

**STATE MEDICAL BOARD OF OHIO
FORMAL ACTION REPORT – March 2008**

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Listed below is a summary of the disciplinary actions taken or initiated by the State Medical Board of Ohio in March 2008 and an update of Board matters pending in courts as of the date of this document.

AUTOMATIC SUSPENSION

HENSELER, Karol A. (MD #35-067049) – Columbus, OH

Pursuant to Section 4731.221, O.R.C., medical license automatically suspended effective from on or about 6/27/07, upon doctor being adjudged by the Franklin County Probate Court to be mentally ill or mentally incompetent, to on or about 7/16/07, when such suspension was terminated upon the Court's Judgment Entry, Order of Dismissal.

CITATIONS & PROPOSED DENIALS

ATALLA, Emad Shoukri (MD #35-070173) – St. Marys, OH

Based on doctor's alleged making a false, fraudulent, deceptive, or misleading statement on application for licensure renewal by denying any convictions, when doctor had been found guilty of Disorderly Conduct, a fourth degree misdemeanor, in the Municipal Court of Cuyahoga Falls, OH. Notice of opportunity for hearing mailed 3/13/08.

DOWNEY, Heather Victoria (LMT applicant) – New Albany, OH

Based on applicant having been determined, pursuant to a Board-ordered evaluation, to be 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. Notice of opportunity for hearing mailed 3/13/08.

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

Based on doctor's alleged making a false, fraudulent, deceptive, or misleading statement on licensure renewal application concerning completion of continuing medical education and violating requirements to obtain continuing medical education required for licensure renewal. Notice of opportunity for hearing mailed 3/13/08.

GEASE, Brian Matthew (MT applicant) – Hilliard, OH

Based on applicant having been diagnosed, pursuant to a Board-ordered evaluation, with chemical dependency and found to be 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. Notice of opportunity for hearing mailed 3/13/08.

KORN, Lary Richard (DO #34-003953) – Duncan, SC

Based on doctor's alleged making a false, fraudulent, deceptive, or misleading statement on licensure renewal application and violating requirements to obtain the requisite hours of continuing medical education required for licensure renewal. Notice of opportunity for hearing mailed 3/13/08.

LANGSCHWAGER, Larson Frederick (MD applicant) – Okemos, MI

Based on prior action by Michigan's medical board in imposing disciplinary action against doctor's Michigan license, the underlying conduct being doctor's sexual relations with a patient. Notice of opportunity for hearing mailed 3/13/08.

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

Massage therapist notified of right to request a hearing on the question of whether failure to submit to a mental or physical examination as ordered by the Board was due to circumstances beyond the massage therapist's control. Based on the legal presumption that massage therapist's failure to submit to a mental or physical examination as ordered by the Board constitutes admission of the legal and factual allegations demonstrating 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. Notice of opportunity for hearing mailed 3/13/08.

NAPOLI, William Michael (DO #34-005791) – New Philadelphia, OH

Based on doctor having been found guilty in the U.S. District Court, Northern District of Ohio of one felony count of Acquiring a Controlled Substance by Forgery; the underlying conduct being doctor's forgery of the name of another physician on prescriptions to obtain hydrocodone tablets. Notice of opportunity for hearing mailed 3/13/08.

SYLVESTER, John Fred, Jr. (MT applicant) – Boardman, OH

Based on applicant having pled guilty in the Court of Common Pleas of Mahoning County, Ohio, to one first-degree felony count of Attempted Murder, with Firearm Specification. Notice of opportunity for hearing mailed 3/13/08.

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

Based on doctor's (1) alleged commission of an act constituting a felony, to wit: practicing medicine without a license while doctor's license was suspended; (2) alleged violation of conditions of limitation placed on medical license by 7/11/07 consent agreement due to doctor's admitted practice of medicine during license suspension and doctor's refusal to supply a urine specimen as requested by a Board investigator; (3) alleged making a false, fraudulent, deceptive, or misleading statement in relation to the practice of medicine by denying to a Board investigator the practice of medicine during licensure suspension; and (4) alleged assisting in or abetting the unlicensed practice of medicine by an unlicensed person. Notice of opportunity for hearing mailed 3/13/08.

WOLFE, Robert Lee (LMT #33-013229) – Cuyahoga Falls, OH

Massage therapist notified of right to request a hearing on the question of whether failure to submit to a mental or physical examination as ordered by the Board was due to circumstances beyond the massage therapist's control. Based on the legal presumption that massage therapist's failure to submit to a mental or physical examination as ordered by the Board

constitutes admission of the legal and factual allegations demonstrating 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. Notice of opportunity for hearing mailed 3/13/08.

FINAL DISCIPLINARY ORDERS

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

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. (No hearing requested)

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

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)

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

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.

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

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 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.

SNOW, Blythe Harriet (DO applicant) – Attica, MI

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)

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

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. (No hearing requested)

WINDERS, Anna Louise (MT applicant) – Columbus, OH

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)

CONSENT AGREEMENTS

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

Probationary terms, conditions, and limitations imposed to monitor practice, including requirements applicable if anesthesiologist assistant resides or wishes to practice in Ohio. Based on anesthesiology assistant having been diagnosed with chemical dependency, for which monitoring is being conducted by the Georgia medical board, where anesthesiology 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.

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

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.

SIMONE, Joseph Cooper (DO #34-002296) – Columbus, 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 3/13/08; agreement to remain in effect for at least five years prior to any request for termination.

APPLICATION WITHDRAWN

RAJAGOPAL, Subramanyam (MD applicant) – Lincoln, NE

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.

SCHEMENAUER, Stephen August (PA applicant) – Marietta, OH

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.

VOLUNTARY SURRENDER

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

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.

PROBATION – MONITORING TERMS MODIFIED

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

Doctor's proposed practice plan as solo practitioner approved by Board vote on 3/13/08.

PORTER, Stephen Randall (MD #35-069802) – Paintsville, KY

Doctor's request to eliminate requirement to maintain advocacy contract with OPHP granted by Board vote of 3/13/08.

COURT ACTION UPDATE

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

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 10th District Court of Appeals.

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

By Entry filed 3/25/08, 10th 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.

Non-Disciplinary Administrative Actions

Approval of Application

DETZEL, David Eric (LMT #33-011435) – Perrysburg, OH

Application for restoration of massage therapy license approved by Board vote on 3/12/08, provided applicant takes and passes the limited branch portion of the Massage Therapy examination within six months of 1/2/08. (Journal Entry – no hearing requested) **(Non-disciplinary)**

JONES, Camille Arnel (MD #35-051332) – Cincinnati, OH

Application for restoration of medical license approved by Board vote on 3/12/08, provided that applicant takes and passes the SPEX or specialty board recertification examination within six months of 1/16/08. (Journal Entry – no hearing requested) **(Non-disciplinary)**

RIEMER, Travis S. (LMT #33-010245) – Marengo, OH

Application for restoration of massage therapy license approved by Board vote on 3/12/08, provided applicant takes and passes the limited branch portion of the Massage Therapy examination within six months of 1/16/08. (Journal Entry – no hearing requested) **(Non-disciplinary)**

SCHWARTZ, Judy Ellen (MD applicant) – Howard, OH

Application for medical license approved by Board vote on 3/13/08, provided that applicant takes and passes the SPEX or specialty board recertification examination within six months of 1/16/08. (Journal Entry – no hearing requested) **(Non-disciplinary)**

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.