

**STATE MEDICAL BOARD OF OHIO
FORMAL ACTION REPORT – March 2006**

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Date: March 24, 2006

Listed below is a summary of the disciplinary actions taken or initiated by the State Medical Board of Ohio in March 2006.

PRE-HEARING SUSPENSION

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

Pursuant to Ohio Revised Code Section 3719.121(C), medical license immediately suspended based on licensee having been found guilty of ten felony counts of Trafficking in Drugs and ten felony counts of Illegal Processing of Drug Documents. Suspension effective 3/9/06. Notice mailed 3/09/06. (See also: Citations & Proposed Denials *below*)

CITATIONS & PROPOSED DENIALS

CARPENTER, James Daniel (DO #34-006772) Henderson, NV

Based on prior action against the doctor's license by the Nevada osteopathic board due to unethical and unprofessional conduct. Notice of opportunity for hearing mailed 3/09/06.

CLEARY, Kevin James (LMT applicant) Avon Lake, OH

Proposal to deny application for certificate to practice massage therapy based on applicant's alleged failure to meet licensure requirements, and on applicant having been convicted of sexual imposition, a third degree misdemeanor, for acts occurring with a minor while applicant was performing a massage. Notice of opportunity for hearing mailed 3/09/06.

GELESH, Gary Charles (DO #34-002731) Akron, OH

Based on doctor's alleged failure to conform to minimal standards of care, and/or on doctor's alleged acts, conduct, or omissions made in bad faith, and/or outside the scope of authority, and/or not in accordance with reasonable medical standards with respect to doctor's treatment of a specified patient to whom doctor administered succinylcholine, which resulted in the death of the patient due to respiratory arrest. Notice of opportunity for hearing mailed 3/09/06.

KING, John Anderson (DO #34-004277) Orlando, FL

Based on prior action against the doctor's license by the Alabama medical board due to fraudulent and untrue statements to the Alabama board. Notice of opportunity for hearing mailed 3/09/06.

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

Based on licensee having been found guilty of ten felony counts of Trafficking in Drugs and ten felony counts of Illegal Processing of Drug Documents. Notice of opportunity for hearing mailed 3/09/06. (See *a/so*: Pre-hearing Suspension)

CITATIONS & PROPOSED DENIALS continued

ROSENBERG, Mark Robert (MD #35-065727) Elisville, MO

Based on licensee having been found guilty in U.S. District Court, Eastern District of Kentucky, of two misdemeanor counts of receiving and retaining stolen property related to fraudulent billing to federal insurance programs. Notice of opportunity for hearing mailed 3/09/06.

SMITH, Albert W., III (MD #35-031140) Bowling Green, OH

Based on licensee's alleged failure to use reasonable care discrimination in the administration of drugs, or failure to employ acceptable scientific methods in the selection of drugs or other modalities of treatment; failure to maintain minimal standards of care applicable to the selection or administration of drugs; failure to conform to minimal standards of care; and failure to complete and maintain accurate medical records reflecting utilization of controlled substances with respect to treatment rendered to one specified patient. Notice of opportunity for hearing mailed 3/09/06.

VOLKMAN, Paul H. (MD #35-070722) Chillicothe, OH

Based on the immediate suspension of the licensee's DEA Certificate of Registration by the U.S. Drug Enforcement Administration. Notice of opportunity for hearing mailed 3/09/06.

FINAL DISCIPLINARY ORDERS

AKHTAR, Jabir Kamal (MD applicant) Copley, OH

Application for medical license granted, provided applicant meets all statutory and regulatory requirements, and subject to suspension for a definite term of ninety days; subsequent probationary terms, conditions, and limitations for at least two years established. Based on applicant's 2001 plea of guilty to a misdemeanor count of Conspiracy to Commit Theft of Public Money of over \$20,000, the acts underlying which involved his having forged the name of a school official on a student loan application in order to fraudulently obtain money. Order effective 3/09/06. Order mailed 3/09/06.

HUANG, David Ta-Wei (MD #35-074718) Miami, FL

Doctor reprimanded based on prior action against the doctor's license by Florida's medical board which imposed a fine of \$10,000 and required the doctor to perform 100 hours of community service and to complete five hours of continuing medical education in risk management. Order effective 3/09/06. Order mailed 3/09/06.

REGAILA, Adel Hassan (MD #35-085274) Macclenny, FL

Permanent revocation of doctor's license to practice medicine based on prior Florida order suspending doctor's license for repeated sexual conduct with a patient in the examination room. (Review and Journal Entry - no hearing requested). Order effective 3/09/06. Order mailed 3/09/06.

FINAL DISCIPLINARY ORDERS continued

ROBERTS, Handel Jay (MD #35-076944) Windber, PA

Medical license revoked based on doctor's violation of conditions of limitation imposed on license by 12/13/00 consent agreement due to non-compliance with interim monitoring conditions. Order effective 3/23/06. Order mailed 3/23/06.

SCHWACHTER, Marc H. (MD #35-080114) Dayton, OH

Medical license permanently revoked based on doctor's impairment of ability to practice according to acceptable and prevailing standards of care and violation of conditions of limitation imposed on doctor's license by 5/19/05 consent agreement due to relapse on cocaine and alcohol. Order effective 3/09/06. Order mailed 3/09/06.

CONSENT AGREEMENTS

ALLEN, David E. (MD #35-050640) New Albany, OH

Medical license reinstated subject to probationary terms, conditions, and limitations based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 3/09/06; agreement to remain in effect for at least five years prior to any request for termination.

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

License to practice medicine suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on impairment of doctor's ability to practice according to acceptable and prevailing standards of care due to substance abuse. Agreement effective 3/08/06.

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

Additional probationary terms imposed beyond those set forth in the January 2005 Board Order, including certain treatment requirements, based on doctor's psychiatric diagnosis and failure to comply with monitoring requirements of the January 2005 Board Order. Agreement effective 3/08/06; agreement to remain in effect for at least two years prior to any request for termination.

MANN, Donald C. (MD #35-071870) Decatur, IL

License to practice medicine 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 impairment of doctor's ability to practice according to acceptable and prevailing standards of care due to substance abuse for which he has sought treatment at a Board-approved provider. Agreement effective 3/08/06.

VOLUNTARY SURRENDER

GARDNER, Alan M. (MD #35-066286) Defiance, OH

Voluntary surrender of medical license accepted by the Board effective 3/8/06 in lieu of formal disciplinary proceedings, based on doctor's admitted inability to practice according to acceptable and prevailing standards of care due to mental illness.

PROBATION – MONITORING TERMS MODIFIED

ADAS, Mohammad A. (MD #35-055276) Perrysburg, OH

Doctor's request to reduce the frequency of required personal appearances to every six months granted by vote of the Board on 3/9/06.

COURT ACTION UPDATE

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

Notice of appeal of Board's 1/11/06 indefinite suspension Order filed by doctor with Franklin County Common Pleas Court on 2/13/06. By Entry filed 2/22/06, Franklin County Court of Common Pleas granted motion for stay of Board's 1/11/06 indefinite suspension Order.

Please note that revocation and suspension Orders are not always effective immediately. If you have questions about effective dates or conditions governing a licensee's practice before a Board Order takes effect, please contact the office.

Ohio law permits appeal of a Board Order to the Franklin County Court of Common Pleas. Due to this possibility and the potential for a stay that might delay the imposition of a Board action, you may wish to contact us periodically to verify a given practitioner's licensure status.

Most current citation letters, Board Orders, consent agreements and voluntary surrenders or retirements are available on the Medical Board's website at <http://med.ohio.gov/> under "Licensee Profile and Status." If you have questions or need additional details about specific cases, please contact Annette Jones at (614) 728-3686.