

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

Prepared by: Sallie Debolt, General Counsel

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

CITATIONS & PROPOSED DENIALS

FONTANEZ, Modesto (MD #35-083857) – Elmhurst, NY

Based on doctor's alleged failure to conform to minimal standards of care with respect to treatment of two specified patients. Notice of opportunity for hearing mailed 11/13/08.

STINGLEY, Kelley Lyn (MT Applicant) – Medina, OH

Applicant notified of right to request a hearing on the question of whether applicant's failure to submit to a mental or physical examination as ordered by the Board was due to circumstances beyond the applicant's control. Based on the legal presumption that applicant'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 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. Notice of opportunity for hearing mailed 11/13/08.

WHITE, Jeffrey Eugene (MD #35-076137) – Worthington, OH

Based on doctor's alleged sexual misconduct with one patient during the ongoing physician-patient relationship. Notice of opportunity for hearing mailed 11/13/08.

FINAL DISCIPLINARY ORDERS

BANKS, BRENDA Louise (MD #35-079787) – Waverly, OH

Permanent revocation of medical license stayed subject to suspension for at least two years; conditions for reinstatement and subsequent probationary terms, conditions, and limitations for at least two years established. Based on prior action by the DEA in accepting doctor's voluntary surrender of controlled substance privileges, the underlying basis being doctor's failure to comply with federal requirements pertaining to controlled substances. Order effective 12/11/08.

DEAN, Lynda Lee (LMT #33-007728) – Cape Coral, FL and Cincinnati, OH

Application for restoration of massage therapy license denied, conditions placed upon any future application and subsequent probationary terms, conditions, and limitations for at least five years established for any future certificate. Based on applicant's criminal convictions and false statements on Ohio licensure application and 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. (Review and Journal Entry – no hearing requested) Order effective 11/13/08.

MILLER, Robert Wayne (LMT #33-016769) – Savannah, OH

Massage therapy license permanently revoked. Based on massage therapist having been convicted of Gross Sexual Imposition, a third-degree felony, the underlying facts including that the victim was less than 13 years old. Order effective 11/14/08.

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

Physician assistant license suspended for at least six months; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on Board's determination that physician assistant 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 12/11/08.

WACHSBERGER, Robert Nelson (MT Applicant) – Beachwood, OH

Application for massage therapy license permanently denied. Based on applicant having been found guilty of Corruption of Minors, a misdemeanor involving moral turpitude, the underlying facts including that the victim was 16 years old. Order effective 11/14/08.

CONSENT AGREEMENTS

BLANCHARD, Paul Lewis (MD #35-079460) – Trenton, OH

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 admission of inability to practice according to acceptable and prevailing standards of care for which doctor has entered treatment at a Board-approved provider, obtaining controlled substances by writing prescriptions in the names of others when they were for self-use, and having pled guilty to Attempt: Drug Abuse: Schedule II, a misdemeanor. Agreement effective 11/12/08.

CULLEN, William B. (MD #35-056037) – Ashland, OH

Medical license suspended for at least 270 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 substance abuse, with Vicodin and Endocet being the drugs of choice, for which doctor has sought treatment through a Board-approved provider, and which doctor obtained by writing prescriptions on stolen prescription pads and forging prescriptions in the name of others when they were for self-use. Agreement effective 11/12/08.

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

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 11/20/08; agreement to remain in effect for at least five years prior to any request for termination.

SCHERRY, Kimberly Marie (Telmanik) (PA #50-000380) – Lorain, OH

Physician assistant license suspended for at least 270 days from 12/12/07; 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; 12/12/07 agreement superseded. Based on physician assistant's admitted relapse on alcohol. Agreement effective 11/12/08.

SITARIK, Joseph P. (DO #34-004441) – East Liverpool, OH

Revocation of medical license stayed, with license suspended for at least 150 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 being impaired in ability to practice according to acceptable and prevailing standards of care due to drug abuse, with cocaine being one of the drugs of choice. Agreement effective 11/12/08.

WEIL, Richard Mark (MD #35-057757) – North Canton, OH

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 impaired in ability to practice according to acceptable and prevailing standards of care due to chemical dependence (opiates), for which doctor has sought treatment through a Board-approved provider, and of having inappropriately obtained controlled substances for own use from medications prescribed to patients. Agreement effective 11/12/08.

VOLUNTARY SURRENDER

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

Doctor's permanent surrender of medical license accepted by Board in lieu of formal proceedings based on alleged violation of conditions of limitation imposed by 7/11/07 Consent Agreement. Effective 11/12/08.

LICENSES REINSTATED

WOLF, Bradley Rex (MD #35-052721) – Cincinnati, OH

Doctor's request for reinstatement approved by vote of the Board on 11/12/08, subject to probationary terms, conditions and limitations established by the 7/9/08 Board Order.

PROBATION COMPLETED

ERIKSEN, David Edwin (MD #35-028222) – Toledo, OH

Probation terminated on 11/10/08 upon verification of doctor's compliance with terms for three biennial registration periods.

JELKOVAC, Sharon Jane (PA #50-002420) – Warrensville Hts., OH

Physician Assistant's request for release from the terms of the 11/14/05 consent agreement granted by Board vote on 11/12/08. Release from probation effective 11/14/08.

MOSS, Fred Robert (MD #35-059484) – Mason, OH

Doctor's request for release from the terms of the 11/9/06 Consent Agreement granted by Board vote on 11/12/08. Release from probation effective 11/12/08.

PROBATION – MONITORING TERMS MODIFIED

DANIACHEW, Amanuel Ambaye (MD #35-083935) – Northfield Center, OH

Doctor's practice plan for work in a temporary clinical program approved by Board vote on 11/12/08.

DAY, Richard Graham (MD #35-061831) – Cambridge, OH

Doctor's requests to reduce required drug screens to twice per month and reduce required personal appearances to every six months granted by Board vote on 11/12/08.

GANZHORN, Dann William (MD #35-048491) – Cleveland, OH

Doctor's requests to reduce required alcohol and drug rehabilitation meetings to two per week with a total of 10 per month and to eliminate required chart monitoring granted by Board vote on 11/12/08.

MANN, Donald C. (MD #35-071870) – North Hollywood, CA

Doctor's request to reduce required alcohol and drug rehabilitation meetings to two per week with a total of 10 per month granted by Board vote on 11/12/08.

RATH, David A. (MD #35-057898) – Sunbury, OH

Doctor's request to reduce required alcohol and drug rehabilitation meetings to two per week with a total of 10 per month granted by Board vote on 11/12/08.

RENZ, Mark Allan (MD #35-087699) – Columbus, OH

Doctor's request to reduce required psychiatric sessions to every three months granted by Board vote on 11/12/08.

RISE, Leroy Peri (MD #35-088474) – Baltimore, OH

Doctor's requests to discontinue required advocacy contract, reduce required drug screens to two per month, reduce required personal appearances to every six months, reduce required alcohol and rehabilitation meetings to two per week with a total of 10 per month, and reduce required psychiatric sessions to every six weeks granted by Board vote on 11/12/08.

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

Doctor's request to discontinue required advocacy contract granted by vote of the Board on 11/12/08.

COURT ACTION UPDATE

CHENDRASEKHAR, Akella (MD #35-084189) – Brooklyn, NY

Notice of Appeal of Board's 10/8/08 Order revoking doctor's medical license filed by doctor with the Franklin County Court of Common Pleas on 10/22/08.

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

By opinion rendered on or about 11/4/08, 10th District Court of Appeals dismissed as moot doctor's appeal of the decision of the Franklin County Court of Common Pleas, which had dismissed doctor's appeal of the Board's 10/10/07 Summary Suspension Order.

Non-Disciplinary Administrative Actions

Denial of Application

RAYANI, Sujana (MD Applicant) – Gallipolis, OH

Application for medical license denied based on fact that applicant has not passed an acceptable exam sequence as required by Ohio law. (Journal Entry – no hearing requested) Order effective 11/12/08. **(Non-disciplinary)**

Approval of Application

BAKSHANDEH, Maryam (MD Applicant) – Englewood, NJ

Application for medical licensure granted, provided that applicant meets all statutory and regulatory requirements. Based on Board's determination that the doctor established good cause for having taken more than a seven-year period to complete an acceptable examination sequence. Order effective 11/14/08. **(Non-disciplinary)**

CLEAR, Lora Lee (LMT #33-010170) – Carrollton, OH

Application for restoration of massage therapy license granted, provided applicant takes and passes the limited branch portion of the massage therapy exam within six months of 9/11/08. Based on applicant not having been engaged in the active practice of massage therapy for more than two years. (Journal Entry – no hearing requested) Order effective 11/12/08. **(Non-disciplinary)**

VAN PELT, Jenny Elizabeth (LMT #33-011260) – Canton, OH

Application for restoration of massage therapy license granted, provided applicant takes and passes the limited branch portion of the massage therapy exam within six months of 8/28/08. Based on applicant not having been engaged in the active practice of massage therapy for more than two years. (Journal Entry – no hearing requested) Order effective 11/12/08. **(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.