

**STATE MEDICAL  
BOARD OF  
OHIO**

# **FY08 Annual Report**

*July 1, 2007— June 30, 2008*

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**MED.OHIO.GOV**

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## ***Message from the Executive Director***

I am pleased to submit this Annual Report documenting the activity of the State Medical Board of Ohio for fiscal year 2008.

This report reflects a period of change, innovation, and process improvement. That such progress took place in the face of challenges for both the profession and our state is testament to the commitment of the current administration to support the effective regulation of the practice of medicine in Ohio. On behalf of the Board, I express appreciation for the support of Governor Strickland and his administration in our mission of public protection.

In FY08, we continued pursuing our Quality of Healthcare agenda as expressed in our strategic plan. We believe this effort is consistent with the principles of good government expressed in the Governor's directives and initiatives. Our managers continue to work toward goals consistent with increasing productivity across all sections of the office and ensuring compliance with administration directives regarding our duty to operate in an ethical and fiscally responsible environment. Our progress and efforts in this regard have become a part of our regular reporting to the Board. In the coming months, we will also develop a "performance dashboard" to provide additional information relating to our effectiveness and efficiency that will ensure greater accountability to the Board.

I am pleased to report that we have maintained our national standing in relation to other state medical boards as reported by Public Citizen's Health Research Group and improved our standing among larger boards as determined by the Federation of State Medical Boards. In so doing, we provide assurance to Ohio citizens that the Board is properly focused on efforts that protect the public. The citizens of Ohio can continue to expect the State Medical Board to adhere to high standards of licensure and to apply strict discipline against licensees who fall below those expectations.

Quality of healthcare necessarily involves maintaining a strong, stable work force to provide good medical care for Ohio citizens. So, we have improved our programs designed to rehabilitate or remediate practitioners in order to prevent adverse outcomes. This is premised

upon the fact that "effective regulation" can also address at-risk behavior preemptively rather than waiting until serious disciplinary action is the only appropriate option. In addition to avoiding the consequences of such inaction, these efforts lessen challenges related to physician shortage in underserved areas and needed specialty areas. Finally, we are actively involved in the evolving discussion of maintenance of licensure as it relates to the continued competency of physicians. All these initiatives directly impact the cost, quality, and availability of healthcare in Ohio.

In FY08, Board members and staff have worked diligently to deal with an increasing level of more difficult cases and to forge public policy in an open and transparent environment. We have also worked to engage in partnerships with stakeholders in other initiatives. But, I am most proud to report that our *Partners in Professionalism* program to help educate medical students in behaviors that can place themselves and their patients at risk has been a success. This innovative program in collaboration with Ohio University College of Osteopathic Medicine has become a model for others across the nation. Efforts to build a relationship with first-year medical students in order to increase awareness of ethical and professional issues that could endanger both patients and their professional have been well received. They are expected to pay dividends in the future through the avoidance of behaviors that can place both patients and physicians at risk.

Finally, I would be remiss if I failed to note the superb work of my entire staff in pursuit of our mission of public protection. Their commitment to public service is exemplary. As Executive Director, I witness the extraordinary level and quality of their work every day. The fruits of their labor and that of Board members are set forth in the pages that follow.

Richard A. Whitehouse, Esq.  
Executive Director

## **Agency Mission & Goals**

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Under the authority of the Medical Practices Act and related law, the Medical Board licenses and oversees the practice of medicine and its branches within the state. The Board has jurisdiction over allopathic physicians (M.D.s), osteopathic physicians (D.O.s), podiatric physicians (D.P.M.s), physician assistants (P.A.s), anesthesiologist assistants (A.A.s), and acupuncturists (R.A.C.s), as well as for practitioners of the limited branches of medicine such as massage therapists (L.M.T.s) and cosmetic therapists (C.T.s). Additionally, the Medical Board continues to regulate mechanotherapists and naprapaths licensed before March 1992.

The Medical Board's regulatory responsibilities include investigating complaints against applicants and licensees, and taking disciplinary action against those who violate the public health and safety standards set by the General Assembly and the Medical Board.

### **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.

# **Strategic Plan for 2011— Quality of Healthcare Regulation**

The Strategic Plan for 2011, adopted by the Medical Board at its December 15, 2005 meeting, outlines three key strategies to further the agency’s mission of public protection through effective medical regulation. Those strategies include:

## **STRATEGY ONE**

### *Culture – Create an Ethics Driven/High Performance Workplace*

We must reshape our workforce and address underinvestment in our organizational capacity — specifically, staffing, training, and technology. We will exhibit greater professionalism and adopt a “customer service” approach to dealing with stakeholders and each other. Finally, we must periodically reevaluate systems and processes to challenge longtime assumptions that permit “satisfactory underperformance” focusing specifically on the interval between receipt and disposition of complaints. To do so, we will develop metrics, performance measures, and goals that promote accountability, increase efficiency, and establish our Board as a model for others.

## **STRATEGY TWO**

### *Competency – Develop a Holistic Approach to “Effective Medical Regulation” that Helps Maintain the Competency of Licensees & Prevents Adverse Outcomes*

We will be pro-active in dealing with at-risk licensees in order to protect the public and preserve our stakeholder’s interests in maintaining or restoring a licensee’s ability to practice. Such efforts include revamping current quality intervention efforts, developing tools to deal more effectively with minimal standards cases, and analyzing the need for specific areas of remediation. We will ensure that consent agreements between the Board and licensees are clear, consistent, and creative; and that efforts to rehabilitate or remediate are effective as evidenced by performance measures. We will provide stakeholders with information that clearly reflects Board expectations regarding policies and rules involving professional conduct, minimal standards, best practices, and scope of practice.

## **STRATEGY THREE**

### *Collaboration – Engage in Partnerships with Stakeholders and Others in Order to Leverage Available Resources and Improve Healthcare in Ohio*

We can protect the public by “building a better licensee” through public and private sector partnerships with the legislature, professional schools, associations, media, state agencies, and other stakeholders. Our efforts will be designed to instill a unique sense of ethics and professionalism in licensees that puts them on notice regarding the Board’s expectations as a regulatory body. We can also develop, analyze, and share data documenting trends impacting the cost, quality, or availability of healthcare in Ohio with stakeholders through a communications plan designed to promote the Board’s mission of protecting the public.

## Medical Board Members

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The Medical Board is comprised of twelve members: nine physicians and three non-physician public members. All of the Board members are appointed by the Governor and serve five-year terms. Appointees' terms are staggered to provide continuity. Board members may be reappointed. Two members serve as the Board's Secretary and Supervising Member who oversee the Board's investigatory process. The Secretary is a physician member and the Supervising Member may be any other member of the Board. A consumer member of the Board has served as Supervising Member since July 1993.

During FY08, the Medical Board met each month. The July through September 2007 meetings were held in the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio. October 2007 marked the first Board meeting held in the renovated Administrative Hearing Room of the Rhodes Office Tower, 30 East Broad Street, Columbus, Ohio. Meeting agendas and minutes are available on the Board's website: [med.ohio.gov](http://med.ohio.gov).

### 2007 BOARD MEMBERS:

Deepak Kumar, MD, President  
Nandlal Varyani, MD, Vice President  
Lance A. Talmage, MD, Secretary  
Raymond J. Albert, Supervising Member  
Patricia J. Davidson, MD (term ended 3/07)  
Jack Amato, MD (as of 4/07)  
R. Gregory Browning, PhD  
David S. Buchan, DPM (term ended 12/07)  
Carol L. Egner, MD  
W. Frank Hairston, Jr. (as of 12/07)  
Dalsukh A. Madia, MD  
Andrew F. Robbins, Jr., MD  
Anquenette Sloan (term ended 9/07)  
Anita M. Steinbergh, DO

### 2008 BOARD MEMBERS:

Nandlal Varyani, MD, President  
Dalsukh A. Madia, MD, Vice President  
Lance A. Talmage, MD, Secretary  
Raymond J. Albert, Supervising Member  
Jack Amato, MD  
R. Gregory Browning, PhD  
Carol L. Egner, MD  
W. Frank Hairston, Jr.  
Deepak Kumar, MD, (term ended 3/08)  
Darshan Majahan, MD (as of 5/08)  
Andrew F. Robbins, Jr., MD (term ended 3/08)  
Susan Stephens, MD (as of 3/08)  
Anita M. Steinbergh, DO  
Marchelle Suppan, DPM, MBA (as of 3/08)

## Board Member Recognitions FY08

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**Lance Talmage, MD**, Board Secretary, was elected to serve a three year term on the Board of Directors of the Federation of State Medical Boards during the annual House of Delegates meeting held May 3, 2008 in San Antonio, Texas.

**Anita M. Steinbergh, DO**, was selected to serve on the Bylaws Committee of the Federation of State Medical Boards.

## Board Appointments During FY2008

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Governor Ted Strickland appointed the following persons to the Medical Board during FY08:

**Raymond J. Albert**, a consumer representative from Amanda, Ohio, was reappointed in August 2007. A member since 1987, his appointment continues until 7/31/2012.

**W. Frank Hairston, Jr.**, of Ravenna, Ohio, was appointed in December 2007 to serve as one of three consumer representatives on the Board. His term continues until 7/31/2012. He replaced Anquetette Sloan whose term expired.

**Darshan Mahajan, MD**, a neurologist from Elyria, Ohio, was appointed in May 2008. His term continues until 3/18/2013. He replaced Dr. Andrew Robbins whose term expired.

**Anita M. Steinbergh, DO**, a family practitioner from Westerville, Ohio, was reappointed to the Board as the osteopathic representative. A member of the Board since 1993, Dr. Steinbergh's term continues until 4/26/2013.

**Susan Stephens, MD**, an orthopedic surgeon from Cleveland Heights, Ohio, was appointed in March 2008. Her term continues until 3/18/2013. She replaced Dr. Deepak Kumar whose term expired.

**Marchelle Suppan, DPM, MBA**, of Orrville, Ohio, serves as the podiatric representative on the Board. She was appointed in March 2008 for a term that continues until 12/27/2012. She replaced Dr. David Buchan whose term expired.

## Committees

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The Medical Board addresses a variety of policy issues through its standing committees. Committees formulate recommendations that are forwarded to the full Board for action.

The committee structure includes two groups composed of six board members each. Six committees are assigned to each group. The Executive Director and Executive staff conduct research and provide support to the committees. Committee meetings are held prior to the monthly Board meetings and committee agendas are posted on the Medical Board's website. Committee actions are included in the Board meeting minutes also posted on the website.

### Limited Branch Advisory Committees

The Medical Board formed the **Massage Therapy Advisory Committee (MTAC)** and the **Cosmetic Therapy Advisory Committee (CTAC)** in 2003 to identify and address issues specific to these professions. These advisory committees, composed of licensed practitioners, meet on an as-needed basis and concentrate on matters related to continuing education, curriculum and licensure examination and forward their recommendations to the Board's Limited Branch Committee.

## Committees

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### Massage Therapy Advisory Committee

The Massage Therapy Advisory Committee (MTAC) met three times during FY08. The Committee discussed education, testing, and registration requirements for LMT's, as well as issues related to the scope of practice of massage therapy.

MTAC continues to review the content of the examination offered by the Federation of State Boards of Massage Therapy in order to determine if the examination could be used for Ohio licensure in lieu of the examination created and administered by the Medical Board. The committee also supported the concept of converting to a staggered licensure renewal system for massage therapists, similar to that in place for physician renewal. Currently, all 10,000 massage therapy licenses expire on August 31 of odd-numbered years. The committee also supported the Board's efforts to amend rules to permit massage therapists with chemical dependency issues to undergo intensive outpatient therapy instead of the mandatory minimum 28-day inpatient treatment currently required.

The following professionals served on the Massage Therapy Advisory Committee in FY08:

Dennis J. Gibbons, LMT	Mark W. Melecki, LMT, PT, CFT (until 11/07)
Richard A. Greely, BA, LMT	Jeanne deMontagnac-Hall, BS, LMT
Richard M. Phillips, LMT	

### Cosmetic Therapy Advisory Committee

The Cosmetic Therapy Advisory Committee (CTAC) met twice during FY 08 to discuss licensure examination and scope of practice issues. The following professionals served on the Cosmetic Therapy Advisory Committee to assist the Board as needed:

Mary Solanics, CT	Freda James-Forkapa, CT	Mary Pat Gallagher, RN, CT
Vickie Mickey, CT	Jeanne T. Sweeney, BS, CT	

### Physician Assistant Policy Committee

The Physician Assistant Policy Committee (PAPC) is the only statutorily required committee of the Medical Board. In compliance with Section 4730.05, Ohio Revised Code, the PAPC meets at least four times per year to review education and licensure requirements for physician assistants; review existing and proposed rules pertaining to the practice of physician assistants; the supervisory relationship between physician assistants and supervising physicians; application forms and procedures; and physician-delegated prescriptive authority for physician assistants in accordance with Section 4370.38, Ohio Revised Code. Recommendations made by the PAPC are forwarded to the Board's Physician Assistant Committee for further review and recommendation to the full Board.

## Committees

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### Physician Assistant Policy Committee continued

The Medical Board's website – [med.ohio.gov](http://med.ohio.gov) – includes a link that enables users to quickly locate information about physician assistant licensure and the activities of the Physician Assistant Policy Committee.

During FY08, the PAPC focused on drafting rules to implement the provisions of Substitute Senate Bill 154 which increased educational requirements for PA licensure, addressed scope of practice issues, and authorized prescriptive authority for PAs. The PA rules, found in Chapters 4730-1 and 4730-2, Ohio Administrative Code, went into effect on October 31, 2007. The PA formulary rule, 4730-2-06 and Appendix, became effective February 28, 2008. The PAPC also considered special services plan requests and post-graduate education equivalency issues.

Those listed below served on the Physician Assistant Policy Committee in FY08:

Robert Zaayer, PA-C, Chair	Kevin Mitchell, RPh
Michael Bowen, PA-C	Debra Parker, Pharm.D
David Ballinger, PA-C	Anquetette Sloan
John M. Jonesco, DO	Lance A. Talmage, MD

## Board Operations

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The Executive Director oversees day-to-day operations. The agency supports 87 full time staff. Medical Board operations are funded exclusively through licensing-related fees that are non-general revenue fund sources.

### Medical Board Organizational Divisions

<u>Division:</u>	<u>Number of Employees</u>
Executive Director	1
Director's Office	2
Executive Staff Division	4
Fiscal/Human Resources/Information Technology Division	8
Administrative Hearing Unit	4
Licensure & Public Services:	
Assistant Director, Licensure & Public Services	1
Licensure, Continuing Medical Education & Renewal	12
Public Services, Disciplinary Information	9

# Board Operations

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## Medical Board Organizational Divisions

<u>Division:</u>	<u>Number of Employees</u>
Investigation, Enforcement & Compliance:	
Assistant Director, Investigation, Enforcement & Compliance	1
Investigation, Enforcement & Compliance Support	4
Enforcement Unit	11
Compliance Unit	3
Investigation Unit	21
Standards Review & Quality Intervention Unit	6

## Office Relocation

In July 2007, the Medical Board relocated its operational offices to the third floor of the Rhodes State Office Tower, 30 East Broad Street, in Columbus, Ohio, from the 17<sup>th</sup> Floor of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio. The agency had outgrown the space available in the Riffe Center. The Rhodes Tower offices also include office space on the second floor for agency fiscal, human resources, and information technology staff. Additionally, the agency was able to move the administrative hearing unit from commercially rented space at 88 East Broad Street to the second floor of the Rhodes Tower.

## Fiscal Report

Medical Board operations are funded exclusively through licensing fees that are separate from the state's general revenue sources. Agency revenues totaled \$8,067,755 in FY08.

The original FY08 spending appropriation allocated to the agency by the legislature was \$7,883,145. However, the Board requested additional funds to pay contract hearing examiners to help the Board resolve a growing backlog of disciplinary cases awaiting administrative hearing. The Controlling Board authorized an additional appropriation of \$93,500 for payment of contracted attorney hearing examiners. With the additional appropriation, the FY08 spending appropriation for the agency totaled \$7,976,645. Through June 30, 2008, the Medical Board had spent or encumbered 99.9% of these funds.

Payroll costs accounted for 83.5% of the agency allotments. Operational expenses for office rent, computer services, medical expert contracts, equipment, maintenance and other support services accounted for the remaining 16.5% of the agency budget.

On July 1, 2007, the State of Ohio implemented a new accounting package, Ohio Administrative Knowledge System (OAKS), which replaced the aging Central Accounting System (CAS) accounting software. The OAKS system is an enterprise system that encompasses payroll, HR, benefits, inventory, budgeting and other modules which were implemented throughout 2007 continuing through 2008.

## Licensure Activities

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The licensure responsibilities of the Medical Board ensure that those practicing medicine and its limited branches meet sufficient standards of education, training, competency and ethics. The training, education and other requirements for licensure established through Ohio law are available for quick reference on the Medical Board's website.

The following chart illustrates the number and types of licensees regulated by the Medical Board:

License Type	Total Active Licensees 12-30-07	Total Active Licensees 6-30-08
Cosmetic Therapist - CT	174	176
Massage Therapist - MT	9,569	10,541
Doctor Of Osteopathic Medicine - DO	4,684	4,762
Medical Doctor - MD	35,613	35,871
Doctor Of Podiatric Medicine - DPM	955	963
Mechanotherapist - DM	32	32
Naprapath - NAP	1	1
Physician Assistant - PA	1,867	1,777
Restricted Cosmetic Therapist - RCT	31	31
MD Training Certificate	4,174	3,951
DO Training Certificate	844	782
DPM Training Certificate	73	65
Acupuncturist - AC	136	139
Anesthesiologist Assistant - AA	125	122
Telemedicine Licenses	87	78
<b>GRAND TOTAL</b>	<b>58,365</b>	<b>59,281</b>

### Physician Assistant Certificates to Prescribe

Effective October 31, 2007, the Medical Board began issuing two new types of licenses due to changes in Ohio law permitting physician-delegated prescriptive authority for physician assistants. The new licenses totaled through June 30, 2008:

Physician Assistant provisional certificate to prescribe	300 issued
Physician Assistant certificate to prescribe	6 issued

## Licensure Activities

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### Initial Licenses Issued in FY08

The following table illustrates the number and types of initial medical and limited branch licenses and Physician Assistant certificates to practice issued by the Medical Board:

Type of License	Number Issued
Medical Doctor	1,623
Doctor of Osteopathic Medicine	219
Doctor of Podiatric Medicine	20
Physician Assistant	152
Anesthesiologist Assistant	9
Massage Therapy	920
Cosmetic Therapy	3
Acupuncturist	26
<b>TOTAL</b>	<b>2,972</b>

### Training Certificates & Other Special Licenses

**Training Certificates:** Section 4731.291, Ohio Revised Code, requires those participating in a medical residency or fellowship training program in Ohio to obtain a training certificate or a full license. In 2007, 1,912 training certificates were issued to physicians in residency or fellowship training in this state. Through June 30, 2008, 374 training certificates and 1,719 training certificate acknowledgment letters were issued. Acknowledgment letters permit the resident to begin training while the application process is being finalized.

**Telemedicine Certificates:** The “practice of telemedicine” means the practice of medicine in this state through the use of any communication, including oral, written, or electronic communication, by a physician located outside of this state. In accordance with Section 4731.296, Ohio Revised Code, the Board issues Telemedicine Certificates to those practitioners who wish to practice telemedicine in Ohio. The Medical Board issued 31 telemedicine certificates in 2007 and 6 telemedicine certificates through June 30, 2008.

**Special Activity Certificates:** Per Section 4731.294, Ohio Revised Code, special activity certificates are available to those practitioners licensed in another state who will be practicing in this state in conjunction with a special activity, program or event taking place in Ohio. Special activity certificates are valid for 30 days or the duration of the event, whichever is shorter. The Medical Board issued 96 special activity certificates in 2007, and 46 special activity certificates were issued through June 30, 2008.

# Licensure Activities

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## Other Special Licenses

**Visiting Faculty Certificates:** Visiting faculty certificates may be issued to those with a license in another state who have accepted an academic appointment in Ohio. The faculty certificate is valid for one year or the duration of the appointment, whichever is shorter. There were 22 visiting faculty certificates issued in 2007, and four visiting faculty certificates issued through June 30, 2008.

## Licensure Examinations

Licensure examinations for allopathic physicians (M.D.s), osteopathic physicians (D.O.s), and podiatric physicians (D.P.M.s) are administered by national examining boards and are offered throughout the year in a computerized format.

Twice each year, the Medical Board administers examinations to candidates for licensure in Massage Therapy and Cosmetic Therapy. In FY08, the Board administered 1,515 Massage Therapy examinations; 700 applicants sat for the December 2007 exam, and 815 applicants sat for the June 2008 exam.

Licensure staff continue to work with the massage therapy schools to evaluate the national examination sponsored by the Federation of State Massage Therapy Boards to determine whether it meets or exceeds the standards required for licensure in Ohio as a massage therapist. If the examination proves to be acceptable, the Medical Board will seek to utilize that examination.

## Limited Branch Schools Approved

The Medical Board granted Certificates of Good Standing to offer courses in massage therapy to the following schools in FY08. This certification allows their students to sit for the massage therapy licensing examination administered by the Medical Board. The complete list of approved limited branch schools is available on the Medical Board's website: [med.ohio.gov](http://med.ohio.gov).

- Blanchard Valley Academy of Massage Therapy – Findlay, OH
- Central Pennsylvania School of Massage, Inc. – State College, PA
- Gateway Community and Technical College – Edgewood, KY
- Hamrick School – Medina, OH
- Owens Community College – Toledo, OH
  - Massage Therapy certificate program
  - Associate Degree in Massage Therapy
- Parkland College – Champaign, IL
- Rainstar University – Scottsdale, AZ
- Tri-Rivers Center for Adult Education Massage Therapy Program – Marion, OH

## Licensure Activities

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### Criminal Background Checks

On March 26, 2008, HB 104 went into effect, requiring the Medical Board to receive and review criminal background checks on all applicants prior to a license being issued. The implementation of this new requirement has not been without its challenges.

The licensure application credential check list on the eLicensure system was updated to include this requirement and processes were developed to ensure that the reports would be handled in accordance with Ohio's Bureau of Criminal Identification and Investigation (BCI&I) and the Federation Bureau of Investigation (FBI) directives while getting the information to the staff members who needed it. For applicants who are not in Ohio and do not wish to travel to Ohio to have their fingerprints digitally scanned, the requirement has added time to their application process and requires several additional steps on the part of the Licensure staff, including mailing out the required fingerprint cards for use in another state.

### Positive Responses to Criminal Background Checks

Procedures were developed and implemented for processing positive criminal background check responses. Disciplinary Information staff enters information into a confidential database for those individuals who have had a criminal background check return with a positive report. The records are entered into the special database within one working day of receipt and the extracted information is provided immediately to the Medical Board's Public Services Department to begin processing as a confidential complaint so that the Board may determine if disciplinary action is warranted.

## Licensure Renewal Activities

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### Renewal

During FY2008, the CME and Renewal section mailed 31,613 renewal applications to licensees. They processed 30,576 applications for renewal. At least 96% of the renewals are completed online with the eLicensing system, which is the only reason this four-person unit is able to process the increasing number of renewals.

During the summer of 2007, the licensed massage therapists renewed their licenses. Even though over 90% of them used the online renewal system, the Renewal staff was almost overwhelmed by attempting to renew approximately 10,000 massage therapists at the same time, while continuing to process the normal MD/DO renewals. The Board agreed to seek legislative change to blend the massage therapists into the staggered renewal system used for physician license renewal which will even out the workload and the revenue collection over a two-year period.

## Licensure Renewal Activities

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### Letters of Good Standing

The CME and Renewal section also has the responsibility to provide verifications of licenses (letters of good standing) to other state medical boards when an Ohio licensee is seeking a license in another state. In FY2008, the Renewal staff completed and mailed 6,669 verifications; this number has been rising and there is no reason to expect it to decrease. Currently, the Board does not charge practitioners for this service.

### Licensure Restoration Applications

The CME and Renewal section also processes applications for restoration of an Ohio medical license from physicians whose licenses have been inactive for more than two years. During FY2008, the section mailed 218 restoration applications and restored 166 licenses. The number of restoration applications increased approximately 30% over that of 2007.

## FY08 Legislative Update

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Legislation passed in FY08 that impacted the Medical Board is listed below:

### **Am.Sub HB 104 License applicants – Criminal background check** *Effective 3/24/08*

This bill requires criminal background checks for those applying for professional licenses – including medical licenses. Those applying for an initial license or restoration of a lapsed license are required to obtain a criminal records check. The law does not apply to those applying for a training certificate, specialty activity certificate, or a visiting medical or podiatric faculty certificate. Additionally, the law does not apply to those renewing their licenses.

### **House Bill 372 - Military and veteran benefits-probate fees/income tax/licensing** *Effective 3/24/08*

The act requires state licensing agencies to renew an expired license held by a member of the National Guard or the reserves that expired because of the member's service and allows a licensee who has been called to active duty for a period longer than 31 days, to have an extension to fulfill continuing education requirements. Additionally, the act requires a licensing agency to consider relevant education, training, and service completed by a licensee as a member of the armed forces of the United States, the reserves, the National Guard, the Ohio Military Reserve, and the Ohio Naval Militia in determining whether the licensee has fulfilled continuing education requirements.

### **House Bill 314 - Before abortion-allow view of available obstetric ultrasound image** *Effective 6/20/08*

Authorizes the State Medical Board to take disciplinary action against a physician, when an obstetric ultrasound examination is performed at any time prior to the performance or inducement of an abortion or the physician performing or inducing the abortion determines that

## FY08 Legislative Update

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an ultrasound examination will be performed as part of the abortion procedure, if that physician fails to do either of the following:

- (1) Provide the woman receiving an abortion the opportunity to view the active ultrasound image of the embryo or fetus, and
- (2) Offer to provide a woman with a physical picture of the ultrasound image of the embryo or fetus.

## FY08 Rules Update

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### OHIO ADMINISTRATIVE CODE RULES

Medical Board rules are found in Chapters 4730 and 4731, Ohio Administrative Code (OAC). Links on the Medical Board's website provide quick access to current rules as well as any proposed draft rules under consideration by the Board. The Medical Board adopted the following rules during FY08:

#### **OAC Chapter 4730-1: Regulation of Physician Assistants** *Effective 10/31/07*

The rules address the following issues:

- Physician Assistant practice
- Duties of the supervising physician
- Supervision of the Physician Assistant
- Quality assurance system
- Certificate to practice as a Physician Assistant
- Special services plan

#### **OAC Chapter 4730-2: Physician-Delegated Prescriptive Authority** *Effective 10/31/07*

The following topics are addressed in the rules:

- Educational requirements for prescriptive authority
- Application for a provisional certificate to prescribe
- Provisional period of physician-delegated prescriptive authority
- Certificate to prescribe
- Standards for prescribing
- Standards for personally furnishing drugs and therapeutic devices
- Standards for personally furnishing samples of drugs and therapeutic devices
- Definitions and miscellaneous provisions

## FY08 Rules Update

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### **Rule 4730-2-06: Physician Assistant Formulary** *Effective 2/28/087*

Highlights of the rule include:

- Formulary similar to APN formulary
- No abortion-inducing medications
- No Schedule II drugs allowed
- Supervising Physician may restrict the prescriptive authority of the PA practicing under the doctor's supervision

## Scope of Practice Inquiry Responses

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During FY08 the Medical Board responded to the complex scope of practice inquiries listed below related to procedures or services provided by licensees or unregulated practitioners. The responses serve as practice guidelines on topics not specifically addressed in statute or rule.

- Neurostimulation procedures performed by podiatrists
- Peroneal nerve decompression performed by podiatrists
- Split-thickness skin grafts harvested from the anterior thigh by podiatrists
- Delegation of the insertion/starting of an IV to a medical assistant
- Interpretation of a chest x-ray to verify placement of a PICC tip
- Delegation of exercise instruction to a massage therapist
- Task delegation to medical assistants
- Use of essential oils for aromatherapy (raindrop therapy) by unlicensed massage practitioners
- Prescriptions/orders written by resident physicians
- Treatment of wounds below the knee by podiatrists

## Quality Intervention Program

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The Ohio Medical Board's Quality Intervention Program (QIP) addresses quality of care complaints that do not warrant formal disciplinary action. An educational intervention may be all that is needed to correct the identified practice deficiency. Through the Quality Intervention Program, the Medical Board continues to protect the public without adversely impacting the availability of care.

Courses related to improving medical record keeping practices and prescribing controlled substances were the most frequent referrals suggested by the QIP panels. Section 4731.22(O), Ohio Revised Code, requires licensees participating in an individual education program recommended by the QIP to pay any costs related to that educational program.

A key component of the program is the use of Quality Intervention Panels, two groups comprised of physicians and consumer members who are responsible for assessing the practice of the licensee referred to the program and making recommendations to the Board's Secretary and Supervising Member based upon their peer assessment. Their time and commitment to this model program is invaluable. The following persons served on the QIP panels during FY08:

### Quality Intervention Panel 1:

Carla S. O'Day, MD, Chair  
Emergency Medicine  
Rocky River

Gregory Cerilli, MD  
General Surgery  
Toledo

Eric Haus, DO  
Internal Medicine  
Mansfield

Regina Hill, MD  
Obstetrics/Gynecology  
Cleveland

Barbara Hoover  
Consumer Representative  
Hilliard

Ranjit Rath, MD  
Cardiothoracic Surgery  
Cincinnati

Mary Jo Wexler, MD  
Family Practice  
Columbus

### Quality Intervention Panel 2:

Michael L. Amalfitano, DO  
Internal Medicine & Cardiology  
Mansfield

Prabir Chaudhuri, MD  
Surgery - Surgical Oncology  
Maumee

Sharon Culver  
Consumer Representative  
Columbus

Karen Kirkham, MD  
Internal Medicine  
Dayton

William Klykylo, MD  
Psychiatrist  
Dayton

Christopher Simpson, DO  
Family Practice  
Athens

# Quality Intervention Program

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## Quality Intervention Program Activity Report

Each Quality Intervention Panel meets six times per calendar year. The following table illustrates the recommendations made by the Quality Intervention Panels to the Board's Secretary and Supervising Member regarding the 116 cases reviewed during calendar year 2007:

2007	DISPOSITION OF CASES FOLLOWING QIP PANEL REVIEW
64 cases	<b>Case closed.</b> No quality of care concerns identified by QIP panel; no further action needed by Board.
21 cases	<b>Physician referred for remedial education.</b> The panel identified remediable practice deficiencies; doctor is notified of outcome of panel review and directed to appropriate educational program.
8 cases	<b>Referred to the Medical Board's Secretary &amp; Supervising Member for further action.</b> The panel found practice deficiencies that did not appear to be remediable through the Quality Intervention process.
23 cases	<b>Caution letter sent to licensee.</b> Licensee advised of practice concerns but remedial education not applicable and no other action needed by the Board.

## Educational Outreach Programs

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### Speaking Engagements

The following table illustrates the number of educational presentations provided by Medical Board members and executive staff to state and national audiences between January 2007 and June 30, 2008. Popular topics include the role of the Medical Board; defining professionalism in medical practice; understanding the medical licensure process; and legal aspects of controlled substance prescribing.

	Total Presentations	Given by Board Members	Given by Board Staff
2007	65	21	44
Through June 2008	37	7	30

### Ohio State Medical Association & Medical Board featured on “YouTube”

In March 2008, a short video FAQ entitled “You Can’t Be a Doctor Without a Medical License” was launched on [www.youtube.com](http://www.youtube.com). The Medical Board contributed content materials to the short program prepared by Ohio State Medical Association staff.

### The Medical Board’s Website—[www.med.ohio.gov](http://www.med.ohio.gov)

A strong educational tool for the agency, website content is frequently updated to provide the most current information to users about the Medical Board and its services.

### Publications

The following publications were prepared and provided by the Medical Board during FY08:

- ❖ ***Your Report*** – the Medical Board’s Newsletter includes changes in laws and rules impacting Board licensees, along with summary reports of disciplinary actions imposed since the last publication are provided in each issue of the newsletter
- ❖ ***Formal Action Report*** – includes summary reports of the disciplinary actions taken or initiated by the State Medical Board of Ohio following the monthly Board meetings and an update of Board matters pending in the courts
- ❖ ***Investigative Subpoenas: Frequently Asked Questions*** – a brochure addressing the most frequently asked questions received by the Board when a licensee is served an investigative subpoena
- ❖ ***Compliance Guidelines Following Medical Board Disciplinary Action*** – a brochure designed to assist licensees who have had a Medical Board disciplinary action understand the requirements established by the Board action.

## Educational Outreach Programs

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### **“Partners in Professionalism” Program Launched**

September 2007 marked the official start of “Partners in Professionalism,” an educational pilot project between the State Medical Board of Ohio and the Ohio University College of Osteopathic Medicine (OU-COM).

The pilot project promotes professionalism and the responsibilities of medical licensure to doctors-in-training in an effort to avoid problematic behavior or practices, increase awareness of Medical Board functions, increase knowledge of state law and regulations related to medical practice, and enhance the relationship between the Board and future licensees. As part of the project, every first year medical student in the OU-COM class of 2011 was required to attend an introductory session given by Medical Board staff, followed by a videoconference with Board representatives before and after traveling to Columbus to attend a Board meeting as part of their Clinical and Community Experiences (CCE) program. The program will continue during FY09.

### **Student Comments**

*“I felt this CCE to be very valuable. It put a human face with the Medical Board. They are no longer a frightening entity that swoops down and takes the licenses of physicians. It was reassuring to see that they care about physicians, wanting the best for them.”*

*“This CCE helped me to more fully understand the function of the Ohio State Medical Board. I not only saw the strong enforcer side of the Board, but also that they are there to help physicians as much as possible. Also, I think seeing the mistakes of the physicians before the Board helps physicians in training to avoid similar pitfalls.”*

*“It was very interesting to see the impact of poor physician decision-making; good to see it in person, too.”*

*“I thought this was a great experience. It opened my eyes in that unexpected life events can lead to addictions if not dealt with properly. I think attending this meeting as a first year student is very beneficial because we are new to the profession and are very open to learning. If we were more into the field we may not take as much into consideration.”*

*“It was very interesting to see the dynamics between the Board members and especially the physicians who were called before the Board. It makes one more aware of how life can change a lot of things.”*

*“This is something that every medical student can benefit from.”*

## Enforcement Activities

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### eLicensing Complaint Tracking Conversion

The Board's goal of converting the computerized maintenance of complaint records from the VAX system to the eLicensing system on CAVU pushed forward during FY08. During a lengthy series of meetings with the Department of Administrative Services IT staff and key Board staff, critical issues involving implementation were discussed and changes were made to the system to allow for better handling of complaints. The CAVU complaint system was prepared for implementation on July 1, 2008, and additional improvements are being made as the process continues. The Medical Board receives approximately 4,000 new complaints each calendar year which are entered into the computerized complaint tracking system by Public Services staff.

### Board Investigator Reorganization

The Medical Board employs 21 full-time investigators to assist the agency in determining if disciplinary action by the Medical Board is warranted through the investigation of the confidential complaint information assigned to them. Board field investigators are strategically located throughout the state.

In FY08, investigatory territories were changed from a northern region and a southern region to three zones: northern, central and southern. An investigative supervisor for each zone was selected to help oversee the workload assigned to investigative staff in each zone.

Board field investigator activities in FY08 included:

New cases assigned	Reports of Investigation Submitted	Subpoenas Served
1,396	1,527	1,287

### Third Party Administrator Selected for Drug Screening

The Medical Board executed a contract with FirstLab Professional Health Monitoring to serve as a third party administrator for drug screening required of licensees monitored by the Medical Board for chemical dependency. FirstLab provides random selection and notification to licensees through a toll-free number, or online access, for specimen collection, to include weekends and vacation travel. FirstLab has approximately 170 collection sites in the state of Ohio capable of performing observed collections; 49 of those sites include collection ability on either Saturday or Sunday. Strict chain-of-custody requirements are maintained by FirstLab.

## **Enforcement Activities**

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### **Consent Agreement Language Revised**

The Medical Board reviewed and updated the model language used in Board Consent Agreements and Board Orders to reflect changes in drug screening procedures for those monitored by the Medical Board for chemical dependency.

### **Compliance Guidelines Approved**

In FY08, the Medical Board adopted compliance guidelines in order to help affected licensees understand the requirements established by the Board in the Consent Agreement or Board Order. The guidelines also address frequently asked questions posed by those monitored by the Board.

### **Service Changes for Formal Action Documents**

In April 2007, the Board received an opinion of the 10<sup>th</sup> District Court of Appeals, overturning the revocation of a physician's license based upon issues involving service of the Board's Notice of Opportunity for Hearing. Following the issuance of the decision, Board staff worked with other agencies and the Legislative Service Commission to provide ideas for changes to Section 119.07, Ohio Revised Code, which governs the process of serving notices on respondents.

In September 2007, a newly revised Section 119.07, ORC, went into effect and changed the manner in which the Board ensures that certain documents are served upon respondents. The statutory changes recommended by the Board have lessened the need to resort to publication of notices in order to complete service.

### **Findings, Order and Journal Entry Changes**

In April and May 2008, the Attorney General's Office requested that the Board make certain changes to the Findings, Order and Journal Entry (FOJE) process, specifically to address issues with the level of proof referenced in the Orders. In response to these concerns, the Board altered the manner in which the Orders are drafted. The first Orders using the new format were considered by the Board at the June 2008 meeting.

The Board also began instituting "Pre-Determination" hearings during the past year. Since its inception, a decision was made to allow those cases in which the individual failed to request a hearing to proceed along the FOJE route.

### **Case Record File (CRF) Process**

During the summer of 2007, a meeting was held with the Attorney General's Office and the Administrative Hearing Unit to begin implementation of a new process for maintaining filings in all cases in which a Notice of Opportunity for Hearing has been issued by the Board, whether disciplinary or non-disciplinary.

## **Enforcement Activities**

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### **Case Record File (CRF) Process**

The CRF procedure was implemented beginning with the notices that were issued in October 2007. As of June 30, 2008, a total of 110 cases have been managed through the Case Record File process (25 in 2007 and 85 from January 1, 2008, through June 30, 2008). This procedure centralizes all documents filed in formal cases, provides electronic access to filings and decreases the number of procedural exhibits introduced into the record at the hearing.

### **Cost Savings Measures**

The Board has converted to an e-certified system, which saves the Board postage on each item that is sent by certified mail. As the Board sends a large amount of certified mail, the cost savings has been considerable.

In addition, the Board has posted the Disciplinary Guidelines on the website. As a result, the Disciplinary Information staff no longer copy the Guidelines for inclusion with the Notices of Opportunity for Hearing, reducing paper and copying costs. In addition, form letters have been altered to direct respondents to obtain the Guidelines from the website, reducing the number of pages being mailed and reducing the cost of postage.

# Disciplinary Activities

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## National Recognition for Disciplinary Activity

In April 2008, the Medical Board maintained its ranking among the top physician licensing boards in the country for disciplinary activity taken in calendar year 2007. The State Medical Board of Ohio has approximately 58,000 licensees of all types, 39,000 of which are physicians—one of the largest licensee pools in the country. The Federation of State Medical Boards of the United States listed Ohio second in terms of disciplinary sanctions imposed by medical licensing boards with a minimum of 15,000 in-state (physician) licensees.

Public Citizen Health Research Group, a national consumer advocacy organization, ranks medical licensing boards in terms of “serious” disciplinary actions imposed—defined as license revocations, suspensions, surrenders, and probations or restrictions. In April 2008, Public Citizen ranked Ohio first among the states responsible for regulating large physician populations based upon the disciplinary actions taken in 2005 - 2007. The State Medical Board of Ohio has ranked in Public Citizen’s top 10 each year since 1995.

## Disciplinary Sanctions Imposed

The following table illustrates the number and types of disciplinary sanctions imposed by the Medical Board:

	<b>Calendar Year 2007</b>	<b>January through June 2008</b>
<b>Total Sanctions</b>	<b>175</b>	<b>95</b>
Revocations	35	15
Indefinite Suspensions	46	22
Definite Suspensions	5	2
Probations	47	25
Reprimands	12	4
Practice Limitations	1	3
Surrenders/Retirements	7	3
Licensure Denials or Withdrawals	13	12
Summary Suspensions	3	3
Automatic Suspensions	2	1
Immediate Suspensions	1	1
No Penalty Imposed	0	4
Interim Agreement	3	0

# Disciplinary Sanction Definitions

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Disciplinary sanctions imposed by the Medical Board include the following:

## **PERMANENT REVOCATION**

The permanent loss of a certificate to practice in Ohio and the inability, at any time, to reapply for or hold any certificate to practice in Ohio. An individual whose certificate has been permanently revoked shall forever thereafter be ineligible to hold any certificate to practice, and the board shall not accept from that individual an application for reinstatement or restoration of the certificate or for issuance of a new certificate. (Chapter 4731-13-36 (A), Ohio Administrative Code)

## **REVOCATION**

The loss of a certificate to practice in Ohio. An individual whose certificate has been revoked shall be eligible to submit an application for a new certificate. All disciplinary action taken by the board against the revoked certificate shall be made a part of the board's records for any new certificate granted under this rule. (Chapter 4731-13-36 (B), Ohio Administrative Code)

## **SUSPENSION**

The temporary loss of a certificate to practice in Ohio. A suspension shall be imposed for either a definite or an indefinite period of time. (Chapter 4731-13-36 (C), Ohio Administrative Code)

## **LIMITATION**

Precludes the certificate holder from engaging in a particular conduct or activity, to impose conditions on the manner in which that conduct or activity may be performed, or to require the certificate holder to abide by specific conditions in order to continue practicing medicine. A limitation shall be either temporary or permanent. (Chapter 4731-13-36 (D), Ohio Administrative Code)

## **PROBATION**

A situation whereby the certificate holder shall continue to practice only under conditions specified by the board. Failure of the certificate holder to comply with the conditions of probation may result in further disciplinary action being imposed by the board. The probation period shall be for either a definite or indefinite term. If probation is for an indefinite term, the board shall establish a minimum probation period and the board shall release the certificate holder from the conditions of probation upon completion of the minimum probation period and upon the board's determination that the purpose of probation has been fulfilled. (Chapter 4731-13-36 (E), Ohio Administrative Code)

## **PERMANENT DENIAL**

The permanent denial of an application for a certificate to practice in Ohio. An individual whose application for a certificate has been permanently denied shall forever thereafter be ineligible to apply to the board for any certificate to practice, and the board shall not accept from that individual an application for issuance of a certificate. (Chapter 4731-13-36 (J), Ohio Administrative Code)

## Disciplinary Sanction Definitions

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<b>DENIAL</b>	The denial of an application for a certificate to practice in Ohio. An individual whose application for a certificate has been denied shall be eligible to submit a new application for a certificate. In determining whether to grant a new application, the board may consider any statutory violations that were committed by the individual before or after the denial of the individual's previous application, including those that formed the basis for the denial. (Chapter 4731-13-36 (K), Ohio Administrative Code)
<b>REPRIMAND</b>	The certificate holder is formally and publicly reprimanded in writing. (Chapter 4731-13-36 (F), Ohio Administrative Code)
<b>CONSENT AGREEMENT</b>	Conditions and limitations placed on licensee's practice by mutual agreement with the Medical Board.
<b>VOLUNTARY SURRENDER</b>	Practitioner surrenders license to practice in lieu of further disciplinary proceedings; may authorize the Board to revoke the practitioner's license without further legal proceedings.
<b>DISMISSAL</b>	The board finds that no violation has occurred. (Chapter 4731-13-36 (H), Ohio Administrative Code)
<b>SUMMARY SUSPENSION</b>	License to practice is suspended prior to a hearing based on clear and convincing evidence that continued practice by the licensee poses a danger of immediate and serious harm to the public. (Section 4731.22 (G), Ohio Revised Code)
<b>AUTOMATIC SUSPENSION</b>	License to practice is suspended prior to a hearing when a licensee pleads guilty to, is found by a judge or jury to be guilty of, or is found eligible for intervention in lieu of conviction in this state or treatment or intervention in lieu of conviction in another jurisdiction for specified crimes of violence. (Section 4731.22 (I), Ohio Revised Code)
<b>IMMEDIATE SUSPENSION</b>	License to practice is suspended prior to a hearing pursuant to Section 3719.121, Ohio Revised Code, when a licensee pleads guilty to, is found by a judge or jury to be guilty of, or is found eligible for treatment in lieu of conviction of a felony drug abuse offense.
<b>INTERIM AGREEMENT</b>	Licensee agrees to cease practice or to practice with limitations until the administrative hearing process is completed and the Board issues a Final Order imposing a disciplinary sanction.
<b>CITATION LETTER</b>	In compliance with Ohio's Administrative Procedures Act (Chapter 119, Ohio Revised Code), a citation letter is the formal notice sent to an individual informing them that the Medical Board intends to take disciplinary action based upon the reasons listed in the letter. The letter also advises the individual that they may request a hearing on the matter but the hearing request must be received within 30 days of the date the notice was mailed by the Board.

## Disciplinary Action Report July 1, 2007 – June 30, 2008

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Disciplinary actions taken by the Medical Board between July 1, 2007 and June 30, 2008 are listed below. Licensure status updates, including any court appeal actions related to Medical Board Orders are posted on the Board's website — [med.ohio.gov](http://med.ohio.gov) — using the *Licensee Profile and Status* link.

### **AITI, Mohammed Yasser (MD #35-048353) Massillon, OH**

**Voluntary Surrender:** Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of formal disciplinary proceedings based on, and as an essential part of, a plea agreement related to criminal charges pending against doctor in the U.S. District Court for the Northern District of Ohio, for which doctor agreed to plead guilty to one count of Conspiracy, and on doctor's admission of engaging in billing fraud. Effective 12/12/07.

### **AKHTAR, Jabir Kamal (MD applicant) Akron, OH**

**Board Order:** Application for medical license permanently denied based on doctor's making a false, fraudulent, deceptive, or misleading statement in response to Board deposition questions; failure to cooperate in an investigation conducted by the Board; and failure to furnish evidence of good moral character. Order supersedes 3/8/06 Board Order. Order effective 7/12/07.

### **ALLEN, Steven Ray, Sr. (MD #35-086124) Cincinnati, OH**

**Consent Agreement:** Doctor reprimanded; probationary terms, conditions, and limitations imposed to monitor practice based on doctor's diagnosis of bipolar II disorder and doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 8/9/07; agreement to remain in effect for at least two years prior to any request for termination.

### **ANDERSON, Wilfred Louis (MD applicant; MD #35-038294, revoked 7/8/98) Cleveland Heights, OH**

**Board Order:** Application for medical license permanently denied. Based on Board's determination that applicant failed to furnish satisfactory proof of good moral character as demonstrated by applicant's acts, conduct and/or omissions as found in the 7/8/98 Board Order revoking applicant's previous medical license and as demonstrated by the applicant's conduct since the Board's 1998 Order. Order effective 6/13/08. **Court Action:** Notice of Appeal of Board's 6/11/08 Order permanently denying doctor's 2008 application for licensure filed by doctor with the Franklin County Court of Common Pleas on 6/26/08.

### **ANVARI-HAMEDANI, Mohammad (MD #35-032727) Fostoria, OH**

**Board Order:** Medical license permanently revoked based on doctor's plea of guilty to 20 felony counts of Illegal Export to Iran, one felony count of Attempt to Illegally Export to Iran, eight felony counts of Money Laundering, four felony counts of False Tax Returns, and three felony counts of Foreign Bank Reports. Order effective 8/22/07.

### **APPLEGATE, Gerald Brian (MD #35-065717) Miami, FL**

**Court Action:** By Entry and Order filed 2/15/08, the Franklin County Court of Common Pleas remanded the matter to the Board for consideration of the appropriate sanction in light of the 11/29/07 decision of the 10<sup>th</sup> District Court of Appeals.

**Board Order:** Upon reconsideration of Board's 6/14/06 Order pursuant to the 2/15/08 remand order from the Franklin County Court of Common Pleas, doctor's medical license suspended for one year from 6/16/06, which suspension has already been served; probationary terms, conditions, and limitations established for a period of at least one year from the 6/17/07 reinstatement of doctor's medical license. Based on the Board's determination that the 6/14/06 Board Order was appropriate in light of the 11/29/07 Opinion of the 10<sup>th</sup> District Court of Appeals. Order effective 6/3/08.

### **BACCUS, Harry III (LMT #33-005251) South Euclid, OH**

**Voluntary Surrender:** Board Order permanently revoking massage therapy license as authorized by massage therapist in lieu of formal disciplinary proceedings based on massage therapist's failure to disclose criminal convictions and failure to appear for a Board-ordered 72-hour evaluation for possible impairment. Effective 5/14/08.

### **BADOUR, Ashraf Soliman (MD #35-055004) Martins Ferry, OH**

**Consent Agreement:** Probationary terms, conditions, and limitations imposed on doctor's medical license to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Based on doctor's court-ordered hospitalization for mental health treatment and subsequent diagnosis of Bipolar Disorder. Agreement effective 11/15/07; agreement to remain in effect for at least five years prior to any request for termination.

## Disciplinary Action Report July 1, 2007 – June 30, 2008

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### **BHAMA, Savitri (MD applicant) Clinton Twp., MI**

**Board Order:** Application for medical license permanently denied. Based on Board's determination that doctor made false, fraudulent, deceptive, or misleading statements on licensure application and failed to furnish satisfactory proof of good moral character. Order effective 11/16/07. **Court Action:** By Decision and Entry filed on 5/7/08, the Franklin County Court of Common Pleas affirmed the Board's 11/14/07 Order permanently denying doctor's application for a medical license. Notice of Appeal to the 10<sup>th</sup> District Court of Appeals of the 5/7/08 Decision and Entry of the Franklin County Court of Common Pleas, which affirmed the Board's 11/14/07 Order, filed on 6/6/08.

### **BLAZEY, Kristine Marie (LMT #33-016546) Toledo, OH**

**Board Order:** Application for massage therapy license granted on condition that applicant otherwise meets all statutory and regulatory requirements, then suspended for 90 days; subsequent probationary terms, conditions, and limitations established for at least three years. Based on applicant's finding of guilt on one count of Attempt to Commit Forgery and false, fraudulent, deceptive, or misleading statements in attempting to secure a massage therapy license. Order effective 8/9/07; Suspension effective 10/26/07.

### **BOGIN, Ruben A. (MD applicant, MD Training Certificate #57-003284) Westerville, OH**

**Application Withdrawn:** Request for permanent withdrawal of application for medical licensure accepted by Board in lieu of formal disciplinary proceedings. Based on applicant's admission to falsely testifying under oath in an investigatory deposition taken by Board staff, and that such act constitutes a failure to cooperate in a Board investigation. Effective 12/12/07.

### **BOOTH, John Wesley (LMT #33-008266) Parma, OH**

**Voluntary Surrender:** Board Order issued 8/8/07 permanently revoking massage therapist's license as authorized by massage therapist in document by which massage therapist surrendered the massage therapy license in lieu of formal disciplinary proceedings on allegations of violation of the Code of Ethics of the American Massage Therapy Association. Surrender effective 8/9/07.

### **BRAHMS, Malcolm A. (MD #35-017008) Beachwood, OH**

**Consent Agreement:** Medical license permanently limited and restricted to review of patient charts and testimony related to SSA disability and rehabilitation hearings; probationary terms and conditions established. Based on doctor's admission of having provided patient chart review and testimony for SSA hearings after 7/1/07 expiration of doctor's medical license and of having failed to provide complete and accurate information on licensure reinstatement application. Agreement effective 4/9/08; agreement to remain in effect for at least five years prior to any request for termination.

### **BRANDT, Robert L., Jr. (MD #35-046724) Dayton, OH**

**Consent Agreement:** Medical license revoked, with revocation stayed and 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; and 5/10/06 Consent Agreement terminated. Based on doctor's admitted relapse by ingestion of Darvon. Agreement effective 8/9/07. **Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 2/13/08; agreement to remain in effect for at least five years prior to any request for termination.

### **BREWER-EDWARDS, Celeste Daneen (PA #50-001976) Euclid, OH**

**Consent Agreement:** Physician assistant license suspended for an indefinite period of time; interim monitoring conditions and conditions for reinstatement established, including requirement that physician assistant enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on physician assistant's admission of having been diagnosed with marijuana abuse, for which physician assistant completed treatment at a Board-approved treatment provider, and of having been found to be impaired in ability to practice as a physician assistant according to acceptable and prevailing standards of care due to habitual chemical abuse. Agreement effective 11/15/07.

### **BROWN, Christina Marie (LMT #33-011149) Salem, OH**

**Consent Agreement:** Massage therapy license suspended for an indefinite period of time; interim monitoring conditions and conditions for reinstatement established, including requirement that massage therapist enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on massage therapist's admission of having been diagnosed with psychoactive substance abuse disorder, for which massage therapist has sought treatment through a Board-approved provider, and massage therapist's admission of inability to practice according to acceptable and prevailing standards of care due to chemical dependency. Agreement effective 2/13/08.

## Disciplinary Action Report July 1, 2007 – June 30, 2008

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**BROWN, Clyde Dennis (MD #35-043905) Cincinnati, OH**

**Board Order:** Medical license permanently revoked based on prior action by Kentucky's board in permanently restricting the doctor's medical license in that state. Order effective 8/9/07.

**BROWNLEE, John David (MD #35-074364) East Cleveland, OH**

**Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 8/9/07; agreement to remain in effect for at least five years prior to any request for termination.

**BRUMFIELD, Daniel Howard (MD #35-090980) (Previous license – MD #35-065317) Springfield, OH**

**Consent Agreement:** Medical license granted subject to probationary terms, conditions, and limitations imposed to monitor practice. Based on doctor, subsequent to the Board's 7/13/05 Order revoking doctor's original license, having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 1/9/08; agreement to remain in effect for at least five years prior to any request for termination.

**BURBACK, Kimberli Jo (Massage Therapy applicant) Olmsted Township, OH**

**Board Order:** Application for massage therapy license granted, provided all statutory and regulatory requirements are met; permanent revocation of license stayed subject to suspension for at least 90 days; conditions for reinstatement or restoration established, including requirement that massage therapist undergo a drug and alcohol impairment evaluation by a Board-approved treatment provider, with appropriate subsequent probationary terms, conditions, and limitations to monitor practice imposed based upon the evaluation results. Based upon massage therapist having pled guilty to one felony count of Reckless Homicide. Order effective 2/1/08.

**BYAKIKA, Richard Luboga (MD Training Certificate #57-009327) Canton, OH**

**Board Order:** Doctor reprimanded. Based on Board's determination that doctor provided false or misleading information on the application for a training certificate. Order effective 7/3/08

**CALLISTO, Daniel Michael (DO #34-004687) Massillon, OH**

**Child Support Default Suspension:** Pursuant to determination by Stark County Child Support Enforcement Agency that doctor is in default under a child support order, medical license immediately suspended until such time as Board receives notice from that agency that doctor is no longer determined to be in default. Notice mailed 8/28/07; suspension effective 8/28/07.

**Reinstatement:** Doctor's medical license reinstated effective 9/7/07 pursuant to notice from the Stark County Child Support Enforcement Agency to reinstate/reissue professional license.

**CAMP, Gregory Burnham (MD #35-028433) Wilmington, NC**

**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 admitted diagnosis of alcohol dependence and relapses following treatment by a provider not approved by the Board, doctor's admission of inability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of alcohol and mental or physical illness, and admission of having made false statements on Ohio license renewal applications. Agreement effective 11/15/07.

**CAPURRO, Nico (MD #35-023494) Cincinnati, OH**

**Immediate Suspension:** Pursuant to Section 3719.121(C), O.R.C., medical license immediately suspended based upon doctor having been found guilty in the U.S. District Court, Southern District of Ohio, of one felony count of Structuring Monetary Transactions. Suspension effective 4/9/08. **Board Order:** Immediate suspension lifted. One-year suspension of medical license stayed; doctor's practice permanently limited and restricted to practice as a track physician at a specified race track. Based on doctor's felony conviction for structuring monetary transactions. Order effective 5/14/08.

**CARRAN, Todd S. (MD #35-070896) Crestview Hills, KY**

**Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 5/14/08; agreement to remain in effect for at least five years prior to any request for termination.

# Disciplinary Action Report July 1, 2007 – June 30, 2008

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**CHANG, Li-Ing (MD #35-071105) Travis AFB, CA**

**Consent Agreement:** Probationary terms, conditions, and limitations imposed on doctor's medical license to monitor practice based on doctor's admission of having been or currently being treated for attention deficit hyperactive disorder, involuntional melancholia in full remission, and recurrent major depression; and doctor's admission of requiring continuing therapy and treatment in order to be able to practice according to acceptable and prevailing standards of care. Agreement effective 11/15/07; agreement to remain in effect for at least three years prior to any request for termination.

**COLEMAN, Robert Stanley, Jr. (MD #35-075738) Chardon, OH**

**Court Action:** By Entry filed 1/17/08, the Franklin County Court of Common Pleas remanded the 1/11/06 Order to the Board for reconsideration of the appropriate sanction in light of the 9/25/07 order of the 10<sup>th</sup> District Court of Appeals. **Board Order:** Upon reconsideration of the Board's 1/11/06 Order pursuant to a 1/17/08 remand order from the Franklin County Court of Common Pleas, doctor reprimanded, with medical license suspended for at least 60 days; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least two years following reinstatement established. Order effective 4/16/08; suspension effective 5/17/08.

**CORSER, Bruce C. (MD #35-046569) Cincinnati, OH**

**Consent Agreement:** Medical license suspended for 45 days; interim monitoring conditions and subsequent probationary terms, conditions and limitations established. Based on doctor's admission of having written prescriptions for controlled and non-controlled substances for a member of doctor's family and failing to maintain medical records for the family member during the period of the prescribing, and of making a false statement to a Board investigator. Agreement effective 12/12/07; agreement to remain in effect for at least three years prior to any request for termination.

**DEAN, Wendy Kay (MD #35-068559) Bethesda, OH**

**Consent Agreement:** Medical license suspended for an indefinite period of time; 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 of being impaired in ability to practice medicine according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs. Agreement effective 11/15/07.

**DEHAAS, Edward Douglas (MD #35-029217-EMER) Canton, OH**

**Board Order:** Medical license permanently revoked based on doctor having pled guilty to one felony count of Distribution of a Controlled Substance, related to doctor's distribution of a Schedule III controlled substance outside the scope of professional practice and not for legitimate medical purposes. Order effective 9/12/07.

**DeLOACH, Bianca Shane (Massage Therapy applicant) Columbus, OH**

**Application Withdrawn:** Request for withdrawal of application for massage therapy licensure accepted by Board in lieu of formal disciplinary proceedings. Based upon applicant's admission of impairment of ability to practice massage therapy according to acceptable and prevailing standards of care due to chemical dependency (alcohol dependence and cannabis abuse). Effective 12/12/07.

**DERAKSHAN, Iraj (MD #35-037499) Charleston, WV**

**Court Action:** By Decision filed on 12/11/07, 10<sup>th</sup> District Court of Appeals denied the Board's request for reconsideration of the Court's 10/30/07 decision. By Entry and Order filed 4/14/08, the Franklin County Court of Common Pleas remanded the matter to the Board for consideration of the appropriate sanction in light of the 10/30/07 decision of the 10<sup>th</sup> District Court of Appeals. **Consent Agreement:** Medical license permanently limited and restricted. Based on prior action by West Virginia's medical board in limiting and restricting doctor's medical license in that state and upon doctor's completion of course in controlled substance management and record keeping. Agreement effective 5/14/08

**DIERUF, William James (MD #35-032298) Dayton, OH**

**Voluntary Surrender:** Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of further investigation related to possible violations of the AMA's Principles of Medical Ethics. Effective 12/12/07.

**DORIOTT, Elizabeth Anne (DO #34-006593) Springboro, OH**

**Court Action:** By Judgment on Agreed Entry of Remand filed 7/11/07, the Tenth District Court of Appeals remanded the matter to the Franklin County Court of Common Pleas for further proceedings consistent with the settlement agreement between the doctor and the Board. **Court Action:** By Agreed Entry of Remand filed 7/11/07, the Franklin County Court of Common Pleas remanded the matter to the Board for further proceedings consistent with the settlement agreement between

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the doctor and the Board. **Consent Agreement:** Medical license suspended for an indefinite period of time, conditions for reinstatement established, and subsequent probationary terms, conditions, and limitations established for a period of at least five years after licensure reinstatement or restoration. Based on doctor's admission of refusing to answer Board interrogatories and attend a Board-ordered evaluation to determine whether doctor is an impaired physician in light of the pending criminal matter related to the doctor's alleged illegal use of drugs. Agreement effective 7/11/07; agreement to remain in effect for at least five years following reinstatement or restoration of doctor's medical license prior to any request for termination. **License Restoration:** Doctor's request for restoration of medical license, subject to probationary terms and conditions established by the 7/11/07 consent agreement, approved by vote of the Board on 12/13/07.

### **D'SOUZA, Leo (MD #35-066032) Cincinnati, OH**

**Interim Agreement:** By Interim Agreement effective 9/27/07, doctor agreed to have a chaperone present during the examinations of minors in the examination or consultation room until the allegations in the 8/9/07 notice of opportunity for hearing have been fully resolved. **Board Order:** Medical license permanently revoked. Based on Board's determination that doctor failed to conform to minimal standards of care, violated the AMA Code of Ethics, and engaged in sexual misconduct with respect to care rendered to patients. Order effective 5/19/08. **Court Action:** Notice of Appeal of Board's 5/14/08 Order filed by doctor with the Franklin County Court of Common Pleas on 5/19/08. Motion for stay of Board's 5/14/08 Order pending disposition of appeal filed by doctor with the Franklin County Court of Common Pleas on 5/19/08. **Court Action:** By Entry filed 6/12/08, Franklin County Court of Common Pleas denied doctor's motion for stay of the Board's 5/14/08 Order permanently revoking doctor's medical license.

### **DEW, Gregory Scott (PA #50-002255) Columbiana, OH**

**Automatic Suspension:** Pursuant to Section 4730.25(l), O.R.C., physician assistant license automatically suspended based on physician assistant having been found guilty of four first-degree felony counts of Rape and two fourth-degree felony counts of Gross Sexual Imposition. Suspension effective 4/1/08.

### **DRURY, Timothy William II (MD applicant; MD Training Certificate #57-011050) Cincinnati, OH**

**Board Order:** Application for medical licensure denied, conditions placed upon any future application. Based on legal presumption that applicant is impaired in the ability to practice according to acceptable and 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 effective 4/9/08.

### **DUKE, Nancy Rose (LMT #33-008308) Pahoia, HI**

**Board Order:** Massage therapy license suspended for an indefinite period of time; conditions for reinstatement established, and probationary terms, conditions, and limitations for a period of at least five years upon reinstatement of license established. Based on Board's determination that massage therapist is impaired in the ability to practice according to acceptable and 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 effective 5/14/08.

### **DUMA, Gregory G. (MD #35-068722) Cincinnati, OH**

**Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 9/12/07; agreement to remain in effect for at least five years prior to any request for termination.

### **EATON, Lynne Antoinette (MD #35-060149) Columbus, OH**

**Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 12/12/07; agreement to remain in effect for at least five years prior to any request for termination.

### **EBNER, Gregory Lee (DO #34-003080) Cincinnati, OH**

**Board Order:** Doctor's license permanently revoked. Based on doctor's guilty plea and/or judicial finding of guilt to one felony count of Money Laundering and one felony count of Structuring Money Transactions, and the Board's determination that such guilty pleas and/or judicial findings of guilt constitute selling, giving away, personally furnishing, prescribing, or administering drugs for other than legal and legitimate therapeutic purposes or pleas of guilty to or judicial findings of guilt of a violation of any federal or state law regulating the possession, distribution, or use of any drug. Order effective 11/16/07.

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**EVENHOUSE, Matthew Henry (MD #35-082452) Bay Village, OH**

**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 addiction to Percocet, for which doctor has sought treatment through a Board-approved provider. Agreement effective 4/9/08.

**FISCHKELTA, Joseph William (PA #50-001459) Springfield, OH**

**Board Order:** Physician assistant's license permanently revoked. Based on the physician assistant's impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice and violation of conditions imposed on physician assistant's license by 2/11/04 Board Order by submitting three urine specimens that tested for positive for alcohol and/or the metabolites of alcohol. Order effective 11/16/07.

**FISCO, James Robert (DO #34-004435) Springboro, OH**

**Consent Agreement:** Doctor reprimanded; terms, conditions, and limitations established. Based on doctor's admission of failing to comply with requirements related to utilizing controlled substances in the treatment of one patient. Agreement effective 12/12/07.

**FONN, Sonjay Joseph (DO Training Certificate #58-001982) Dayton, OH**

**Consent Agreement:** Doctor reprimanded and required to successfully complete personal ethics. Based on doctor's admitted false, fraudulent, deceptive, or misleading statement in securing a medical license, failure to provide satisfactory proof of good moral character, and failure to cooperate in an investigation conducted by the Board. Agreement effective 10/10/07.

**FORD, Justin Gregor (MD Training Certificate #57-012537) Kettering, OH**

**Consent Agreement:** Conditions for reinstatement of doctor's summarily suspended training certificate or other license issued by the Board established. Based on doctor's admission of impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice, for which doctor has not completed treatment through a Board-approved treatment provider. Agreement effective 10/10/07.

**FOWLER, Patricia Annette (LMT #33-007707) Corinth, KY**

**Board Order:** Massage therapy license permanently revoked. Based on massage therapist having made a false, fraudulent, deceptive, or misleading statement in relation to the practice of massage therapy and having been found guilty of one count of prostitution, which is a misdemeanor involving moral turpitude. (Review and Journal Entry – no hearing requested) Order effective 5/15/08.

**FRENCH-SOWARDS, Ami Regina (MT applicant) Maumee, OH**

**Board Order:** Application for massage therapy license denied based on applicant having been determined to be impaired in the ability to practice massage therapy according to acceptable and prevailing standards of care because of chemical dependency. (Journal Entry - no hearing requested) Order effective 4/10/08.

**FURICCHIA, James Vincent (MD #35-065087) Toledo, OH**

**Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 8/9/07; agreement to remain in effect for at least five years prior to any request for termination.

**GAINEY, Michael Shane (MD #35-048972) Park Hills, KY**

**Board Order:** Medical license permanently revoked based on prior action by Kentucky's medical board in suspending and imposing other restrictions on doctor's medical license in that state, the underlying basis for the Kentucky action being doctor's voluntary surrender of clinical privileges at a hospital while under investigation for falsification of medical records and narcotics violations and doctor's prescribing controlled substances to multiple patients who were not registered and/or admitted to the emergency room. Order effective 1/4/08.

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**GALLAGHER, Patrick Joseph (MD #35-044970) Shaker Hts., OH**

**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 admission of being diagnosed with alcohol dependence and major depression for which doctor has been determined to be impaired in the ability to practice medicine according to acceptable and prevailing standards of care, and for which doctor has sought treatment through a Board-approved provider, and on doctor's admission of providing false statements to the Board on a licensure renewal application and in written sworn statements. Agreement effective 10/10/07. **Voluntary Surrender:** Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of formal disciplinary proceedings based on doctor's impairment of ability to practice according to acceptable and prevailing standards of care because of alcohol dependency, and on doctor's violation of conditions of limitation placed upon doctor's license by 10/10/07 consent agreement due to doctor's relapse on alcohol. Effective 3/13/08. **Board Order:** Order and Entry issued dismissing the notice of opportunity for hearing issued on 12/12/07 based on 3/12/08 Board Order which permanently revoked doctor's medical license. Effective 4/8/08.

**GANZ, Michael Bruce (MD #35-062000) Cleveland, OH**

**Consent Agreement:** Doctor reprimanded. Based on doctor's admission of violating the AMA Code of Ethics by providing false data on research findings in a federal grant application and being dishonest in a subsequent university inquiry. Agreement effective 10/10/07.

**GAUDETT, Russell Louis (Massage Therapy applicant) Cincinnati, OH**

**Board Order:** Application for massage therapy license denied; conditions placed upon any future application for licensure. Based on applicant's impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. Order effective 1/4/08.

**GEASE, Brian Matthew (LMT applicant) Hilliard, OH**

**Board Order:** Application for massage therapy licensure denied. Based on Board's determination that applicant is impaired in the ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. (Review and Journal Entry – no hearing requested) Order effective 6/12/08.

**GILL, Benjamin Lee (DO #34-001453) Akron, OH**

**Board Order:** Medical license permanently revoked based on doctor's improper prescribing and failure to conform to minimal standards of care in the care rendered to 27 specified patients. Order effective 9/21/07; prior to effective date of Order doctor not to undertake the care of any patient not already under care. **Court Action:** Notice of Appeal of Board's 8/8/07 Order filed by doctor with the Franklin County Court of Common Pleas on or about 9/4/07. **Court Action:** By Decision and Entry filed 9/14/07, the Franklin County Court of Common Pleas denied doctor's motion for stay of the Board's 8/8/07 Order.

**GRAMS, Mark Leon (MD #35-048365) Sonoita, AZ**

**Board Order:** Medical license revoked based on prior action by Arizona's board in reprimanding and restricting doctor's Arizona medical license. Order effective 7/11/07.

**GRAY, Anthony (MD Training Certificate #57-009128) Cleveland, OH**

**Consent Agreement:** Doctor's training certificate permanently revoked, with revocation stayed and doctor's training certificate suspended for at least 18 months, 9/13/06 consent agreement terminated; 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 second relapse on alcohol and cocaine, for which doctor has not sought treatment through a Board-approved provider, and on pleas of guilty to three fourth degree felony counts of Theft, the underlying basis being drug-related charges, for which doctor was found eligible for Intervention in Lieu of Conviction. Agreement effective 10/10/07.

**GREZANIK, Richard David (DO Training Certificate #58-001880) Cuyahoga Falls, OH**

**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, marijuana, and Ambien abuse, for which doctor has sought treatment through a Board-approved provider; admitted impairment in ability to practice according to acceptable and prevailing standards of care due to habitual and excessive use or abuse of alcohol and

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other substances that impair ability to practice; and admitted unauthorized prescribing of a Schedule III controlled substance without maintaining patient records. Agreement effective 9/12/07. **Consent Agreement:** Training certificate reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 6/11/08; agreement to remain in effect for at least five years prior to any request for termination.

### **GREER, Steven Franklin (MD Training Certificate #57-007242) Cleveland, OH**

**Board Order:** Board Order permanently revoking doctor's training certificate as authorized by doctor in lieu of formal disciplinary proceedings based on doctor's impairment of ability to practice according to acceptable and prevailing standards of care because of chemical dependency, and doctor's violation of terms, conditions, and limitations of 6/13/07 Board Order. Effective 4/9/08.

### **GROSS, Robert (DO #34-005966) Sterling Heights, MI**

**Board Order:** Doctor's license temporarily limited and restricted by requiring doctor to receive Board approval prior to commencing practice in Ohio, conditions for Board approval to commence practice in Ohio established, and subsequent probationary terms, conditions, and limitations established for a period of at least three years should doctor commence practice in Ohio. Based on prior action by Colorado's board in permanently placing doctor's license in that state on inactive status. Order effective 8/22/07. **Court Action:** Notice of Appeal of Board's 7/11/07 Order filed by doctor with the Franklin County Court of Common Pleas on or about 8/29/07. **Court Action:** By Entry filed 9/21/07, the Franklin County Court of Common Pleas provisionally granted doctor's motion to stay Board's 7/11/07 Order on the condition that doctor shall not practice medicine in Ohio during the pendency of the appeal. **Court Action:** By Decision and Entry filed on 4/29/08, the Franklin County Court of Common Pleas affirmed Board's 7/11/07 Order, which had placed temporary restrictions and limitations of doctor's medical license. **Court Action:** Notice of Appeal to the 10<sup>th</sup> District Court of Appeals of the 4/29/08 Decision and Entry of the Franklin County Court of Common Pleas, which affirmed the Board's 7/11/07 Order, filed by doctor on 5/23/08.

### **GRUBB, Alisa Amanda (AA #67-000099) Marietta, GA**

**Consent Agreement:** Probationary terms, conditions, and limitations imposed to monitor practice, including requirements applicable if anesthesiologist assistant resides or wishes to practice in Ohio. Based on anesthesiologist assistant having been diagnosed with chemical dependency, for which monitoring is being conducted by the Georgia medical board, where anesthesiologist assistant is licensed as a physician assistant, and on prior disciplinary action against the physician assistant license by Georgia's board. Agreement effective 3/13/08; agreement to remain in effect for at least three years prior to any request for termination.

### **GUSTILO-ASHBY, Arlan Marcus (MD #35-084685) Cleveland, OH**

**Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitation imposed to monitor practice based on doctor having been found capable of practice according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 8/9/07; agreement to remain in effect for at least three years prior to any request for termination.

### **HARLAN, William Clark (DO #34-004345) Dayton, OH**

**Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 1/10/08; agreement to remain in effect for at least five years prior to any request for termination.

### **HAREWOOD, Sandra Kay (MD #35-090989) (Previous license - MD #35-045538) Kettering, OH**

**Consent Agreement:** Medical license granted subject to probationary terms, conditions, and limitations imposed to monitor practice. Based on doctor, subsequent to the Board's 10/13/04 Order revoking doctor's original license, having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 1/9/08; agreement to remain in effect for at least five years prior to any request for termination.

### **HARRIS, Erin Sarah (DO #34-007191) Marysville, OH**

**Voluntary Surrender:** Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of formal disciplinary proceedings based on, and as an essential part of, a negotiated plea agreement related to criminal charges pending against doctor in the Common Pleas Court of Union County, OH, related to acts constituting drug felonies. Effective 10/10/07.

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## **HOLLIFIELD, William Wayne (MD applicant) Winston-Salem, NC**

**Consent Agreement:** Application for medical licensure approved, with reprimand issued. Based on doctor's admitted history of diagnosed alcohol abuse and recurrent major depression; admitted denial of licensure by Georgia's medical board based on doctor's providing false information on licensure application; admitted diagnosis of chemical dependency, for which doctor has sought treatment through a Board-approved treatment provider; admitted diagnosis of Bipolar Disorder, for which doctor has sought treatment; and doctor having been deemed capable of practicing medicine according to acceptable and prevailing standards of care so long as certain treatment and monitoring requirements are in place. Agreement effective 9/12/07; agreement to remain in effect for at least five years prior to any request for termination.

## **HOPPE, William L. (MD #35-028452) Canton, OH**

**Consent Agreement:** Permanent revocation of medical license stayed, with license suspended for at least three years; 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 relapse on alcohol, for which doctor has sought treatment through a Board-approved provider, and failure to comply with conditions of limitations imposed by the 9/13/06 consent agreement. Agreement, which supersedes the 9/13/06 consent agreement, effective 7/11/07.

## **HUMPHREY, Dale Anthony, Jr. (Massage Therapy applicant) Dayton, OH**

**Board Order:** Application for massage therapy license denied based on applicant's having been convicted on one felony count of Conspiracy to Commit Wire Fraud. Order effective 9/7/07.

## **HUMPHREY, Stephen Henry (DPM #36-002754) Bryan, OH**

**Board Order:** Podiatry license permanently revoked based on doctor having been found guilty of felony counts of Grand Theft, Vandalism, Theft and Receiving Stolen Property and on inability to practice according to acceptable and prevailing standards of care by reason of mental illness. Order effective 9/14/07.

## **HUBLEY, Robert Leighton (DO #34-009204) South Euclid, OH**

**Consent Agreement:** Medical license granted, upon receipt of all necessary and appropriate documentation, subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 1/9/08; agreement to remain in effect for at least five years prior to any request for termination.

## **JAKYMENKO, George (MD #35-050108) Canton, OH**

**Board Order:** Medical license suspended for at least 30 days, conditions for reinstatement or restoration established, and probationary terms, conditions, and limitations for a period of at least two years subsequent to reinstatement or restoration established. Based on Board's determination that doctor failed to cooperate in an investigation conducted by the Board. Order effective 7/3/08.

## **JOHNSON, Cynthia Joan (PA #50-001350) Cleveland, OH**

**Board Order:** Revocation of physician assistant license stayed subject to suspension for at least 30 days; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations established for at least one year. Order supersedes the 1/8/03 consent agreement. Based on physician assistant's impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of alcohol and violation of conditions placed on the physician assistant's license by the 1/8/03 consent agreement. Order effective 1/4/08. **Court Action:** Notice of Appeal of Board's 12/12/07 Order, which stayed revocation of physician assistant's license subject to suspension, filed by physician assistant with the Franklin County Court of Common Pleas on 1/18/08. By Order filed 1/25/08, Franklin County Court of Common Pleas granted motion for stay of Board's 12/12/07 Order, subject to conditions for the Board's monitoring of physician assistant's abstention from alcohol and drugs. By Decision filed 6/13/08 and Entry filed on or about 6/26/08, the Franklin County Court of Common Pleas reversed the Board's 12/12/07 Order.

## **JOHNSON, James Cameron (DO #34-007672) Grove City, OH**

**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 diagnosis of chemical dependency (alcohol), for which doctor has sought treatment through a Board-approved provider; and on doctor's admitted inappropriate relationship with a patient. Agreement effective 12/12/07.

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**KANNAPIRAN, Kandhasamy (MD #35-048702) Mansfield, OH**

**Board Order:** Medical license permanently revoked. Based on doctor's failure to conform to minimal standards of care and violation of Principle II of the AMA's Principles of Medical Ethics with respect to the treatment of one specified patient, and doctor's making false, fraudulent, deceptive, or misleading statements in relation to the practice of medicine and surgery and commission of acts constituting the felony of forgery and with respect to the treatment of three specified patients. Order effective 1/13/08, with doctor not to undertake care of any patient not already under care between the 12/14/07 mailing date and the Order's effective date.

**KAY, William Norris (MD #35-086206) Ilwaco, WA**

**Board Order:** Medical license revoked based on prior action by the Oregon medical board in revoking doctor's license in that state, the underlying basis being doctor's failure to report the termination of employment at a specified hospital, doctor's disruptive behavior at the specified hospital, and doctor's failure to comply with the Oregon medical board's order to submit to a psychiatric evaluation. Order effective 3/12/08. (Journal Entry – no hearing requested)

**KELLEY, Shannon Ruth (LMT #33-012959) Cincinnati, OH**

**Consent Agreement:** Application for restoration of massage therapy license granted upon receipt of all necessary and appropriate documentation, with massage therapist reprimanded, and probationary terms, conditions, and limitations established. Based on massage therapist's admission of having practiced during a more than two year period while massage therapy license was expired. Agreement effective 2/13/08; agreement to remain in effect for at least two years prior to any request for termination.

**KHALED, Mounir Khaled (MD training certificate #57-009158) Toledo, OH**

**Board Order:** Application for training certificate for the period 7/1/04 through 6/30/07 granted, provided doctor meets all statutory and regulatory requirements; conditions imposed on any future certificate granted by the Board to include suspension of such certificate for at least 90 days, with reinstatement or restoration conditions and probationary terms, conditions, and limitations for a period of at least one year established. Based on the doctor (1) having made a false, fraudulent, deceptive, or misleading statement in securing or attempting to secure a training certificate; (2) having been found guilty of one misdemeanor count of attempted practicing medicine without a license; (3) having knowingly made a false statement in a Board deposition with purpose to secure a training certificate; and (4) failing to cooperate in an investigation conducted by the Board. Order effective 10/12/07.

**KHAN, Ali (MD #35-082837) Perrysburg, OH**

**Board Order:** Permanent revocation of medical license stayed subject to suspension for 30 days; subsequent probationary terms, conditions, and limitations established for at least two years. Based on doctor's having pled guilty to one misdemeanor count of Theft. Order effective 2/4/08, with doctor not to undertake care of any patient not already under care between the 1/4/08 mailing date and the Order's effective date. **Court Action:** Notice of Appeal of Board's 12/12/07 Order, which suspended doctor's medical license and established probationary terms, filed by doctor with the Franklin County Court of Common Pleas on or about 1/16/08.

**KIM, Choong Hong (MD #35-038512) Ashtabula, OH**

**Board Order:** Medical license permanently revoked based on Board's determination that doctor's sexual contact with a patient constituted gross sexual imposition, a felony, and that doctor made false, fraudulent, deceptive, or misleading statements on medical license renewal application. Order effective 3/14/08.

**KISER, Donald R. (DO #34-006053) Marietta, OH**

**Voluntary Surrender:** Board Order issued 8/8/07 permanently revoking doctor's medical license as authorized by doctor in document by which doctor surrendered the medical license in lieu of formal disciplinary proceedings by the Board, pursuant to a plea agreement related to criminal charges pending against doctor in the U.S. District Court for the Southern District of West Virginia, and on doctor's admission of having made a false statement on application for licensure in West Virginia and of denial of licensure by West Virginia's board. Surrender effective 8/9/07.

**KNOX, Robert Alan (DPM #36-002382) Columbiana, OH**

**Interim Agreement:** By Interim Agreement effective 9/25/07, doctor agreed not to practice medicine and surgery in Ohio in any form or manner until the allegations in the 3/14/07 notice of opportunity for hearing have been fully resolved. **Board Order:** Permanent revocation of medical license stayed subject to suspension for at least six months; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least two years established. Based on doctor's having been found guilty of one felony count of distributing a Schedule III drug for other than legal and legitimate

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therapeutic purposes, and on the prior disciplinary actions by West Virginia and Virginia medical boards and exclusion from Medicare, Medicaid, and all federal health care programs based upon the felony conviction. Order effective 3/26/08.

### **KOCZAN, Katherine Anna (DO applicant) Warrensville Hts., OH**

**Consent Agreement:** Application for medical licensure approved, upon receipt of all necessary and appropriate documentation, and subject to probationary terms, conditions, and limitations. Based on doctor's admission of making a false, fraudulent, deceptive, or misleading statement in securing or attempting to secure a medical license by failing to notify the Board that answers to questions on the licensure application should be changed to reflect doctor being put on probation by residency program subsequent to the submission of the licensure application. Agreement effective 9/12/07; agreement to remain in effect for at least five years prior to any request for termination.

### **KOTNIK, Tracy Ann (MD #35-062187) Massillon, OH**

**Consent Agreement:** Medical license suspended for 30 days, interim monitoring conditions and probationary terms, conditions, and limitations to monitor practice established. Based on doctor's admission of having violated the AMA code of ethics and failing to conform to minimal standards of care due to inappropriate behavior with a patient. Agreement effective 2/13/08; agreement to remain in effect for at least one year prior to any request for termination. Suspension effective 2/14/08 to 3/14/08.

### **LANCE, Darold R., Jr. (DO #34-004630) Jackson, OH**

**Consent Agreement:** Medical license revoked, with revocation stayed and 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; and suspension of medical license pursuant to 9/13/06 Consent Agreement terminated. Based on doctor's admission to having violated condition of limitation placed on medical license by 9/13/06 Consent Agreement. Agreement effective 8/9/07.

### **LEAK, Byron Christopher (MD #35-085467) University Heights, OH**

**Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 8/9/07; agreement to remain in effect for at least five years prior to any request for termination.

### **LeDUC, Marc Andre (MD #35-063786) Port Clinton, OH**

**Board Order:** Medical license permanently revoked based on doctor having been found guilty in the Court of Common Pleas, Ottawa County, Ohio, of one second-degree felony count of Pandering Obscenity Involving a Minor, one third-degree felony count of Attempted Pandering Obscenity Involving a Minor, and one fourth-degree felony count of Pandering Obscenity Involving a Minor. Order effective 2/14/08.

### **LEE, Chee Yan (MD #35-076903) Palm Bay, FL**

**Consent Agreement:** Doctor reprimanded; probationary terms, conditions, and limitations imposed for at least two years. Based on doctor's admission of prior action by Florida's medical board, the underlying basis for the Florida action being doctor's having pre-signed prescription forms, one of which was used by a person in an attempt to obtain a prescription drug. Agreement effective 12/12/07; agreement to remain in effect for at least two years prior to any request for termination.

### **LENOX, Bobby Curtis, Jr. (DO #34-005466) Versailles, OH**

**Consent Agreement:** Medical license suspended for 60 days, interim monitoring terms and probationary terms, conditions, and limitations imposed to monitor practice upon reinstatement. Based on doctor's admission of having been diagnosed with adjustment disorder with anxiety and depression, for which doctor has been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place, and on doctor's admission of having violated the minimal standard of care in respect to completing medical dictations and reviewing patient laboratory reports. Agreement effective 1/9/08; agreement to remain in effect for at least five years prior to any request for termination.

### **LEVE, Brian Edward (MD #35-082937) Lancaster, OH**

**Consent Agreement:** Medical license suspended for an indefinite period of time; 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 of being impaired in the ability to practice according to acceptable and prevailing standards of care due to habitual use or abuse of alcohol, for which doctor has sought treatment through a Board-approved provider. Agreement effective 5/14/08.

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**LIEDERBACH, Christopher Thomas (MD #35-072213) Barberton, OH**

**Consent Agreement:** Medical license suspended for an indefinite period of time; 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 of being unable to practice according to acceptable and prevailing standards of care because of a heart condition. Agreement effective 2/13/08.

**LISCH, Nancy Jayne (MD #35-061020) Broadview Hts., OH**

**Consent Agreement:** Medical license suspended for an indefinite period of time; 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 of having been diagnosed with alcohol dependence and of being impaired in the ability to practice according to acceptable and prevailing standards of care due to habitual use or abuse of alcohol. Agreement effective 5/14/08.

**LONTOC, Manolito Manabo (MD #35-038534) South Point, OH**

**Board Order:** Medical license permanently revoked based on doctor's failure to maintain records of controlled substances ordered, received, administered, or dispensed, failure to cooperate in a Board investigation, and making a false, fraudulent, deceptive, or misleading statement in relation to the practice of medicine and surgery and/or in securing or attempting to secure a medical license. Order effective 10/11/07.

**LOURWOOD, Kevin Michael (LMT #33-013984) Collinsville, IL**

**Board Order:** Massage therapy license suspended for an indefinite period of time; conditions for reinstatement established; and probationary terms, conditions and limitations to monitor practice for at least five years following reinstatement established. (Journal Entry – no hearing requested) Order effective 4/9/08.

**McALLISTER, Mark Stephen (MD #35-072741) Roanoke, VA**

**Summary Suspension:** Pursuant to Section 4731.22(G), O.R.C., medical license summarily suspended based on the Board's determination that there is clear and convincing evidence that doctor's ability to practice is impaired due to use and/or abuse of drugs, alcohol, or other substances that impair ability to practice; that doctor violated terms of condition placed on doctor's medical license by the 11/9/05 consent agreement; and that doctor committed an act that constitutes a felony; and further that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 2/12/08.

**McCARREN, Stephen Thomas (MD #35-064277) Canton, OH**

**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 (alcohol) and relapses, which doctor did not report to the Board, and for which doctor entered treatment in May 2008 at a Board-approved provider. Agreement effective 6/11/08.

**McFARLAND, Coleen Ann (Massage Therapy applicant) Lorain, OH**

**Board Order:** Massage therapy license granted, provided all statutory and regulatory requirements are met; allegations in the 6/14/07 Notice of Opportunity for hearing dismissed. Order effective 1/11/08.

**MAI, David Chi (DPM Training Certificate #59-000197) Lorain, OH**

**Board Order:** Doctor's application for examination permanently denied and doctor's podiatric training certificate permanently revoked based on doctor having been found guilty of a felony count of Theft of Currency and failure to establish proof of good moral character. Order effective 9/20/07.

**MASSIE, David Walter (MD #35-049431) Mansfield, OH**

**Consent Agreement:** Medical license suspended 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 admission of being dependent on Oxycontin and of being impaired in ability to practice medicine according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of alcohol or drugs. Agreement effective 11/15/07.

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### **MATTHEWS, Mark Alan (MD #35-060104) Akron, OH**

**Board Order:** Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of further investigation into allegations that doctor committed an act that constitutes a felony and/or has an inability to practice according to acceptable and prevalent standards of care by reasons of mental and/or physical illness. Effective 2/13/08.

### **MATYAS, Florence Beth (MD #35-070026) Perrysburg, OH**

**Consent Agreement:** Medical license subject to probationary terms, conditions, and limitations imposed based on doctor, pursuant to a Board-ordered evaluation, having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment conditions are in place to address doctor's multiple mental health diagnoses. Agreement effective 7/11/07; agreement to remain in effect for at least five years prior to any request for termination.

### **MAYCON, Zev R. (MD #35-072264) Canton, OH**

**Consent Agreement:** Medical license suspended 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 admission of being impaired in the ability to practice according to acceptable and prevailing standards of care due to habitual use or abuse of drugs, obtaining drugs for self-use by writing prescriptions in the name of others and in the name of another physician, and having an inappropriate relationship with a patient. Agreement effective 5/14/08.

### **MEDOFF, Herbert Irwin (MD #35-023587) Bedford Hts., OH**

**Voluntary Surrender:** Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of formal disciplinary proceedings based on doctor's having been found guilty of felony counts of Trafficking and Corrupting another with drugs. Effective 4/9/08.

### **MEYER, Jeffrey Vaughn (MD #35-088466) Columbus, OH**

**Voluntary Surrender:** Doctor's surrender of medical license accepted by Board vote on 10/10/07 in lieu of formal disciplinary proceedings; terms and conditions for eligibility for any future license from the Board established. Based on doctor's admitted failure to comply with the terms and conditions of the Board's 3/14/07 Order by failing to submit required documentation. Effective 10/10/07.

### **MILLER, Roger Alan (MD #35-057893) Columbus, OH**

**Consent Agreement:** Doctor reprimanded; medical license suspended for 30 days; interim monitoring conditions and probationary terms, conditions, and limitations established. Based on doctor's admission of having been found guilty of public indecency, a fourth degree misdemeanor; and on doctor, after assessment at the Center for Marital and Sexual Health, having been deemed capable of practicing according to acceptable and prevailing standards of care without restriction or supervision. Agreement effective 12/12/07; agreement to remain in effect for at least three years prior to any request for termination.

### **MITCHELL, David Frederick (MD #35-043726) Dayton, OH**

**Voluntary Surrender:** Doctor's permanent surrender of medical license accepted by Board in lieu of further investigation on allegations that doctor is impaired of ability to practice according to acceptable and prevailing standards of care because of chemical dependency. Effective 4/9/08.

### **MOORE, Robert Martin (LMT #33-005588) Alliance, OH**

**Board Order:** Impairment examination originally scheduled for 7/30/07 ordered to be rescheduled. Based on Board's determination that massage therapist made a good-faith effort to cooperate with the examination order and had attempted in a reasonable manner to communicate concerning rescheduling the examination date. Order effective 12/14/07. **Board Order:** Massage therapy license suspended for an indefinite period of time; conditions for reinstatement established, and probationary terms, conditions, and limitations for a period of at least five years upon reinstatement of license established. Based on Board's determination that massage therapist is impaired in the ability to practice according to acceptable and 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 effective 5/14/08.

### **MORGAN, Breton Lee (MD #35-066241) Point Pleasant, WV**

**Consent Agreement:** Medical license suspended for an indefinite period of time, with application for reinstatement or renewal of license not to be made prior to 270 days from the effective date of the agreement; 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 obtaining hydrocodone for personal use by writing prescriptions in the names of others and from office samples, and of

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diagnosis of opioid dependence, for which doctor sought treatment through a Board-approved provider; doctor's admission of having pled guilty in U.S. District Court, Southern District of West Virginia, to one felony count of Obtaining a Schedule III Controlled Substance by Fraud; and doctor's admission of prior actions by West Virginia's medical board, including the revocation of doctor's West Virginia medical license based upon doctor's plea of guilty to a felony involving administering and dispensing a controlled substance for other than generally accepted therapeutic purposes. Agreement effective 12/12/07.

### **NAQVI, Imran Raza (MD training certificate #57-012522) Cincinnati, OH**

**Consent Agreement:** Revocation of training certificate stayed, subject to suspension 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 of inability to practice according to acceptable and prevailing standards of care due to chemical dependency, with cocaine being doctor's drug of choice, for which doctor is seeking treatment at a Board-approved treatment provider; and on doctor's admitted history of substance abuse. Agreement effective 2/13/08. **Consent Agreement:** Training certificate reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 5/14/08; agreement applicable to all subsequent certificates granted until doctor completes at least five years of probation.

### **NARAMORE, Lloyd Stanley (DO #34-002518) Cincinnati, OH**

**Consent Agreement:** Probationary terms, conditions, and limitations established to monitor practice. Based on doctor's admission of having been diagnosed with Bipolar Disorder and Post Traumatic Stress Disorder and on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 6/11/08; agreement to remain in effect for at least two years prior to any request for termination.

### **NOWICKI, Philip Theodore (MD #35-048915) Pickerington, OH**

**Voluntary Surrender:** Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of formal disciplinary proceedings based on doctor's alleged commission of an act that constitutes a felony in Ohio. Effective 9/12/07.

### **NUCKLOS, William W. (MD #35-058738) Columbus, OH**

**Summary 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 of doctor's failure to conform to minimal standards of care with respect to the treatment of 28 specified patients, and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 10/10/07. **Court Action:** Notice of Appeal of Board's 10/10/07 Order of Summary Suspension filed by doctor with the Franklin County Court of Common Pleas on 10/25/07. By Decision and Entry

filed on 5/16/08, the Franklin County Court of Common Pleas sustained the Board's motion to dismiss doctor's appeal of Board's 10/10/07 Order, which had summarily suspended doctor's medical license. **Court Action:** Notice of Appeal to the 10<sup>th</sup> District Court of Appeals of the 5/16/08 Decision and Entry of the Franklin County Court of Common Pleas, which dismissed doctor's appeal of the Board's 10/10/07 Order summarily suspending doctor's medical license, filed on 6/16/08.

### **OGNEN, Leo Mihajlo (MD #35-068984) Toledo, OH**

**Board Order:** Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of formal disciplinary proceedings based upon, and as an essential part of, a negotiated plea arrangement related to criminal charges involving Distribution of Controlled Substances pending against doctor in U.S. District Court for the Northern District of Ohio. Effective 2/13/08.

### **OLSEN, Margaret Mary (MD #35-047637) Sylvania, OH**

**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 having been determined to be unable to practice according to acceptable and prevailing standards of care due to mental and/or physical condition. Agreement effective 3/13/08.

### **OTIS, James John (MD #35-011441) Celina, OH**

**Voluntary Surrender:** Order permanently revoking doctor's medical license entered on 11/14/07 as authorized by doctor in lieu of formal disciplinary proceedings based on allegations that doctor violated regulations and minimal standards in utilizing controlled substances. Surrender effective 11/15/07.

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### **PAGEDAR, Ujwala (MD training certificate #57-009224) Dayton, OH**

**Board Order:** Medical license granted, then permanently revoked, with permanent revocation of medical license stayed subject to suspension for at least six months; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least two years established. Based on Board's determination that doctor made false, fraudulent, deceptive, or misleading statements in securing an Ohio medical license. Order effective 3/4/08.

### **PERLER-TOMBOLY, Samuel Elmer (MD #35-081110) Cincinnati, OH**

**Consent Agreement:** Medical license suspended for an indefinite period of time; interim monitoring conditions and conditions for reinstatement of license established, including that all pending criminal charges against doctor and the Board's investigation concerning the doctor be fully, finally, and completely resolved, and that doctor has been found to be capable of practicing according to acceptable and prevailing standards of care pursuant to a comprehensive psychiatric and sexual assessment by a Board-approved physician evaluator. Consent agreement entered in lieu of formal proceedings based upon doctor's admission that indictments have been returned against doctor in Hamilton County, Ohio, for two counts of Gross Sexual Imposition, felonies of the fourth degree; one count of Rape, a felony of the first degree; and one count of Sexual Battery, a felony of the third degree. Board reserves right to pursue separate action against doctor for any and all violations of the Medical Practices Act. Agreement effective 11/15/07. **Board Order:** Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of formal disciplinary proceedings. Based upon, and as an essential part of, a negotiated plea arrangement related to criminal charges pending against doctor in the Common Pleas Court, Hamilton County, Ohio, the underlying basis being doctor's sexual conduct involving two patients. Effective 2/13/08.

### **PETRAS, David G. (LMT #33-007840) Steubenville, OH**

**Board Order:** Massage therapy license revoked based on massage therapist having been determined to be impaired in the ability to practice according to acceptable and prevailing standards of care because of chemical dependency. (Journal Entry – no hearing requested) Order effective 4/10/08.

### **PHEN, Lovsho (MD #35-055007) Portola, CA**

**Reinstatement:** Doctor's request for reinstatement approved by vote of the Board on 5/15/08, subject to probationary terms and conditions established by 4/14/07 Board Order. Reinstatement effective 5/15/08.

### **PLATT, William James (DO #34-004801) Athens, OH**

**Consent Agreement:** Permanent revocation of medical license stayed, subject to suspension 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 as a result of a Board-ordered evaluation doctor was determined to have returned to the use of mood altering drugs, specifically marijuana, and determined to currently not be able to practice medicine according to acceptable and prevailing standards of care. Agreement effective 2/13/08. **Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 5/14/08; agreement to remain in effect for at least five years prior to any request for termination.

### **PRASAD, KOLLI MOHAN (MD #35-041939) Boardman, OH**

**Board Order:** Doctor reprimanded, based on doctor's violation of the terms of the 2/11/98 Board Order, which were incorporated into the 11/08/06 Board Order. Doctor released from the terms of the 11/08/06 Board Order. Order effective 2/1/08.

### **QUIGLEY, Jack B. (MD #35-051017) Flagstaff, AZ**

**Consent Agreement:** Doctor reprimanded, probationary terms, conditions, and limitations established for at least three years. Based on doctor's admission that doctor's Arizona medical license had been limited and restricted, the underlying basis being doctor's practice below the standard of care with respect to treatment provided to one patient. Agreement effective 10/10/07; agreement to remain in effect for at least three years prior to any request for termination.

### **RABB, Willie Calvin, Jr. (DPM #36-003351) East Cleveland, OH**

**Board Order:** Podiatric medical license permanently revoked. Based on prior action by Maryland's podiatric medical board in permanently revoking doctor's license in that state, the underlying basis for the Maryland action being doctor's providing false answers on a license renewal application, abandoning patients, allowing an unlicensed person to assist with surgeries, falsifying insurance applications, arriving at the podiatric office smelling of alcohol and/or marijuana, and failing to comply with accepted standards for patient care and record-keeping. Order effective 12/14/07.

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**RAFIE, Ramin (MD Training Certificate #57-009735) Columbus, OH**

**Board Order:** Application for medical license permanently denied. Based on applicant's fraud, misrepresentation, or deception in applying for a medical license, making a false, fraudulent, deceptive or misleading statement in securing or attempting to secure a medical license, failure to furnish satisfactory proof of good moral character, and failure to successfully complete an examination sequence acceptable to the Board. Order effective 10/12/07.

**RAJAGOPAL, Subramanyam (MD applicant) Lincoln, NE**

**Board Order:** Request for permanent withdrawal of application for medical licensure accepted by Board in lieu of further investigation of applicant's possible impairment of ability to practice medicine according to acceptable and prevailing standards of care and possible prior action by another state's board. Effective 3/13/08.

**RATCLIFF, Mary Ellen (Massage Therapy applicant) McArthur, OH**

**Board Order:** Application for massage therapy license denied; conditions placed upon any future application for licensure. Based on massage therapist's impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. Order effective 1/4/08.

**RATZ, John Louis (MD #35-039995) – Albany, GA**

**Consent Agreement:** Doctor's practice subject to probationary terms, conditions, and limitations imposed to monitor practice. Based on doctor's admission of prior action by Florida's medical board, the underlying basis being doctor's failure to provide full and accurate mental health status information on the Florida licensure application, and on doctor's admission that on-going mental health services are required to comply with doctor's advocacy contract with the Florida Professional's Resource Network. Agreement effective 2/13/08; agreement to remain in effect for at least two years prior to any request for termination.

**REIKOWSKI, Paul Daniel Jr. (LMT #33-012157) Brecksville, OH**

**Consent Agreement:** Massage therapy 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 massage therapist's impairment of ability to practice according to acceptable and prevailing standards of care due to use or abuse of drugs, alcohol, or other substances that impair ability to practice and making a false, fraudulent, deceptive, or misleading statement in securing or attempting to secure a massage therapy license. Agreement effective 5/14/08.

**REINHOLD, Robert Vancourt (MD #35-044601) Troy, OH**

**Consent Agreement:** Medical license suspended for an indefinite period of time; interim monitoring conditions and conditions for reinstatement of license established, including that all pending criminal charges against doctor, including all appeals, and the Board's investigation concerning the doctor be fully, finally, and completely resolved, and that doctor has been found to be capable of practicing according to acceptable and prevailing standards of care pursuant to a comprehensive psychiatric and sexual assessment by a Board-approved physician evaluator. Consent agreement entered in lieu of formal proceedings based upon doctor's admission that charges of Possession of Child Pornography are pending against doctor in the U.S. District Court, Southern District of Ohio. The Board reserves the right to pursue separate action against doctor for any and all violations of the Medical Practices Act. Agreement effective 11/15/07.

**RHODEBACK, Mark A. (LMT #33-013112) – Marysville, OH**

**Consent Agreement:** Massage therapy license suspended for at least 30 days; interim monitoring conditions and conditions for reinstatement established, including requirement that massage therapist enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on massage therapist's admitted history of alcohol and cocaine use and 2006 convictions for Drug Paraphernalia and Possession, Manufacture, and Delivery of Drug Paraphernalia, and admission of having been diagnosed with chemical dependency, for which massage therapist has sought treatment through a Board-approved provider. Agreement effective 6/11/08.

**RIDGEWAY, Joseph Aloysius, IV (MD #35-062021) Columbus, OH**

**Court Action:** By Entry filed 3/25/08, 10<sup>th</sup> District Court of Appeals affirmed the 4/27/07 judgment of the Franklin County Court of Common Pleas, which had affirmed the Board's 2/8/06 Order. **Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 11/15/07; agreement to remain in effect for at least five years prior to any request for termination.

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**RISE, Leroy P. (MD #35-088474) Baltimore, OH**

**Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 7/11/07; agreement to remain in effect for at least five years prior to any request for termination.

**ROLFE, Stephen J. (MD #35-051023) Columbus, OH**

**Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 10/10/07; agreement to remain in effect for at least five years prior to any request for termination.

**SASSOON, Eddie Elie (MD applicant) Plantation, FL**

**Application Withdrawal:** Request for permanent withdrawal of application for medical licensure accepted by Board in lieu of formal disciplinary proceedings in lieu of further investigation into applicant's possible practice of medicine without a license. Effective 10/10/07.

**SCHEMNAUER, Stephen August (PA applicant) Marietta, OH**

**Board Order:** Request for withdrawal of application for physician assistant licensure accepted by Board in lieu of formal disciplinary proceedings based on applicant's admission of impairment of ability to practice as a physician assistant according to acceptable and prevailing standards of care due to habitual use or abuse of alcohol. Conditions established for any future application. Withdrawal effective 3/12/08.

**SCHLOTTERER, William L. (DO #34-003224) Sandusky, OH**

**Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 9/12/07; agreement to remain in effect for at least five years prior to any request for termination.

**SCHWARTZ, Bradley Allen (MT applicant) Mansfield, OH**

**Board Order:** Request for withdrawal of application for massage therapy licensure accepted by Board in lieu of formal disciplinary proceedings based on allegations that applicant is impaired of ability to practice according to acceptable and prevailing standards of care because of chemical dependency. Effective 4/9/08.

**SCHWARTZ, Steven Edward (PA #50-000297) Cambridge, OH**

**Summary Suspension:** Pursuant to Section 4730.25(G), O.R.C., physician assistant license summarily suspended based on the Board's determination that there is clear and convincing evidence that physician assistant is impaired in ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice and that the physician assistant's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 4/9/08.

**SEDA, Norbert Jose (MD applicant, MD Training Certificate #57-009599) Canton, OH**

**Application Withdrawal:** Request for withdrawal of application for medical licensure accepted by Board in lieu of further investigation related to acts that possibly constitute a felony and in lieu of providing the Board with information related to alleged conduct underlying criminal charges pending against the applicant in U.S. District Court for the District of Puerto Rico. Effective 12/12/07.

**SEMCHYSHYN, Stefan (MD #35-041473) Kingsport, TN**

**Board Order:** Medical license permanently revoked. Based on prior actions by medical boards in other states and on Board's determination that doctor provided false, fraudulent, deceptive, or misleading statements on Ohio license applications. Order effective 3/4/08.

**SHAW, John Wesley (MD #35-068596) Defiance, OH**

**Consent Agreement:** Medical license permanently revoked, with permanent revocation stayed and doctor's 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; 6/14/06 consent agreement terminated. Based on doctor's admitted relapse on Ultram, admitted violation of conditions of limitation imposed by the 6/14/06 consent agreement, and admitted false statement to the

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Board in a required report. Agreement effective 9/12/07. **Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 4/9/08; agreement to remain in effect for at least five years prior to any request for termination.

### **SHONKWILER, Walter Stephen (DPM #36-002282) Westerville, OH**

**Board Order:** Podiatry license permanently revoked based on doctor's false, fraudulent, deceptive, or misleading statement in relation to the practice of podiatric medicine; false, fraudulent, deceptive, or misleading statement in securing or attempting to secure a podiatry license; guilty plea to a misdemeanor involving moral turpitude; and guilty plea to a felony. Order effective 9/14/07.

### **SIEVERS, Richard Joseph, II (DO #34-003430) Dayton, OH**

**Consent Agreement:** Medical license suspended for an indefinite period of time; interim monitoring conditions and conditions for reinstatement established, including requirement that all pending criminal matters and the Board's investigation of doctor be completely resolved. Based on doctor's admission of anticipated criminal charges in relation to doctor's medical practices. Agreement effective 2/13/08.

### **SILK, Jon Berkeley, Jr. (MD Training Certificate #57-013225) Cincinnati, OH**

**Consent Agreement:** Medical license suspended for at least 90 days, during which suspension doctor shall be ineligible to hold any other license issued by the Board; 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 of having been diagnosed with chemical dependency, with alcohol being doctor's drug of choice, for which doctor has sought treatment through a Board-approved provider, and on doctor's history of depression. Agreement effective 5/14/08.

### **SIMONE, Joseph Cooper (DO #34-002296) Columbus, OH**

**Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 3/13/08; agreement to remain in effect for at least five years prior to any request for termination.

### **SINGH, Asim Ranjan (MD #35-067986) Erie, PA**

**Board Order:** Doctor's permanent surrender of medical license accepted by Board in lieu of formal disciplinary proceedings based on doctor's impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice, and on doctor's voluntary surrender of DEA registration. Effective 5/14/08.

### **SMITH E INCAS, Jaime C. (MD #35-019855) Columbus, OH**

**Voluntary Surrender:** Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of further investigation related to doctor's alleged failure to conform to minimal standards of care and alleged inability to practice according to minimal standards of care by reasons of mental or physical illness. Effective 9/12/07.

### **SNOW, Blythe Harriet (DO applicant) Attica, MI**

**Board Order:** Application for medical licensure denied, conditions placed upon any future application. Based on legal presumption that applicant is impaired in the ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. Order effective 3/12/08. (Journal Entry – no hearing requested)

### **SORGER, James (MD applicant) Maineville, OH**

**Board Order:** Request for permanent withdrawal of application for medical licensure accepted by Board in lieu of formal disciplinary proceedings related to applicant's failure to disclose on Ohio licensure application prior disciplinary action by New Jersey's medical board. Effective 5/14/08.

### **SUMMERS, Robert Rowan (DO #34-006606) Defiance, OH**

**Summary 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 (1) doctor's ability to practice is impaired due to use and/or abuse of drugs, alcohol, or other substances that impair ability to practice, (2) doctor violated conditions of limitation placed

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by the Board upon doctor's license, and (3) doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 10/10/07. **Board Order:** Medical license suspended for at least 90 days from 10/15/07; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions and limitations for at least seven years established. Based on doctor's impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice and doctor's violation of conditions of limitation placed on doctor's medical license by the 4/2/03 consent agreement. Order effective 1/4/08. **Reinstatement:** Doctor's request for reinstatement approved by vote of the Board on 2/14/08, subject to probationary terms and conditions established by 1/4/08 Board Order. Reinstatement effective 2/14/08.

### **SWEDA, Susan Gail (MD #35-058466) Newark, OH**

**Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 11/15/07; agreement to remain in effect for at least five years prior to any request for termination.

### **SWITCH, Jerome Robert (DO #34-009278) Farmington Hills, MI**

Application for medical licensure granted, upon receipt of all necessary and appropriate documentation, subject to probationary terms, conditions, and limitations. Based on doctor's admitted history of chemical dependence, specifically cocaine dependence and alcohol dependence, in remission, for which doctor in 2004 completed treatment acceptable to Michigan's board and doctor's 2007 release from probationary monitoring by Michigan's board. Agreement effective 4/9/08; agreement to remain in effect for at least two years prior to any request for termination.

### **SZOKOLOCZY-SYLLABA, Andreas Herbert (DO #34-007391) Dayton, OH**

**Consent Agreement:** Medical license suspended indefinitely; 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 diagnosis of manic-depressive disorder and admitted inability to practice medicine according to acceptable and prevailing standards of care due to doctor's present psychiatric condition. Agreement effective 9/12/07. **Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 5/14/08; agreement to remain in effect for at least five years prior to any request for termination.

### **TARRANT, Milissa Lee (MT applicant) Elyria, OH**

**Board Order:** Application for massage therapy license permanently denied based on Board's determination that applicant made false statements on licensure applications and to a Board investigator, failed to cooperate in a Board investigation, has one felony conviction and three convictions for misdemeanors involving moral turpitude, and committed an act constituting a felony, to wit: advertising or claiming to be a massage therapist when not licensed as a massage therapist. Order effective 3/13/08.

### **TELMANIK, Kimberly M. (PA #50-000380) Lorain, OH**

**Consent Agreement:** Physician assistant license suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that physician assistant enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on physician assistant's admission of having authorized for personal use prescriptions for Tramadol; admission of having been diagnosed as opioid and alcohol dependent, for which physician assistant has sought treatment through a Board-approved provider; admission of having been diagnosed with depression, obsessive compulsive disorder, and dythymia; admission of having been granted treatment in lieu of conviction by the Lorain County Court of Common Pleas on one felony count of Deception to Obtain Dangerous Drugs; and admission of being impaired in ability to practice as a physician assistant according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs. Agreement effective 12/12/07.

### **TIPPIE, Toby James (PA #50-001990) Lima, OH**

**Consent Agreement:** Physician Assistant license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on physician assistant having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 2/13/08; agreement to remain in effect for at least five years prior to any request for termination.

**TIRMONIA, Virgil (MD #35-021281) Canton, OH** **Voluntary Surrender:** Order permanently revoking doctor's medical license entered on 11/14/07 as authorized by doctor in lieu of further investigation of allegations that doctor failed to

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comply with the minimal standards of care and committed an act in the course of practice that constitutes a misdemeanor. Surrender effective 11/15/07.

**TOWARD, Brett Edward (MD #35-075173) Mansfield, OH**

**Reinstatement :** Doctor's request for reinstatement approved by 4/9/08 Board vote, subject to probationary terms and conditions established by 1/11/07 Consent Agreement. Reinstatement effective 4/9/08.

**TRUONG, Hans Hoffman (MD applicant) Spring, TX**

**Board Order:** Application for medical license granted, provided that doctor meets all statutory and regulatory requirements, with reprimand imposed. Order effective 7/12/07.

**TURNER, Ross Putman (DO applicant; DO Training Certificate #58-001438) Canal Winchester, OH**

**Consent Agreement:** Medical license granted upon receipt of all necessary and appropriate documentation, subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 5/14/08; agreement to remain in effect for at least five years prior to any request for termination.

**UHL, Gregory S. (MD #35-036415) Waycross, GA**

**Board Order:** Medical license subject to probationary terms, conditions, and limitations for at least two years, including requirement that doctor refrain from medical practice in Ohio without written approval of the Board. Based on prior actions against doctor's New Mexico medical license by New Mexico's board. Order effective 7/3/08.

**WANKEWYCZ, Kristopher Nicholas (LMT #33-013247) Parma, OH**

**Board Order:** Massage therapy license permanently revoked based on massage therapist's impaired ability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of alcohol or other substances that impair ability to practice and violation of conditions of limitations placed on massage therapy license by 6/9/04 Board Order. Order effective 8/9/07.

**WARREN, Penelope Ruth (MD #35-035156) Belpre, OH**

**Board Order:** Doctor's permanent surrender of medical license accepted by Board in lieu of further investigation related to doctor's possible mental or physical impairment. Effective 6/11/08.

**WEHRUM, Paul Allan (DO #34-000881) Cleveland, OH**

**Board Order:** Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of further investigation of allegations related to alleged minimal standards of care violations and alleged inability to practice according to acceptable and prevailing standards of care due to mental or physical illness. Effective 1/9/08.

**WELDEN, Scott Robert (MD #35-075182) Cincinnati, OH**

**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 inappropriately obtaining controlled substances for doctor's own use, for which doctor has sought treatment through a Board-approved provider, and doctor's admission of impairment in ability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs. Agreement effective 7/11/07.

**WHITLOCK, Randall Gregory, Jr. (PA #50-001262) Cincinnati, OH**

**Consent Agreement:** Physician assistant 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 physician assistant's relapse on cocaine, for which physician assistant has sought treatment through a Board-approved provider, and failure to comply with conditions of limitations imposed by the 3/14/07 consent agreement. Agreement, which supersedes the 3/14/07 consent agreement, effective 7/11/07.

**WHITTY, Heather Louise (Massage Therapy applicant) Perrysburg, OH**

**Consent Agreement:** Massage therapy license granted, subject to probationary terms, conditions, and limitations imposed based, pursuant to a Board-ordered evaluation, on massage therapist's diagnosis of Bipolar Disorder, in full remission, and on massage therapist having been deemed capable of practicing according to acceptable and prevailing standards of care so long as

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certain treatment conditions are in place. Agreement effective 7/11/07; agreement to remain in effect for at least two years prior to any request for termination.

### **WINDERS, Anna Louise (MT applicant) Columbus, OH**

**Board Order:** Application for massage therapy license denied, conditions placed upon any future application. Based on legal presumption that applicant is impaired in the ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. Order effective 3/12/08. (Journal Entry – no hearing requested)

### **WISE, Matthew Jay (MD #35-085837) Gallup, NM**

**Board Order:** Medical license revoked based on prior action by Florida's board in accepting the voluntary relinquishment of doctor's license in that state. Order effective 7/11/07.

### **WOODWARD, Erin Nicole (LMT applicant) – Bellefontaine, OH**

**Board Order:** Application for massage therapy licensure denied, conditions placed upon any future application. Based on legal presumption that applicant is impaired in the ability to practice according to acceptable and 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 effective 6/11/08.

### **WORKMAN, Robert Gerald (MD #35-034048) Akron, OH**

**Voluntary Surrender:** Order permanently revoking doctor's medical license entered on 11/14/07 as authorized by doctor in lieu of further investigation of allegations that doctor is impaired in the practice of medicine due to habitual or excessive use or abuse of drugs, alcohol, or substances that impair ability to practice. Surrender effective 11/15/07.

### **WRIGHT, Jamey D. (Telemedicine-Doctor of Medicine applicant) Columbia, MO**

**Consent Agreement:** Application for telemedicine license granted provided doctor otherwise meets all statutory and regulatory requirements, with doctor reprimanded; terms, conditions, and limitations established for a period of two years. Agreement effective 8/9/07.

### **YUCE, Belkis (MD #35-031978) Toledo, OH**

**Summary 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 is impaired due to use and/or abuse of drugs; and doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 5/14/08.

### **ZINNI, Richard Allan (DO #34-003785) Madison, OH**

**Consent Agreement:** Medical license suspended for at least 90 days, with 12/14/05 Consent Agreement terminated; 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 relapse on tramadol and admitted failure to comply with conditions of limitation imposed by 12/14/05 Consent Agreement. Agreement effective 10/10/07. **Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 2/13/08; agreement to remain in effect for at least five years prior to any request for termination.

## CME Violations

### **CASTLE, Lon A. (MD #35-066505) Franklin Lakes, NJ**

**Board Order:** Doctor reprimanded, fined \$1,000, and required to submit documentation of compliance with required CME for specified CME acquisition periods. Based on Board's determination that doctor certified on license renewal application that requisite CME had been completed, when, in fact, it was not completed. Order effective 3/13/08. (Journal Entry - No hearing requested)

### **REIS, Robert D. (MD #35-063656) Hilliard, OH**

**Consent Agreement:** Doctor reprimanded, fined \$5,000, and required to submit documentation of compliance with required CME for specified CME acquisition periods. Based on doctor's admission of certifying on license renewal application that requisite CME had been completed, when, in fact, it was not completed, and violation of CME audit requirements. Agreement effective 1/9/08.