

**STATE MEDICAL BOARD OF OHIO
FORMAL ACTION REPORT – AUGUST 2007**

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Listed below is a summary of the disciplinary actions taken or initiated by the State Medical Board of Ohio in August 2007 and an update of Board matters pending in courts as of the date of this document.

CHILD SUPPORT ENFORCEMENT SUSPENSION

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

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. (See also *Licenses Reinstated*)

CITATION DISMISSED

KEGLER, James L. (MD #35-039513) – Cincinnati, OH

By Order and Entry dated 12/12/06, the notice of opportunity for hearing issued by the Board on 9/13/06 was dismissed with prejudice, based on the 10/31/06 Franklin County Court of Common Pleas Entry affirming the Board's 12/14/05 Order, which had permanently revoked doctor's medical license.

CITATIONS & PROPOSED DENIALS

BREWER, Eugene Allan (MD #35-045064) – Indianapolis, IN

Based on doctor's alleged violation of conditions of limitation placed on medical license by 7/10/96 Board Order and on prior action by the Department of Veteran Affairs, West Texas VA Health Care System, in summarily suspending doctor's clinical privileges. Notice of opportunity for hearing mailed 8/9/07.

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

Based on doctor's alleged departure from, or failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances in care rendered to five patients, alleged violation of the AMA Code of Ethics, alleged commission of an act in the course of practice that constitutes a misdemeanor, and alleged violation of Rule 4731-26-02(A) of the Ohio Administrative Code. Notice of opportunity for hearing mailed 8/9/07.

FRENCH-SOWARDS, Ami Regina (LMT applicant) – Maumee, OH

Based on applicant's alleged 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 applicant had not entered treatment at a Board-approved provider as of 8/9/07. Notice of opportunity for hearing mailed 8/9/07.

GRIFFIN, Brian Frederic (MD #35-044328) – Columbus, OH

Based on doctor's alleged commission of acts constituting felonies and on alleged 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. Notice of opportunity for hearing mailed 8/9/07.

MACHERET, Leonid (MD #35-056178) – Cincinnati, OH

Based on doctor's alleged failure to cooperate in an investigation conducted by the Board; alleged making a false, fraudulent, deceptive, or misleading statement in relation to the practice of medicine or in securing or attempting to secure a license; alleged departure from, or failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances in care rendered to one patient; and alleged violation of the AMA Code of Ethics. Notice of opportunity for hearing mailed 8/9/07.

PAGEDAR, Ujwala (MD applicant) – Dayton, OH

Based on applicant's alleged making of a false, fraudulent, deceptive, or misleading statement in securing or attempting to secure a license. Notice of opportunity for hearing mailed 8/9/07.

TARRANT, Milissa Lee (LMT applicant) – Elyria, OH

Based on applicant's having been found guilty in the Court of Common Pleas for Lorain County of one felony count of Theft and one first degree misdemeanor count of Passing Bad Checks; having been found guilty in the Oberlin Municipal Court of one first degree misdemeanor count of Passing Bad Checks and one first degree misdemeanor count of Theft; alleged making a false, fraudulent, deceptive, or misleading statement in securing or attempting to secure a license; alleged failure to cooperate in an investigation conducted by the Board; and alleged commission of an act constituting a felony. Notice of opportunity for hearing mailed 8/9/07.

FINAL DISCIPLINARY ORDERS

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

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 (Revision of 6/14/06 entry)

Medical license suspended for one year; subsequent probationary terms, conditions and limitations for at least one year established. Based on doctor's failure to provide complete and accurate information on applications for issuance and renewal of Ohio medical license pertaining to involvement in a professional liability action and action taken against doctor's clinical privileges by a Pittsburgh, PA, hospital; prior action against doctor's medical license by Pennsylvania's medical board based on doctor's prescribing controlled substances to doctor's spouse on eighty-six occasions without maintaining medical records; and prior action against doctor's medical license by New York's medical board based on the Pennsylvania board's action. Order mailed 6/16/06; Order effective 6/16/06; suspension effective 6/16/06 to 6/16/07; license returned to active status 6/17/07.

BLAZEY, Kristine Marie (LMT applicant) – Toledo, OH

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 having been convicted on one count of Attempt to Commit Forgery. Order effective 8/9/07; Suspension effective from date license is issued.

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

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.

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

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.

GROSS, Robert (DO #34-005966) – Sterling Heights, MI (Revision of 7/11/07 summary)

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 Colorado license on inactive status. Order effective 8/22/07.

HUMPHREY, Dale Anthony, Jr. (LMT applicant) – Dayton, OH

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.

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

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.

CONSENT AGREEMENTS

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

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.

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

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.

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

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.

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

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.

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

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.

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

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

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.

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

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.

INTERIM AGREEMENT

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

By Interim Agreement effective 8/16/07, doctor agreed not to practice medicine and surgery in Ohio in any form during the pendency of the administrative matter arising from the notice of opportunity for hearing issued to the doctor by the Board on 4/12/07.

LICENSE REINSTATED

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

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. *(See also Child Support Enforcement Suspensions)*

VOLUNTARY SURRENDERS

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

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.

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

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.

PROBATION COMPLETED

BALDWIN, Mark Denison (DO #34-005880) – Columbus, OH

Doctor's request for release from the terms of the 8/14/02 Consent Agreement granted by vote of the Board on 8/8/07. Release from probation effective 8/14/07.

BOEHM, Gregory Xavier (MD #35-041394) – North Olmsted, OH

Doctor's request for release from the terms of the 9/12/01 Consent Agreement granted by vote of the Board on 8/8/07. Release from probation effective 8/31/07.

BYKOV, Victor (MD #35-068421) – Garrettsville, OH

Doctor's request for release from the terms of the 8/14/02 Consent Agreement granted by vote of the Board on 8/8/07. Release from probation effective 8/14/07.

HIGHBERGER, W. Andrew (MD #35-056976) – Marysville, OH

Doctor's request for release from the terms of the 7/10/02 Consent Agreement granted by vote of the Board on 8/8/07. Release from probation effective 8/8/07.

JONES, Jeffrey Thomas (PA #50-001782) – Canton, OH

Physician assistant's request for release from the terms of the 7/14/04 Board Order granted by vote of the Board on 8/8/07. Release from probation effective 8/8/07.

SCHEIDLER, Joseph Stanley (DO #34-004803) – Hamilton, OH

Doctor's request for release from the terms of the 8/14/02 Consent Agreement granted by vote of the Board on 8/8/07. Release from probation effective 8/14/07.

STANEK, Michael James (DO #34-004882) – Phoenix, AZ

Doctor's request for release from the terms of the 8/14/02 Consent Agreement granted by vote of the Board on 8/8/07. Release from probation effective 8/14/07.

PROBATION – MONITORING TERMS MODIFIED

BRIGGS, Jeffrey Allen (MD #35-044176) – Powell, OH

Doctor's request to discontinue required saliva screens granted by Board vote on 8/9/07.

FADEL, Jeffrey Nagy (MD #35-042885) – Louisville, KY

Doctor's request to reduce required drug screens to two per month granted by Board vote on 8/9/07.

HENSON, Mark Owen (MD #35-076766) – Greenfield, OH

Monitoring physician approved and frequency and number of charts for review established by Board vote on 8/9/07.

LEU, Melanie Lynne (MD #35-073229) – Vermillion, OH

Doctor's request to reduce required personal appearances to every six months granted by Board vote on 8/9/07.

RANGA, Puttagunta (MD #35-045040) – New Bremen, OH

Doctor's request to reduce required personal appearances to every six months granted by Board vote on 8/9/07.

SOUTHERN, Brian Derris (MD Training Certificate #57-008187) – Cleveland, OH

Doctor's request to reduce required personal appearances to every six months granted by Board vote on 8/9/07.

SPEARS, David Paul (DO #34-008838) – Chapmanville, WV

Frequency and number of charts for review established by Board vote on 8/9/07.

STURMI, James Edward (MD #35-060676) – Mount Vernon, OH

Doctor's request to reduce required personal appearances to every six months granted by Board vote on 8/9/07.

COURT ACTION UPDATE

AKHTAR, Jabir Kamal (MD applicant) – Scotts Valley, CA

Notice of Appeal of Board's 7/11/07 Order filed by doctor with the Franklin County Court of Common Pleas on 7/26/07.

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

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.

MARTINEZ, Jorge Arturo (MD #35-050822) – Boardman, OH

By Decision and Entry filed on 8/22/07, the Franklin County Court of Common Pleas affirmed the Board's 8/9/06 Order.

POLITI, Barry Joseph (MD applicant) – Jackson, MS (Revision of June 2007 report)

By opinion rendered on 5/10/07 and Entry filed on 5/23/07, 10th District Court of Appeals affirmed the judgment of the Franklin County Court of Common Pleas, which had affirmed the Board's 11/9/05 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.