he or she has reported to someone else, such as a superior or an impaired physicians committee. Nor will the belief that someone else has already reported get you off the hook. Concern for the public's safety must be paramount; your report may be the one that makes the

difference. (3) The law carves out an exception to the requirement if a practitioner believes the following:

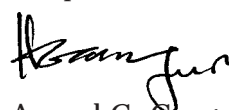
(a) The impaired practitioner has been referred for examination to an approved treatment program; and

(b) The impaired practitioner is cooperating with the referral for examination and any determination that he or she should enter treatment; and

(c) There is no reason to believe that the impaired practitioner has violated any other Medical Board statute or rule.

If you should find yourself in a position where your reporting obligations become an issue, please don't hesitate to call the Medical Board, even anonymously, for more information or clarification. The statutes and rules governing mandatory reporting can be found in Section 4731.224 of the Ohio Revised Code, and Chapter 4731-15 of the Ohio Administrative Code, which are available through the Board's website.

The bottom line is that you need to take drug and alcohol abuse seriously, because your licensing board most certainly does. In 2001 alone, 53 of the 143 disciplinary actions taken by the Medical Board involved impairment. That ought to be a sobering figure. And how many more physicians do you suppose avoided becoming part of those statistics by seeking help and making a commitment to recovery? There are options and resources available to you, and to your colleagues, that can save careers and lives. We hope you will take advantage of them now. You may be helping your colleague as well as upholding the ethical responsibility of protecting your patients and the public at large.



Anand G. Garg, M.D.
Secretary



Raymond J. Albert
Supervising Member

New Medical Board Rules

The Medical Board has promulgated a number of administrative rules which became effective on May 31, 2002. Some of these are summarized below. The full text of all the new rules can be found on the Board's website at <http://www.state.oh.us/med/rules/recentrules.htm>. Just click on the rule number for each rule.

New Medical Board Rules on Delegation of Phototherapy

Mirroring the Board's previously existing rule 4731-18-03 on the delegation of the application of light based medical devices for the treatment of hyperbilirubinemia in neonates, the State Medical Board of Ohio has developed new rules regarding the delegation "to any appropriate person" of the application of phototherapy devices for the treatment of psoriasis and other similar diseases of the skin. The new rules are 4731-18-02 and 4731-18-04 of the Ohio Administrative Code.

Limited Branch Schools to Have Responsibility for Preliminary Education Certificates

New rule 4731-1-14 of the Administrative Code streamlines the process of issuing Preliminary Education Certificates for applicants for admission to Limited Branch schools. Under the new rule the schools will certify the identity and preliminary education of their applicants and forward those certifications to the Board for issuance of the Certificate. By allowing applicants to postmark their applications as late as the first day of class in their respective schools, the new guidelines should help schools and applicants meet their deadlines. The

Board will audit randomly selected applications to ensure compliance with certification standards.

Podiatric Training Certificates Now Required

Section 4731.53 of the Ohio Revised Code, which became effective on June 6, 2001, required that applicants for licensure in podiatric medicine and surgery have completed one year of postgraduate training. New rule 4731-12-07 establishes the guidelines and procedures governing the podiatric training programs and training certificates.

Pronouncement of Death Rule Updated

4731-14-01 of the Administrative Code identifies the persons authorized by the state of Ohio to pronounce a person dead or to act as a competent observer, providing information to persons so authorized. The original rule had been adopted before Ohio issued training certificates for postgraduate studies. The modification of the rule eliminates old language and declares that persons holding medical training certificates, as well as those holding visiting medical faculty certificates or special activities certificates may pronounce a person dead.

Delegation Rules Further Clarified

Rules in chapter 4731-23 of the Administrative Code, known as the Delegation Rules, were amended to clarify several exemptions to the requirement for on-site physician supervision when delegating the administration of drugs. Specifically, the rules were amended to make clear the General Assembly's intent to exempt correctional facilities and certain MR/DD facilities.◆

Prescribing for Pain

The following excerpt from an Ohio State Medical Association article entitled “How to Prescribe for Pain” offers a quick glimpse of the “basics” for physicians who intend to prescribe for intractable pain. The full text of the article can be viewed on the OSMA’s website at www.osma.org.

The State Medical Board’s rules concerning management of intractable pain appear on the Medical Board’s website, www.state.oh.us/med/, under the heading “Information for Practitioners.” Click on “Pain Management Issues” to learn more.

- **Obtain** a thorough history and physical exam to determine origin of pain; screen for substance abuse and other forms of psychological dependence. Look for inflamed nares, perforated nasal septum, and skin tracks (often multiple, linear, occasionally hyperpigmented lesions on arms, wrists, axillae, neck, ankles, in groin, and between toes.) Subcutaneous route of abuse (“popping”) often leaves larger, round and irregular scars.
- **Document** what you hear, see, and think; each entry should stand alone. Request photo or other identification and social security number, photocopy, and file in patient’s record.
- **Explain** why you believe opioids are the therapy of choice, what alternatives have been considered, and how you plan to follow the patient over time.
- **Consider** consulting with a pain management expert or relevant specialist if you are a primary care physician. (Ohio law requires you to have the patient evaluated by one or more other practitioners who specialize in the treatment of the anatomic area, system or organ of the body perceived as the source of the pain.)
- **Clearly** detail the prescribed treatment and obtain informed consent from your patients.
- **Secure** agreement from patient that you will be the sole prescriber for opioid analgesics, and patient must agree to fill opioid prescription at only one pharmacy.
- **Ensure** that the patient does not go to an emergency department without your permission unless it is a non-pain related problem.
- **Determine** the minimum dose necessary for the patient to perform normal, daily activities by occasionally asking them to decrease daily dosage by 25% to 30%, discuss openly with the patient first.
- **Schedule** regular appointments for patients on opioid therapy and diagnostic tests appropriate to the complaint. Document rationale to continue medication. ♦

The above excerpt is reprinted with the permission of the Ohio State Medical Association.

DO WE KNOW WHERE YOU ARE?

Each issue of the Medical Board's newsletter, *Your Report*, includes the above gentle reminder to let the Medical Board know whenever you change your home or business address. Reporting your current addresses ensures that you will receive license renewal materials, the newsletter and other information relevant to maintaining your professional credentials.

Also, it's the law.

§4731.281 of Ohio's Revised Code requires that an applicant for license renewal "...shall write or cause to be written upon the application so furnished the applicant's full name, principal practice address and residence address...." That means that **your renewal application is not complete unless you have provided the Board with both your home and practice addresses.** The section further states that every person registered with the State Medical Board, "...shall give written notice to the Board of any change of principal practice address or residence address...within thirty days of the change." **Failure to submit a written address change is a violation of the law.**

Apart from promoting administrative efficiency, keeping the Medical Board apprised of your whereabouts holds a more serious significance in the wake of September 11th. The Ohio Department of Health, in cooperation with the National Centers for Disease Control, is compiling the addresses of all physician licensees for the purpose of distributing emergency medical information in times of national crisis. Your individual effort to keep your addresses up to date contributes to the success of this extensive effort.

For your convenience, a change of address form is printed on the facing page. Please return completed forms to the Medical Board:

BY MAIL: State Medical Board Of Ohio
77 South High Street, 17th Floor
Columbus, OH 43215-6127

BY FAX: (614) 644-1464

BY E-MAIL: Debby.Jones@med.state.oh.us

STATE MEDICAL BOARD OF OHIO

AGENCY MISSION & GOALS

Adopted December 13, 2001

AGENCY MISSION: To protect and enhance the health and safety of the public through effective medical regulation.

AGENCY GOALS:

- ◆ Ensure that persons practicing medicine meet sufficient standards of education, training, competence and ethics
- ◆ Define and advocate for standards of safe medical practice
- ◆ Rehabilitate, when possible, persons who are impaired or who practice medicine unethically or below minimal standards of care, and prohibit persons who have not been rehabilitated from practicing medicine
- ◆ Prohibit persons from practicing medicine whose violations are so egregious as to forfeit the privilege or who otherwise lack the legal authority
- ◆ Provide information about the licensees of the Medical Board, the Board's functions and operations, and the laws governing the practice of medicine
- ◆ Achieve and maintain the highest possible levels of organizational efficacy

Changed your address?

Please provide complete information below. This form can be mailed to the State Medical Board of Ohio, 77 South High St., 17th Floor, Columbus, OH 43215-6127; faxed to the Records Department at (614) 644-1464 or e-mailed to debby.jones@med.state.oh.us.

Full Name _____ License Number _____

Residence Address (Required) _____

Principle Practice Address (Required)

Effective Date _____

PRESIDENT (continued from page 1)

groups. According to statistics compiled by the Federation of State Medical Boards (FSMB) for 2001, Ohio ranked second among the large medical licensing boards in the nation for the second year in a row for its disciplinary activity. The consumer organization Public Citizen awarded the Ohio Medical Board website an "A" for both content and user-friendliness. Of the 51 medical board websites reviewed, only six received "A"s in both categories. We encourage you to take a look at our website--www.state.oh.us/med/--and see for yourself the range of information available, with more on the way.

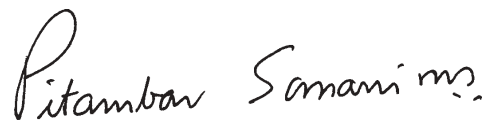
We are very proud to report that our member and past President, Ronald C. Agresta, M. D., was installed as President of the Federation of State Medical Boards, the national organization of all licensing boards in the USA and its territories. He, and another native Ohioan, James Thompson, M. D.--former Dean of the Wake Forest University School of Medicine and a graduate of The Ohio State University College of Medicine, and now Executive Vice President of FSMB--will lead the organization in the coming year. We wish them well as the nation continues to deal with the current challenges of health care delivery to our citizens.

Ohio Board members Anita Steinbergh, D.O., Anant Bhati, M. D., Executive Director Tom Dilling and I will help support their efforts through our participation in important FSMB committees.

I am very proud also to report that our former Ohio Medical Board Member Robert S. Heidt, Sr., M. D., of Cincinnati received the prestigious Dr. John Clark Leadership Award at the FSMB Annual Meeting. This recognition was given to him for his vision in creating the first regional group of (Midwestern) state licensing boards -- now being emulated by other regions.

A final matter I'd like to call to your attention is your address. This issue of Your Report includes a full-page change of address form to assist you in notifying the Board of your current residence and principal practice addresses. Many people don't realize that Ohio law actually requires licensees to submit both addresses at each renewal. Understandably, some of you are concerned that providing a residence address, in particular, will result in this personal information being made generally available through the Medical Board's website. However, our website is designed to exclude specifics such as street address and zip code, limiting residence information to a city and state. By the end of the year, the Board anticipates upgrading to a new computer system that will allow practitioners to specify a preferred address for Medical Board renewal materials and other important mailings. In the meantime, check yourself out on the Board's website at www.state.oh.us/med/ and return the form on page 7 to be sure that we know where you are. It's discomfoting to know that many letters mailed to you were returned undelivered to the Board or the Ohio Department of Health. In the post-9/11 era, the ability of the Board and Public Health officials to contact physicians in an emergency is essential.

One thing that has not changed is the best quality of health care you are providing to our citizens, and all the Board members join me in thanking you for your dedication to best patient care in Ohio. Best wishes.



Pitambar Somani, MD
President

STATE MEDICAL BOARD OF OHIO

DISCIPLINARY ACTIONS

October 2001 - May 2002

ADAS, Mohammad A. (MD #55276) – Maumee

Consent Agreement: Medical license indefinitely suspended; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's admission that he was diagnosed with alcohol dependency and adjustment disorder with mixed disturbance of emotions and conduct; and that he has sought treatment through a Board-approved provider. Effective 1/9/02.

AFRAM, Hany Marcos (MD #49805) – Rockford, IL

Board Order: Medical license suspended for one month; subsequent probationary terms, conditions, and limitations established for at least three years. Based on doctor's failure to advise Ohio Medical Board on license renewal application that Florida's medical board had issued a notice of intent to deny his licensure application in that state due to gross or repeated negligence or failure to practice within acceptable standards of care. Order mailed 11/20/01; Order effective 11/20/01.

ALDRETE, Jorge Antonio (MD #28690) – Santa Rosa Beach, FL

Consent Agreement: Application for restoration of Ohio medical license granted, subject to suspension for ninety days and subsequent probation for at least two years. Based on doctor's failure to provide complete & accurate information about complaints filed against him with and investigations by medical boards in Alabama and Florida; malpractice actions with which he was involved; & his resignation from the position of chairman of the Dept. of Anesthesiology at Cook County (Illinois) Hospital. Agreement effective 11/8/01; suspension effective 11/8/01 through 2/5/02.

BALDWIN, Mark Denison (DO #5880) – Columbus

Consent Agreement: Doctor reprimanded for failing to provide complete and accurate information on license renewal application concerning alcohol relapse. Medical license suspended for at least 90 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's admissions that he relapsed on alcohol from 10/00 to 1/01, that he has not sought treatment for alcohol dependence since relapse, and

that he did not report relapse until 4/5/02. Agreement effective 4/10/02; suspension effective 5/10/02.

BELMONTE, Rogel (MD #36804) – Fairborn

Board Order: Medical license permanently revoked based on doctor's violation of conditions of limitation imposed on his license by 12/6/89 Board Order due to his having (1) prescribed medications for himself and a family member using prescription forms he had printed bearing the name of another physician and signing that name himself; (2) submitted false quarterly declarations attesting to his compliance with probationary requirements; and (3) failed to advise Medical Board on license renewal application that he had plead guilty to theft, a fourth degree felony, the acts underlying which involved his deposit of a check from an account for which he had insufficient funds; and (4) having been found guilty of six felony counts of Deception to Obtain a Dangerous Drug. Order mailed 1/10/02; Order effective 1/10/02.

BRUNSMAN, Michael John (MD #50938) – Cottonwood, AZ

Voluntary Surrender: Doctor's permanent surrender of medical license accepted by Board in lieu of further formal disciplinary proceedings based on prior action against doctor's Arizona medical license following findings by the Arizona Board that doctor prescribed a prescription-only medication via an internet website in the absence of a prior physician-patient relationship, without conducting a physical exam and without attempting to contact the patient's primary care physician. Effective 3/27/02.

BURRELL, Joel Brion (MD #62328) – Elyria

Board Order: Medical license revoked based on violation of conditions of limitation imposed on license by 5/13/98 Board Order due to failure to comply with specified terms of probation. Order mailed 1/24/02; Order effective 1/24/02.

BYKOV, Victor (MD #68421) – Beachwood

Consent Agreement: Medical license suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's admitted history of alcohol abuse/dependence and relapse, for which he has sought treatment and aftercare through a Board-approved provider. Effective 2/13/02.

CALLION, Raleigh Shipp (MD #49458) – Columbus
Consent Agreement: Medical license suspended for at least 90 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's history of chemical dependency and relapse, for which he has sought treatment through a Board-approved provider. Effective 4/10/02.

CAMPA, John A., III (MD #58140) – Nashville, TN
Board Order: Medical license permanently revoked based on doctor having been found guilty of 77 felony counts of Mail Fraud, Health Care Fraud and False Statements Relating to Health Care Matters. Order mailed 2/15/02; Order effective 2/15/02.

CHEEK, John Arthur (MD #47871) – Columbus
Consent Agreement: Medical license suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's history of chemical dependency and relapse, for which he has sought treatment through a Board-approved provider; and his admission that he failed to reveal on his license renewal application that he was addicted to or dependent on alcohol and/or chemical substances, and/or had been treated for, or been diagnosed as suffering from, alcohol dependency. Effective 3/14/02.

COUTTS, Michael Ernest (MT #7205) – Delaware
Pre-Hearing Suspension: Pursuant to Section 3719.121(C), O.R.C., massage therapy license immediately suspended based on massage therapist having been found guilty of one felony count of Aggravated Possession of Drugs. Notice mailed 2/14/02; suspension effective upon service of notice on massage therapist on 2/19/02. **Board Order:** Massage therapy license permanently revoked based on massage therapist having been found guilty of one felony count of Aggravated Possession of Drugs. (Journal Entry – no hearing requested) Order mailed 4/11/02; Order effective 4/11/02.

CURTIS, Boyd D. (MD #59531) – Columbus
Consent Agreement: Medical license reinstated subject to probationary terms, conditions and limitations based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care provided that treatment and monitoring requirements are in place. Agreement effective 3/14/02; agreement to remain in effect for at least five years prior to any request for termination.

DE LA FLOR, Richard Roberto (MD #47505) – Toledo
Board Order: In addition to conditions established by

8/9/00 Board Order, doctor required to complete courses in professional ethics and controlled substance prescribing prior to being eligible for reinstatement. Based on doctor's plea of guilty in U.S. District Court to Unlawful Distribution of a Controlled Substance, the acts underlying which involved his knowingly and intentionally distributing 12,468 tablets of Dilaudid, a Schedule II controlled substance, by writing prescriptions to four patients with the understanding that some or all of the Dilaudid would be returned to the doctor for his own use. Order mailed 3/26/02; Order effective 3/26/02 (runs concurrently with 8/9/00 Board Order).

DOUGHERTY, David Andrew (DO #6330) – Akron
Board Order: Permanent revocation of medical license stayed, subject to indefinite suspension for at least eighteen months; conditions for reinstatement and subsequent probationary terms, conditions, and limitations for at least five years established. Based on violation of conditions of limitation imposed on license by 5/9/01 consent agreement, and impairment of ability to practice according to acceptable and prevailing standards of care due to relapse. Order mailed 4/19/02; Order effective 4/19/02.

EL-BADEWI, Mounir Basheer (MD #71112) – Canton
Board Order: Medical license suspended for thirty days; subsequent probationary terms, conditions, and limitations established for at least one year. Based on doctor having been found guilty of one misdemeanor count of Soliciting, the acts underlying which involved his solicitation of a female undercover police officer to engage in sexual activity for hire. Order mailed 10/12/01; Order effective 11/12/01. **Court Action:** Notice of appeal of Board's 10/10/01 suspension Order filed by doctor with Franklin County Court of Common Pleas on 10/29/01. By Decision and Entry filed 11/8/01, Franklin County Court of Common Pleas granted doctor's motion for a stay of Board's suspension Order during the pendency of his appeal.

FELTER, Christian Tilen (MD training certificate #3026) – Toledo
Consent Agreement: Medical training certificate indefinitely suspended; interim monitoring conditions and conditions for renewal/reissuance of certificate established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's admission that he has been diagnosed with opioid dependency and cocaine abuse, for which he has sought treatment through a Board-approved provider. Effective 2/13/02.

FERRER, Bonifacio H. (MD #30402) – Cleveland
Board Order: Medical license permanently revoked based on doctor having been found guilty of one felony count of Conspiracy and one felony count of Conspiracy

to Commit Fraud and Solicit Kickbacks. Order mailed 5/10/02; Order effective 5/10/02.

FISHER, Stephen Neal (MD #61192) – Pittsburgh, PA
Board Order: Medical license revoked based on doctor having been found guilty in Pennsylvania of nine felony counts of Illegal Prescription and three felony counts of Provider Prohibited Acts; exclusion from participation in Medicare, Medicaid and all federal health care programs for at least five years based on those criminal convictions; and prior action against doctor's licenses in New York and Pennsylvania based on those criminal convictions. Order mailed 3/26/02; Order effective 3/26/02.

FRIEDMAN, Rory Jaye (DPM #2616) – Long Beach, CA
Board Order: Medical license suspended for three months; subsequent probationary terms, conditions, and limitations established for at least two years. Based on prior action against doctor's license by California's podiatric medical board following doctor's admission to unprofessional conduct in his care and treatment of a patient. Order mailed 11/6/01; Order effective 11/6/01.

GEORGE, Walter Lloyd, Jr. (MD #43159) – Beachwood
Consent Agreement: Medical license suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's admitted history of chemical dependency and relapse, for which he has sought treatment through a Board-approved provider; and his admission that he obtained Darvon and Hycodan cough medicine for his own use by deception and illegal processing of drug documents. Effective 3/14/02.

GERACI, Thomas L. (DPM #2265) – Hilliard
Pre-hearing Suspension: License summarily suspended effective 4/11/02 based on Board's determination that there is clear and convincing evidence that doctor violated conditions of limitation imposed on his license by 3/98 consent agreement, and that he is unable to practice according to acceptable and prevailing standards of care due to relapse on heroin; and determination that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 4/11/02; suspension effective upon service of notice on doctor on 4/15/02.

GIPE, Dannie K., Jr. (MD applicant) – Lakewood
Board Order: Application for medical licensure permanently denied based on applicant's plea of guilty to one felony count of Attempted Drug Possession, the acts underlying which included the discovery by police of 115 tablets of ecstasy in his apartment that he had previously purchased for \$2,600; and applicant's failure

to provide complete and accurate information in response to questions on licensure application about his past drug use and psychiatric diagnoses or treatment. Order mailed 2/15/02; Order effective 2/15/02. **Court Action:** Notice of appeal of Board's 2/13/02 Order denying licensure filed by doctor with Franklin County Court of Common Pleas on or about 2/28/02.

GOODEN, Timothy Alwyn (MD #48868) – Mentor
Consent Agreement: Medical license reinstated subject to probationary terms, conditions and limitations based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care provided that treatment and monitoring requirements are in place. Agreement effective 2/13/02; agreement to remain in effect for at least five years prior to any request for termination.

GOVE, Jon Duane (MD #30110) – Grants Pass, OR
Board Order: Medical license suspended for thirty days; subsequent probationary terms, conditions, and limitations established for at least three years. Based on prior action against doctor's Oregon license by that state's medical board wherein doctor agreed to voluntarily limit practice to restrict him from reading cerebral MRIs and CTs of the temporal bone; subsequent letter of reprimand issued by California medical board based on Oregon's voluntary limitation order; and doctor's failure to advise Ohio medical board on license renewal application of Oregon action. Order mailed 11/20/01; Order effective 11/20/01. **Voluntary Surrender:** Permanent surrender of medical license accepted by Board on 1/7/02, in resolution of requirements of 11/7/01 Board Order. Doctor ineligible for Ohio licensure in the future.

GOVIER, Ann Verlene (MD #51156) – Toledo
Consent Agreement: Probationary terms and conditions imposed based on history of alcohol dependence and relapse, for which doctor has received treatment and continued monitoring; and prior action against doctor's medical license by the Indiana medical board in 1999 based upon impairment and doctor's 2001 agreement with Washington medical board based upon the Indiana action. Agreement effective 1/17/02; agreement to remain in effect for at least four years prior to any request for termination.

GRAY, James Harold, Jr. (DO #3806) – Antwerp
Board Order: Permanent revocation of medical license stayed, subject to suspension for 15 days; subsequent probationary terms, conditions and limitations for at least three years established. Based on doctor having permitted a physician assistant employed by him to practice beyond the parameters of utilization plans and/or state rules and regulations regarding physician assistants; and making false statements to hospital personnel. Order mailed 3/26/02; Order eff. 4/26/02.

HANES, David Corey (DO training certificate #532) – Toledo

Consent Agreement: Medical training certificate renewed, subject to probationary terms, conditions and limitations to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care provided that treatment and monitoring requirements are in place. Agreement effective 10/10/01; agreement to remain in effect for at least five years prior to any request for termination.

HIGHBERGER, W. Andrew (MD #56976) – Marysville

Consent Agreement: Medical license suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on impairment of ability to practice according to acceptable and prevailing standards of care due to chemical dependency relapse. Effective 12/12/01.

HIRSCH, Norman Isak (DO #2533) - Crescent Springs, KY

Consent Agreement: Medical license suspended for two years; interim conditions and subsequent probationary terms, conditions and limitations established for at least five years. Based on doctor's admission that he voluntarily disclosed to the U.S. Department of Justice that he had violated the False Claims Act by submitting claims for reimbursement for psychiatric-related services using a higher billing code than was appropriate and by submitting claims for reimbursement for services that were not actually performed; and doctor's plea of guilty to one felony count of False Statements Relating to Health Care Matters. Effective 6/1/02.

HUNTER, Thomas A. (PA #1417) – New Haven, IN

Board Order: Physician assistant's certificate of registration suspended for 15 days; subsequent probationary terms, conditions and limitations for at least three years established. Based on physician assistant's failure to practice in accordance with provisions of approved utilization plan and/or state rules and regulations regarding physician assistants. Order mailed 3/26/02; Order effective 4/26/02.

ISKANDER, Hany Maurice (MD #74030) – Huntington, WV

Board Order: Medical license suspended for at least thirty days; conditions for reinstatement and subsequent probationary terms, conditions, and limitations for at least five years established. Based on prior action against doctor's Virginia license by that state's medical board following its findings that doctor exhibited unprofessional conduct with respect to two female patients and a female employee by violating professional ethical standards and engaging in conduct of a sexual

nature that a reasonable patient would consider lewd and offensive; and on doctor's failure to advise Ohio Medical Board on license renewal application that he was under investigation by the Virginia Department of Health Professions. Order mailed 12/13/01; Order effective 12/13/01.

ISRAELSTAM, David M. (MD #26811) – Madison, WI

Board Order: Doctor reprimanded based on prior action against his Wisconsin license by that state's medical board for unprofessional conduct due to his having engaged in conduct that tended to constitute a danger to a patient. Order mailed 11/6/01; Order effective 11/6/01.

JIRKA, Gerard (PA applicant) – Avon Lake

Board Order: Application for registration as a physician assistant denied and conditions for future application recommended based on impairment of ability to practice according to acceptable prevailing standards of care due to history of opioid dependence and "alcohol abuse vs. Dependence," as diagnosed pursuant to board-ordered evaluation. Order mailed 4/11/02; Order effective 4/11/02.

JOSEY, Willie Leroy (MD #55467) – Portsmouth

Board Order: Permanent revocation of medical license stayed, subject to indefinite suspension for at least one year; interim monitoring conditions, conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least ten years established. Based on impairment of ability to practice according to acceptable and prevailing standards of care due to chemical dependency relapse. Order mailed 3/15/02; Order effective 3/15/02. **Court Action:** Notice of appeal of Board's 3/13/02 suspension Order filed by doctor with Franklin County Court of Common Pleas on or about 3/20/02. By Entry filed 3/22/02, Court of Common Pleas temporarily granted doctor's motion for a stay of Board's order pending filing of statements by counsel for both parties.

JUTTE, Donald Lee (MD #50686) – Cincinnati

Board Order: Medical license indefinitely suspended; conditions for reinstatement established. Order entered following finding by medical board that doctor's failure to comply with Board-ordered evaluation constituted an admission to allegations that he was unable to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. (Journal Entry) Order mailed 2/14/02; Order effective 2/14/02.

KELNER, Paul Evan (MD #61460) – Marion

Consent Agreement: Permanent revocation of medical license stayed, subject to suspension for at least 18 months; interim monitoring conditions and conditions for reinstatement established, including requirement that

doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's admitted history of chemical dependency and relapse, for which he has sought treatment through a Board-approved provider; and his admission that he obtained controlled substances for his own use by deception and illegal processing of drug documents. Effective 3/14/02.

KENNEN, James Michael (DO #4546) – Cleveland
Consent Agreement: Medical license suspended for at least six months; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's admission that he has been diagnosed with and treated for alcohol dependency, anxiety disorder and depression; and that he failed to provide complete and accurate information on license renewal application regarding his alcohol dependency and treatment. Agreement effective 10/10/01.

KESSLER, Michael W. (MD #42553) – Columbus
Consent Agreement: Medical license reinstated effective 3/1/02, subject to probationary terms, conditions and limitations based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care provided that treatment and monitoring requirements are in place. Agreement effective 2/13/02; agreement to remain in effect for at least five years prior to any request for termination.

KHOSLA, Siddarth M. (MD#80485) – St. Louis, MO
Consent Agreement: Application for medical license granted, subject to probationary terms, conditions and limitations to monitor practice. Based on doctor's history of major depression, alcohol abuse and benzodiazepine abuse, all in remission; prior action by Massachusetts' medical board due to impairment of ability to practice; and assessment by doctor's treating psychiatrist that he is capable of practicing according to acceptable and prevailing standards of care. Agreement eff. 12/14/01; agreement to remain in effect for a minimum of three years prior to any request for termination.

KLEINER, Laurence Irwin (MD #80822) – Dayton
Consent Agreement: Medical license granted subject to probationary terms, conditions and limitations based on doctor's admission that he has been diagnosed with and treated for History of an Adjustment Disorder and Personality Disorder NOS. Agreement effective 3/14/02; agreement to remain in effect for at least five years prior to any request for termination.

LAWRENCE-BERREY, Robert Edmond (MD #34598) – Parkersburg, WV
Voluntary Retirement: Voluntary retirement of medical

license accepted by Board in lieu of formal proceedings based on 9/12/01 notice of opportunity for hearing. Effective 11/29/01.

MALONEY, Richard Weaver (MD #61220) – Naples, FL
Interim Agreement: Pursuant to interim agreement effective 12/18/01, doctor agreed not to practice medicine in the state of Ohio until 9/12/01 allegations have been fully resolved; and Board agreed not to oppose continuance of hearing until matters contained in pending Florida action are finalized and delivered to Ohio Board for possible citation. **Voluntary Surrender:** Doctor's permanent voluntary surrender accepted by Board in lieu of further formal proceedings on allegations issued on 9/12/01, and in lieu of issuance by Board of additional allegations following entry of a Final Order by Florida's medical board resulting from doctor's placement of an ad for "scarless" facelifts that Florida Board found to be false, deceptive or misleading. Voluntary surrender based on (1) doctor's admission to prior action against his Florida license in resolution of an administrative complaint alleging that he permitted a nurse to sign prescriptions for controlled substances or gave permission for her to sign and initial his name; and (2) Ohio board's agreement to dismiss 9/12/01 allegation that doctor failed to provide complete and accurate information on license renewal application about investigation by Florida's medical board. Doctor ineligible for reinstatement or issuance of any other certificate by the Ohio Board in the future. Eff. 4/23/02.

MARSH, Lonnie II (MD #38543) – Cleveland
Board Order: Medical license permanently revoked based on doctor's plea of guilty to five felony counts, including Medicaid Fraud, Forgery and Illegal Processing of Drug Documents. Order mailed 2/15/02; Order effective 2/15/02. **Court Action:** Notice of appeal of Board's 2/13/02 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on or about 2/21/02. **Court Action:** By Decision and Entry filed 4/23/02, Franklin County Court of Common Pleas denied doctor's motion for a stay of Board's 2/13/02 permanent revocation Order.

MCINTOSH, Michael Stephen (MD #49922) - Parkersburg, WV
Consent Agreement: Medical license reinstated subject to probationary terms, conditions and limitations based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care. Agreement effective 5/8/02; agreement to remain in effect for at least five years prior to any request for termination.

MCLAUGHLIN, Rosemary W. (MD #25953) – Dublin
Board Order: Medical license suspended for at least thirty days; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms,

conditions, and limitations for at least three years established. Based on doctor's failure to comply with the conditions of limitation imposed on license by January 1997 consent agreement. Order mailed 10/12/01; Order effective 10/12/01.

MCNAMEE, Brian F. (MD #35216) – Lorain

Consent Agreement: Medical license suspended for at least 90 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's admission that he failed to complete recommended treatment following diagnoses of alcohol dependence and polysubstance abuse; and that, following a medical Board-ordered examination, he was diagnosed with chemical dependence and major depressive disorder, for which he has sought treatment through a Board-approved provider. Effective 4/10/02.

MONNETT, Ralph Bernard Jr. (MD #44924) – Sebastian, FL

Board Order: Doctor reprimanded based on prior action against his Florida license by Florida medical board in resolution of allegations that he engaged in false, deceptive or misleading advertising and failed to perform any statutory or legal obligation placed upon a licensed physician. Order mailed 1/24/02; Order eff. 1/24/02.

MUNTZING, Maynard Glenn, II (MD #6509) – Dayton

Voluntary Surrender: Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on doctor's plea of guilty to felony charges of Contaminating a Substance for Human Consumption and Attempted Felonious Assault. Surrender was pursuant to plea and sentencing agreement in Montgomery County, Ohio, Common Pleas Court wherein doctor further agreed not to apply for licensure to practice medicine or other healing arts in any state and to permanently surrender any licenses to practice medicine he may hold in any other state. Effective 10/2/01.

NEKROSIUS, W. Scott (MD #42576) – Dayton

Consent Agreement: Medical license indefinitely suspended; conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's improper prescribing of controlled substances and failure to conform to minimal standards of care in the course of treatment of 14 specified psychiatric patients; and his violation of Medical Board rules pertaining to controlled substances. Agreement effective 3/14/02; suspension effective 3/23/02.

NOVAK, Steven Aaron (DPM #2172) – Euclid

Voluntary Surrender: Permanent revocation of podiatry

license authorized by doctor due to his permanent disability and in lieu of further formal disciplinary proceedings based on doctor having been found guilty of felony counts of Mail Fraud, Receiving Medicare & Medicaid Kickbacks, Soliciting & Receiving Health Kickbacks, and Offering to Pay & Paying Kickbacks. Effective 3/11/02.

O'BRIEN, Michael J. (DO #6651) – Steubenville

Pre-hearing Suspension: Pursuant to Section 4731.121(C), O.R.C., medical license immediately suspended based on doctor's plea of guilty to felony and misdemeanor counts including Theft of a Dangerous Drug and Possession of Dangerous Drugs, for which he was found eligible for intervention in lieu of conviction. Notice mailed 4/11/02; suspension effective upon service of notice on doctor 4/15/02.

OTT, Mary Anne (MT applicant) – Mansfield

Board Order: Application for massage therapy certificate permanently denied based on impairment of ability to practice according to acceptable & prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. (Journal Entry—no hearing requested) Order mailed 12/13/01; Order eff. 12/13/01.

PAPIN, Thomas Allen (MD #52126) – Findlay

Consent Agreement: Doctor reprimanded based on his admission that he unintentionally engaged in the unauthorized practice of medicine in Ohio after his license had lapsed for failure to renew. Eff. 3/14/02.

PAWLYSZYN, Demetrius (MD #26288) - Cleveland

Voluntary Retirement: Doctor's permanent voluntary retirement accepted by Board; doctor ineligible for reinstatement or issuance of any other certificate in the future. Accepted on behalf of Medical Board on 5/7/02. (**NOTE:** Doctor's license lapsed for failure to renew on 4/1/02.)

PETERSEN, Rick Randall (DO #6613) – Logan

Consent Agreement: Medical license suspended for at least 90 days; conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least three years established. Based on doctor's admission that he violated Medical Board rules by prescribing controlled substances to a family member in non-emergency situations and failing to maintain a record of such prescribing reflecting examination, evaluation and treatment; and his contention that he ceased prescribing for the specified patient prior to 1/00 and that the patient was suffering from severe abdominal pain and was not receiving satisfactory treatment from her own physician. Agreement effective 11/7/01.

PIERCE, Charles H. (MD applicant) – Cincinnati

Board Order: Application for medical licensure granted subject to doctor passing the SPEX examination

following board's determination that no further action was necessary pursuant to prior action taken against doctor's Vermont license in 1989 due to doctor's admission that he engaged in sexual relations with two women who were his patients, actions that constituted unprofessional conduct; and prior action taken against doctor's Minnesota license in 1993 based on Vermont action. Ohio Board found that the prior Vermont and Minnesota actions were remote and that doctor had completed interim remedial measures. Order mailed 12/13/01; Order effective 12/13/01.

POJE, Joanne (MD #78117) - Sidney

Consent Agreement: Medical license suspended for at least 120 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's admissions that she has been diagnosed with and treated for bipolar disorder, type II; that she issued a prescription for OxyContin, a Schedule II controlled substance, to her receptionist, although the medication was intended for her own use to treat back pain; and that she failed to advise the Ohio Board about her bipolar disorder on her licensure application. Effective 5/8/02.

PORTALES, Arturo (DO #5032) – Fountain Hill, AZ

Board Order: Medical license suspended for an indefinite period of time; conditions for reinstatement established, including requirement that doctor enter into subsequent probationary consent agreement including any requirements deemed necessary to ensure doctor's compliance with laws governing practice of telemedicine. Based on prior action against doctor's Arizona license by that state's medical board following its opening of an investigation into an allegation that he may have inappropriately been prescribing medication and controlled substances via the internet without conducting a physical exam of the patient, maintaining adequate medical records, or establishing an appropriate physician-patient relationship. Order mailed 3/5/02; Order effective 3/5/02.

RANIERI, Thomas Anthony (MD #61039) - Scranton, PA

Consent Agreement: Medical license suspended for at least 120 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's history of addiction to alcohol, steroids, benzodiazepines and hydrocodone, for which he received treatment through a Board-approved provider; his admission that he obtained controlled substances for his own use by self-prescribing or prescribing in the name of his wife; and prior action against doctor's Pennsylvania and New York medical licenses based on his impairment and related conduct. Effective 5/8/02.

REEVES, Robert S. Jr. (MD #50586) - Bellevue

Consent Agreement: Medical license suspended for at least nine months; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's history of chemical dependency and relapse, for which he has sought treatment through a Board-approved provider; and violation of conditions of limitations imposed on license by 1/12/00 consent agreement. Effective 5/8/02.

ROTHSTEIN, Lawrence Brian (MD #57342) – Westerville

Consent Agreement: Medical license to remain suspended until 4/1/02; interim monitoring conditions and subsequent probationary terms, conditions and limitations for at least five years established. Based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care, provided that certain treatment and monitoring requirements are in place. Agreement effective 2/13/02; reinstatement effective 4/1/02.

SAIKIA, Satyaki (MD #76953) – Cleveland

Pre-Hearing Suspension: Pursuant to Section 4731.22(I), O.R.C., medical license automatically suspended as of 8/29/01 based on doctor having plead no contest to and having been found guilty of two felony counts of Sexual Assault. Notice mailed 11/8/01.

Board Order: Medical license permanently revoked based on doctor having been found guilty of two felony counts of Sexual Assault and prior action by Wisconsin medical board related to that guilty finding. (Journal Entry – no hearing requested) Order mailed 2/14/02; Order effective 2/14/02.

SCHEIDLER, Joseph S. (DO #4803) –Hamilton

Consent Agreement: Medical license suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's admissions that he has sought treatment for substance abuse; that he obtained Vicodin for his own use by writing prescriptions in the names of patients and/or family members; and that he has requested treatment in lieu of conviction of 14 pending felony charges, including Deception to Obtain a Dangerous Drug and Possession of Drugs. Effective 2/13/02.

SCHULTE, Gregory Todd (MD #63923) – Columbus

Consent Agreement: Medical license reinstated subject to probationary terms, conditions and limitations based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care provided that treatment and monitoring

requirements are in place. Agreement eff. 12/14/01; agreement to remain in effect for at least five years prior to any request for termination. **Consent Agreement:** December 2001 Step II consent agreement modified to lessen specified drug-associated restrictions following Board's receipt of opinions from Board-approved physician evaluators that they find no psychiatric or addictive contraindication to doctor engaging in the practice of anesthesia. All other provisions of 12/01 consent agreement remain in effect. Addendum effective 2/13/02.

SPERL, Michael G. (MD #46234) – Southfield, MI
Board Order: Doctor reprimanded based on prior action against his Michigan medical license following findings by Michigan's medical board that his conduct constituted negligence in the course of practice. Order mailed 5/10/02; Order effective 5/10/02.

STANEK, Michael James (DO #4882) - Columbus
Consent Agreement: Medical license suspended for at least 90 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's history of chemical dependency and relapse, for which he has sought treatment through a Board-approved provider. Effective 5/8/02.

STEPHENSON, Jeffrey Scott (DO #5693) – South Point
Consent Agreement: Medical license indefinitely suspended; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's admissions that he has been diagnosed with opiate dependence and deemed to be currently impaired, for which he has sought treatment through a Board-approved provider. Effective 3/14/02.

STONE, Susan M. *aka* **FESUS**, Susan M. (MD #48304) – Dayton
Board Order: Medical license permanently revoked based on impairment of ability to practice, and commission of an act constituting a felony (Theft) due to doctor having taken patches containing Duragesic, a schedule II controlled substance, from hospice patients for her own use. Order mailed 2/15/02; Order effective 2/15/02.

STURMI, James Edward (MD #60676) – Columbus
Consent Agreement: Medical license suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions

and limitations to monitor practice. Based on history of chemical abuse/dependency and relapse, for which doctor has sought treatment through a Board-approved provider; and his admission that he failed to advise medical board on license renewal application that he had been diagnosed and treated for alcohol abuse/dependency. Effective 1/9/02.

SUMMERS, Robert Rowan (DO #6606) – Findlay
Consent Agreement: Medical license suspended for at least one year; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's history of chemical dependency and relapse, for which he has sought treatment through a Board-approved provider; and his admissions that he issued prescriptions in his name and in the name of another physician for his wife, although the medication was intended for his own use, and that he failed to reveal on his license renewal application that he was addicted to or dependent on alcohol and/or chemical substances. Effective 3/14/02.

SVEDA, Stephen J. (MD #29305) – Zanesville
Pre-Hearing Suspension: Pursuant to Section 4731.22(G), O.R.C., medical license summarily suspended pursuant to Board's determination that there is clear and convincing evidence that doctor violated conditions of limitation imposed on his license by 11/00 consent agreement and that his ability to practice is impaired due to habitual or excessive use or abuse of drugs or alcohol; and board determination that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 2/14/02; suspension effective upon service of notice on doctor via hand delivery on 2/15/02. **Board Order:** Medical license permanently revoked based on violation of conditions of limitation imposed on license by 11/00 consent agreement due to positive drug screens; and impairment of ability to practice according to acceptable and prevailing standards of care due to chemical dependency. Order mailed 2/27/02; Order eff. 2/27/02. **Court Action:** Notice of appeal of Board's 2/13/02 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on or about 3/13/02. Notice refiled on 4/17/02 following personal service of Board's Final Order and notice of appeal rights on doctor. **Court Action:** By Dismissal Entry filed 4/12/02, Franklin County Court of Common Pleas granted doctor's "Notice to Withdraw Appeal."

TARESHAWTY, Eugene Frank Jr. (MD #58757) - Poland
Consent Agreement: Medical license reinstated subject to probationary terms, conditions and limitations based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care provided that treatment and monitoring requirements are in place. Agreement effective 5/8/02;

agreement to remain in effect for at least five years prior to any request for termination.

THOMPSON, Edwin George (DPM #2543) – Cleveland
Voluntary Surrender: Permanent revocation of podiatry license authorized by doctor in lieu of formal disciplinary proceedings resulting from his pleas of guilty to four felony counts of Trafficking in Drugs and one felony count of Medicaid Fraud. Effective 10/25/01.

TOMCZAK, Robert Louis (DPM #1889) - Columbus
Pre-hearing Suspension: Pursuant to Section 4731.22(G), O.R.C., medical license summarily suspended based on Board's determination that there is clear and convincing evidence that doctor's ability to practice according to acceptable and prevailing standards of care is impaired due to alcohol dependence; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 5/9/02.

TRUMBO, John Rolla (MD #50813) – Mountain Home AFB, ID

Consent Agreement: Medical license reinstated subject to probationary terms, conditions and limitations based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care provided that treatment and monitoring requirements are in place. Agreement effective 1/9/02; agreement to remain in effect for at least five years prior to any request for termination.

URBAN, Edward John (DO #3523) – Chagrin Falls
Board Order: Medical license permanently revoked based on doctor having been found guilty of two felony counts of Tampering With Evidence for altering subpoenaed patient medical records; and two felony counts and one misdemeanor count of Medicaid Fraud based upon false and misleading statements made in billing Medicaid for services that were not medically necessary and for family planning services. Order mailed 12/13/01; Order effective 12/13/01.

VAVILIKOLANU, Seshagiri Rao (MD #78775) – Hillsdale, NY

Voluntary Surrender: Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on prior action by New York's medical board following doctor's admission that he was found guilty of Conducting and Participating in the Affairs of a Racketeering Enterprise, a felony. Eff. 12/17/01.

VJECHA, Michael Joseph (MD #49553) – Cleveland
Consent Agreement: Medical license suspended for at least six months; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions

and limitations to monitor practice. Based on history of chemical dependency and psychiatric diagnoses. Effective 12/14/01. (**NOTE:** license was suspended by operation of law due to non-renewal on 10/1/01.)

WAGMAN, Philip Gary (MD #74129) – Columbus
Board Order: Permanent revocation of medical license stayed, subject to indefinite suspension for at least six months; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on violation of conditions of limitation imposed on license by 4/01 consent agreement due to positive screen for alcohol and admission to self-treatment with antihypertensives and nitroglycerin agents. Order mailed 2/15/02; Order effective 2/15/02.

WARD, Jimmie Steve (PA #1618) – Copley
Board Order: Physician assistant's certificate of registration revoked based on violation of conditions of limitation imposed on physician assistant's certificate of registration by 4/01 Board Order due to his failure to provide a copy of that Order to his medical training program. Order mailed 2/27/02; Order effective 2/27/02.

WESTERFIELD, Samuel Zazachilds III (MD #73566) - Lancaster

Consent Agreement: Medical license reinstated subject to probationary terms, conditions and limitations based on findings by Board-approved evaluators that doctor was not chemically dependent and that he is capable of practicing according to acceptable and prevailing standards of care, provided that conditions for psychiatric follow up and medication management are in place. Agreement effective 5/8/02; agreement to remain in effect for at least five years prior to any request for termination.

WESTERHEIDE, Robert Lee (MD #24720) – Mt. Vernon
Voluntary Surrender: Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(6), O.R.C., which authorizes the Board to initiate action based on an alleged failure to conform to minimal standards of care. Effective 12/31/01.

WIGGINS, Stacey Edwin (LMT #4928) – Columbus
Board Order: Massage license indefinitely suspended for at least six months; conditions for reinstatement and subsequent probationary terms, conditions, and limitations for at least five years established. Based on massage therapist's plea of guilty to one misdemeanor count of Practice of Chiropractic Without a License, the acts underlying which involved his performance of a chiropractic procedure while employed at a salon as a part-time massage therapist. Order mailed 11/6/01; Order effective 11/6/01.

WILLIAMS, Shelton Jr. (MT #11327) - Cincinnati
Consent Agreement: Application for certificate to practice massage therapy granted, subject to reprimand and probationary terms, conditions and limitations for at least five years. Based on history of alcohol dependence, for which applicant received treatment through a Board-approved provider; his failure to provide the board with complete and accurate information on his licensure application pertaining to past criminal convictions for D.U.I., Driving Under Suspension and violation of probation; and on applicant having been deemed capable of practicing massage therapy according to acceptable and prevailing standards of care, provided that monitoring requirements are in place. Effective 5/8/02.

WINDOM, Reginald Odester (MD #59407) – Chillicothe
Consent Agreement: June 1999 consent agreement amended to incorporate conditions permanently limiting and restricting doctor's practice to laboratory, academic, research or administrative work that does not involve patient contact. Based on doctor's admission that board has been notified of concerns that doctor's diagnosed bipolar disorder negatively affects his social skills and clinical performance; and that he had expressed willingness to restrict his practice to areas not involving patient contact. Agreement effective 1/9/02.

WINHOLT, Jeffrey Wayne (MD #57816) – Cincinnati
Consent Agreement: Medical license suspended for at least 180 days or until such time as any criminal charges related to drug diversion have been fully resolved, whichever is later; interim monitoring and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's admissions that he sought treatment through a Board-approved provider after a long-standing history of chemical abuse and dependency, and that criminal charges may be pending against him due to drug diverting behavior stemming from his having diverted for his own use Fentanyl/Sufentanil that was intended for patients. Effective 1/9/02.

WOLF, Leslie Rae (MD #56829) – Kettering
Consent Agreement: 4/01 consent agreement amended to suspend medical license for at least six months; interim monitoring and conditions for reinstatement established, including requirement that doctor enter into subsequent probationary consent agreement to monitor practice. based on doctor's admission that she was found guilty of seven felony counts of Deception to Obtain a Dangerous Drug, the acts underlying which involved her issuance of prescriptions in her own name for her personal use,

using the name of another physician as the prescribing physician. Effective 11/7/01.

WONG, Henry H. (DO #2415) – New Waterford
Board Order: Medical license permanently revoked based on doctor's plea of guilty to felony counts of Unlawful Distribution of Schedule III Controlled Substances and Income Tax Evasion; prior action against doctor's Pennsylvania license by that state's medical board due to those convictions; and exclusion by U.S. Dept. of Health & Human Services based on Pennsylvania board's action. (Journal Entry – no hearing requested) Order mailed 12/13/01; Order effective 12/13/01.

WOODROW, Virginia Catherine (MD #47163) – Springfield
Consent Agreement: Probationary terms, conditions and limitations imposed based on finding, following Board-ordered examination, that doctor was incapable of practicing according to acceptable and prevailing standards of care for several weeks in late 2001 due to major depressive disorder, recurrent; and opinion by examining physician that doctor is currently capable of practicing in accordance with the above standards, provided that monitoring is in place to ensure that she continues appropriate medication therapy and ongoing mental health counseling. Agreement effective 4/10/02; agreement to remain in effect for at least five years prior to any request for termination.

YIN, Xi Peng (MD #68935) – East Meadow, NY/Forest Hills, NY
Board Order: Medical license revoked based on prior action against doctor's New York medical license following a determination by the New York board that he committed professional misconduct by dispensing Viagra to an undercover investigator in large quantities and without an examination. (Journal Entry – no hearing requested) Order mailed 4/11/02; Order eff. 4/11/02.

YOUNG, Brian Wesley (MD #55268) - Cincinnati
Voluntary Surrender: Doctor's permanent voluntary surrender of medical license accepted by Board in lieu of doctor's continuing compliance with terms of 2/01 consent agreement. Effective 5/7/02.

Continuing Medical Education

POLLAK, Charles P. (MD #68085) – Columbus
Board Order: Medical license suspended for at least thirty days; conditions for reinstatement established; subsequent to reinstatement, doctor subject to audits of compliance with continuing medical education requirements for three C.M.E. acquisition periods.

Based on doctor's failure to comply with continuing medical education requirements. (Journal Entry – no hearing requested) Order mailed 10/11/01; Order effective 11/11/01. Note: by corrective Entry filed by Medical Board on 11/10/01, 10/10/01 Board Order corrected to accurately reflect number of CME hours required for 7/1/98 through 1/1/00 acquisition period.

ROWLAND, Gerald Kim (MD #55929) – St. George, UT
Board Order: Doctor reprimanded; subject to audits of compliance with Continuing Medical Education requirements for three C.M.E. acquisition periods. Based on doctor's failure to comply with continuing medical education requirements. Order mailed 1/24/02; Order effective 1/24/02.

SPRUCH, Rezso (MD #44530) – Danville, IL
Board Order: Doctor reprimanded; subject to mandatory audits of compliance with continuing medical education requirements for the 1999-2001 CME acquisition period, and for two CME acquisition periods thereafter. Based on doctor's failure to timely complete and submit documentation of required CME. Order mailed 11/8/01; Order effective 11/8/01.

SUNGURLU, Mehmet Akif (MD #60770) – Oregon, OH
Board Order: Medical license indefinitely suspended; conditions for reinstatement established; subsequent to reinstatement, doctor subject to audits of compliance with continuing medical education requirements for three C.M.E. acquisition periods. Based on doctor's failure to comply with continuing medical education requirements. (Journal Entry – Hearing not timely requested) Order mailed 10/30/01; Order effective 11/30/01.

TREIBER, Theodore Richard (MD #54829) – Pittsburgh, PA
Board Order: Medical license suspended for at least thirty days; conditions for reinstatement established; subsequent to reinstatement, doctor subject to audits of compliance with continuing medical education requirements for three C.M.E. acquisition periods. Based on doctor's failure to comply with continuing medical education requirements. (Journal Entry – no hearing requested) Order mailed 10/11/01; Order effective 11/11/01.

Court Action Update

DAVIES, Brian William (MD #49895) – Akron
Court Action: Notice of voluntary dismissal of appeal of Board's 8/8/01 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on 12/13/01.

GODSELL-STYTZ, Gayl Marie (DO #5500) – Beavercreek

Court Action: By Opinion filed on 2/19/02, Tenth District Court of Appeals affirmed decision of Franklin County Court of Common Pleas, which had affirmed Board's 7/12/00 permanent revocation Order.

NALABOLU, Dasharathram Reddy (MD #51238) – Kettering

Court Action: By Entry filed 10/18/01, Franklin County Court of Common Pleas granted Medical Board's motion to vacate stay Order. By Entry filed 10/31/01, Franklin County Court of Common Pleas ordered that doctor's appeal of Board's Order be withdrawn, with prejudice to future action.

ROSSITER, Lawrence J. (DO #1933) – Alliance

Court Action: By Decision and Entry filed 10/4/01, Franklin County Court of Common Pleas affirmed Board's 12/13/00 suspension Order. Notice of appeal to Tenth District Court of Appeals filed by doctor on 11/2/01. By Entry filed 10/29/01, Franklin County Court of Common Pleas ordered that 1/8/01 stay of Board's Order shall remain in effect during the pendency of doctor's appeal.

ROYDER, Clayton H. (DO #4352) – Columbus

Court Action: By Decision and Entry filed 11/30/01, Franklin County Court of Common Pleas affirmed Board's 7/12/00 permanent revocation Order. Notice of appeal to Tenth District Court of Appeals filed by doctor on 11/30/01. By Order filed 11/30/01, Franklin County Court of Common Pleas granted doctor's motion for stay of Board's 7/12/00 permanent revocation Order pending a final decision on the merits of doctor's appeal.

SMITH, Larry Lee (DO #1724) – Canfield Village

Court Action: Notice of appeal to Tenth District Court of Appeals filed on behalf of State of Ohio on 7/26/01. By Decision filed 3/21/02, Court of Appeals affirmed Common Pleas Court's decision, which had reversed board's reprimand Order. Entry to be filed.

STARR, Tom Reutti (MD #26557) – Dayton

Court Action: By Decision filed 3/29/02 and Entry filed on 4/5/02, Franklin County Court of Common Pleas affirmed Board's 8/8/01 suspension Order.

URBAN, Edward John (DO #3523) – Chagrin Falls

Court Action: Notice of appeal of Board's 12/12/01 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on 12/14/01. By Order filed 12/17/01, Franklin County Court of Common Pleas granted doctor's motion for stay of Board's 12/12/01 permanent revocation Order, pending final disposition of doctor's appeal of Board Order and the criminal appeal upon which Board's Order is based.

DISCIPLINARY ACTIONS (cont.)

WALKER, Ferieda M. (MD #60910) – Dayton
Court Action: By Opinion filed on 2/21/02, Tenth District Court of Appeals affirmed decision of Franklin County Court of Common Pleas, which had affirmed Board's 6/14/00 permanent revocation Order.

WEBB, Deleno H., III (MD #37883) – Huntington, WV
Court Action: By Decision filed 11/29/01, Tenth District Court of Appeals reversed judgment of Franklin County Court of Common Pleas and remanded case to that court with instructions to remand to Medical Board to consider whether appellant made statements with intent to mislead Board and to consider whether appellant is subject to discipline in light of court reversal of West Virginia board's action.

WOOD, Dirk Gregory (MD #50320) - Springfield
Court Action: By Decision and Entry filed 5/8/02, Franklin County Court of Common Pleas affirmed Board's 8/8/01 permanent revocation Order. ♦

Senior Citizens Wanted

The State Medical Board would like to recognize the years of quality service provided by Ohio physicians aged 85 or older. We need your help in locating these esteemed colleagues. Please submit names and current addresses to:

Raymond J. Albert
Supervising Member
State Medical Board of Ohio
77 South High Street, 17th Floor
Columbus, OH 43215-6127

STATE OF OHIO
THE STATE MEDICAL BOARD
77 South High Street, 17th Floor
Columbus, Ohio 43215-6127