

**STATE MEDICAL BOARD OF OHIO  
FORMAL ACTION REPORT – February 2009**

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 February 2009 and an update of Board matters pending in courts as of the date of this document.

**CITATIONS & PROPOSED DENIALS**

**ARONICA, Josephine Clara (MD #35-028779) – Uniontown, OH**

Based on doctor's alleged making false, fraudulent, deceptive, or misleading statements in relation to the practice of medicine; alleged commission of acts that constitute perjury; alleged complicity in permitting an unlicensed person to practice acupuncture; alleged inability to practice according to acceptable and prevailing standards of care by reason of physical illness; alleged failure to comply with notice requirements concerning lack of medical malpractice insurance; and alleged failure to cooperate in a Board investigation. Notice of opportunity for hearing mailed 2/12/09.

**BeSAW, William Gerald (LMT #33-003860) – Columbus, OH**

Based on massage therapist's alleged practice of massage therapy without a license from on or about 8/31/01 to in or around 2008. Notice of opportunity for hearing mailed 2/12/09.

**CARR, David Lee (DO #34-002791) – Chillicothe, OH**

Based upon doctor having been found guilty of one count of Sexual Assault in the first degree, one count of Nighttime Burglary, and two counts of Aggravated Robbery, with the use of a gun in commission of the Sexual Assault and Aggravated Robbery; prior actions by the West Virginia and New York boards in revoking doctor's medical license in those states; requirement that doctor, who has not engaged in active medical practice of more than two years, provide additional evidence of fitness to resume practice; doctor's alleged failure to furnish satisfactory evidence of good moral character; and doctor's alleged failure to complete restoration application. Notice of opportunity for hearing sent 2/12/09.

**HINES, Nakisha Shwaina Simone (MT Applicant) – Cleveland, OH**

Based on applicant's alleged making a false, fraudulent, deceptive, or misleading statement on the licensure application and on applicant having been found guilty of five misdemeanors involving moral turpitude. Notice of opportunity for hearing mailed 2/12/09.

**KRUGER, Kathy Lynn (DO #34-007034) – Defiance, OH**

Based on doctor's alleged making a false, fraudulent, deceptive, or misleading statement in license restoration application and on prior action by Michigan's board in reprimanding and placing doctor on probation. Notice of opportunity for hearing mailed 2/12/09.

**McKAIN, Christine C. (MD #35-069988) – Waverly, OH**

Based on doctor's alleged failure to maintain minimal standards of care in the selection or administration of drugs and alleged failure to conform to minimal standards of care in medical practice by prescribing controlled substances for one patient without maintaining patient records; alleged commission of an act constituting a misdemeanor by violating laws regarding valid prescriptions; alleged commission of an act constituting a felony by selling, purchasing, distributing, or delivering dangerous drugs; and alleged selling, giving away, personally furnishing, prescribing, or administering drugs for other than legal and legitimate therapeutic purposes. Notice of opportunity for hearing mailed 2/12/09.

**McKINNEY, Robert T. (LMT #33-004296) – Columbus, OH**

Based on massage therapist's alleged holding self out as a mechanotherapist, when not licensed as such in Ohio, and alleged holding self out as a doctor and giving the appearance of being a medical doctor, when not licensed as such in Ohio. Notice of opportunity for hearing mailed 2/12/09.

**MOINUDDIN, Douglas Shaheen (MD Applicant; MD Training Certificate #57-006506) – Westlake, OH**

Based on doctor's alleged making of false, fraudulent, deceptive, or misleading statements in applying for an Ohio license and alleged failure to furnish satisfactory proof of good moral character. Notice of opportunity for hearing mailed 2/12/09.

**SMITH, Randall Jay (DO #34-004172) – Toledo, OH**

Proposal to deny restoration of Ohio medical license based on prior action by Oregon's Board in revoking doctor's license in that state, the underlying basis including that doctor engaged in a sexual relationship with a patient during scheduled appointments for which doctor billed; doctor's having been convicted of one felony count of False Claim Health Care Payment; doctor's alleged ethical violations; requirement that doctor, who has not engaged in active medical practice of more than two years, provide additional evidence of fitness to resume practice; doctor's alleged failure to furnish satisfactory evidence of good moral character; and doctor's alleged failure to complete restoration application. Notice of opportunity for hearing mailed 2/12/09.

**TURTON, Robert Lawrence (DO #34-000761) – Wilmington, NC**

Based on doctor's alleged failure to comply with CME requirements for the 7/2/05 through 7/1/07 CME period and alleged making a false, fraudulent, deceptive, or misleading statement in securing a license by certifying on doctor's licensure renewal application that the CME requirements had been completed. Notice of opportunity for hearing mailed 2/12/09.

**FINAL DISCIPLINARY ORDERS**

**ERNST, David Carl (MD #35-060456) – Vermilion, OH**

Medical license suspended for at least 90 days from 11/18/08; interim monitoring conditions imposed and conditions for reinstatement and subsequent probationary terms, conditions, and limitations established for at least three years. Based on Board's determination that doctor violated the conditions of limitation imposed by the 5/19/05 consent agreement and doctor is impaired in ability to practice according to acceptable and prevailing standards of care due to relapse on tramadol. Order effective 2/13/09.

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

Medical license suspended for at least three years, interim monitoring conditions imposed, and conditions for reinstatement and subsequent probationary terms, conditions, and limitations established for at least six years. Based on Board's determination that doctor violated the conditions of limitation imposed by the 11/9/05 consent agreement, doctor is impaired in ability to practice according to acceptable and prevailing standards of care due to relapse on Fentanyl, and doctor's diversion of Fentanyl from a patient constitutes commission of an act that constitutes a felony in Ohio. Order effective upon mailing.

**TOLLIVER, David Lee (DO #34-004884) – Bluefield, VA**

Medical license revoked. Based on doctor having been found guilty in the U.S. District Court, Southern District of West Virginia, of Filing a False Tax Return, a felony, and on prior action by West Virginia's board in suspending doctor's license and imposing subsequent probationary terms and conditions. Order effective 2/11/09. (Journal Entry – no hearing requested)

**VAN WAGONER, Kerrie (PA #50-001795) – Centerville, OH**

Physician assistant license revoked. Based on Board's determination that physician assistant violated numerous conditions of limitation imposed by the 6/13/07 consent agreement, including reporting requirements, and daily consumes the drug for which she was previously found to be impaired. Order effective 2/13/09.

**CONSENT AGREEMENTS**

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

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 of having relapsed on alcohol and violation of conditions imposed by the 5/14/08 consent agreement. Agreement effective 2/12/09.

**PALAZZO, Kurt J. (MD #35-067200) – Belpre, OH**

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 admission of having been diagnosed with alcohol abuse, for which doctor has sought treatment through a Board-approved provider, and doctor's admission of being impaired in ability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of alcohol. Agreement effective 2/12/09.

**PATTERSON, Steven Todd (DO #34-005118) – Springfield, 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 admitted relapse on alcohol, for which doctor has sought treatment at a Board-approved treatment provider, false statements to the Board on a licensure renewal application,

and failure to comply with conditions of limitation imposed by 2/11/99 Consent Agreement.  
Agreement effective 2/12/09.

**APPLICATION WITHDRAWN**

**CHIKUNGUWO, Silas Mbasera (MD Applicant; MD Training Certificate #57-012408) – Richmond, VA**

Request for permanent withdrawal of application for medical licensure accepted by Board in lieu of formal disciplinary proceedings based on allegation that doctor provided false, fraudulent, deceptive, or misleading information in attempting to secure an Ohio medical license. Effective 2/12/09.

**LICENSE REINSTATED**

**MOORE, John Pease, III (MD #35-069259) – Dayton, OH**

Doctor's request for reinstatement approved by 2/12/09 Board vote, pending doctor's taking and passing of SPEX, and subject to probationary terms and conditions established by 5/14/03 Board Order.

**PROBATION COMPLETED**

**BROWN, Erica R. (MD Training Certificate #57-012531) – Columbus, OH**

Doctor's request for release from the terms of the 6/13/07 consent agreement granted by 2/11/09 Board vote. Release from probation effective 2/11/09.

**CRAWFORD, Steven Warren (MD #35-067148) – Xenia, OH**

Doctor's request for release from the terms of the 6/11/03 Board Order granted by 2/11/09 Board vote. Release from probation effective 2/14/09.

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

Doctor's request for release from the terms of the 2/11/04 consent agreement granted by 2/11/09 Board vote. Release from probation effective 2/11/09.

**De La FLOR, Richard (MD #35-047505) – Toledo, OH**

Doctor's request for release from the terms of the 3/26/02 Board Order granted by 2/11/09 Board vote. Release from probation effective 2/11/09.

**PARKS MYTON, Alexis Demai (MD #35-067512) – Springfield, OH**

Doctor's request for release from the terms of the 8/13/008 consent agreement granted by 2/11/09 Board vote. Release from probation effective 2/11/09.

**PROBATION – MONITORING TERMS MODIFIED**

**BRIGHTWELL, Robert Russell (DO #34-003008) – Columbus, OH (late report)**

Doctor's request to waive required personal appearance in April 2009, with next personnel appearance being when doctor is eligible for release from the 6/10/04 consent agreement, granted by 11/12/08 Board vote.

**BRUMFIELD, Daniel Howard (MD #35-090980) – Beavercreek, OH**

Doctor's request to reduce required drug and alcohol meetings to two meetings a week, with a total of 10 meetings per month; reduce required psychotherapy sessions to once a month; and be permitted to administer, personally furnish, or dispense controlled substances with maintenance of drugs logs granted by 2/12/09 Board vote.

**HAREWOOD, Sandra Kay (MD #35-090989) – Kettering, OH**

Doctor's request to reduce required personal appearances to every six months; reduce required drug screens to twice a month; and reduce required drug and alcohol rehabilitation meetings to two a week, with a total of 10 per month, granted by 2/12/09 Board vote.

**HOLLIFIELD, William Wayne (MD #35-090687) – Winston-Salem, NC**

Doctor's request to reduce required personal appearances to every six months, reduce required drug screens to twice a month, and reduce required drug and alcohol rehabilitation meetings to two a week, with a total of 10 per month, granted by 2/12/09 Board vote.

**JHANGIANI, Anil H. (MD #35-072547) – Dayton, OH**

Doctor's request to increase required psychiatric sessions to two per month granted by 2/12/09 Board vote.

**LEAK, Byron Christopher (MD #35-085467) – Brooklyn, OH**

Doctor's requests to reduce required drug screens to twice a month and reduce required personal appearances to every six months granted by 2/12/09 Board vote.

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

Doctor's requests to reduce required drug screens to twice a month, with ongoing EtG testing; reduce required personal appearances to every six months; and discontinue required psychotherapy and psychiatric sessions granted by 2/12/09 Board vote.

**COURT ACTION UPDATE**

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

By Decision and Entry filed on 2/5/09, the Franklin County Court of Common Pleas affirmed the Board's 8/13/08 Order, which permanently revoked doctor's medical license.

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

By Decision rendered 2/4/09 and Entry filed 2/20/09, the Franklin County Court of Common Pleas affirmed the Board's 8/13/08 Order, which stayed the permanent revocation of doctor's medical license.

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

By Decision and Entry filed 2/27/09, the Franklin County Court of Common Pleas affirmed Board's 12/12/07 Order, staying the permanent revocation of doctor's license subject to suspension and probationary terms.

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

By Decision filed 1/5/09 and Entry filed 2/26/09, Franklin County Court of Common Pleas granted, conditioned upon doctor's compliance with certain terms, doctor's motion to stay the Board's 12/10/08 Order, which had stayed permanent revocation of doctor's license subject to a suspension of at least one year.

**Non-Disciplinary Administrative Actions**

**Denial of Application**

**ELTAY, Iman (PA #50-002267) – Cincinnati, OH**

Application for Provisional Certificate to Prescribe denied. Based on Board's finding that applicant does not hold at least a master's degree and has not obtained at least 10 years of clinical experience as a physician assistant. (Journal Entry – no hearing requested) Order effective 2/11/09. **(Non-disciplinary)**

**Approval of Application**

**AVELLANET, Carlos Armando (MD Applicant) – Bayonne, NJ**

Application for medical licensure granted, provided that applicant takes and passes SPEX or specialty board recertification examination within six months of 12/30/08. Based on Board's finding that applicant had not engaged in the active practice of medicine for more than two years. (Journal Entry – no hearing requested) Order effective 2/11/09. **(Non-disciplinary)**

**KOVRT, Alan Eugene (MD Applicant) – Decatur, GA**

Application for medical licensure granted, provided that applicant takes and passes SPEX or specialty board recertification examination within six months of 12/30/08. Based on Board's finding that applicant had not engaged in the active practice of medicine for more than two years. (Journal Entry – no hearing requested) Order effective 2/11/09. **(Non-disciplinary)**

**SAVEANU, Teri Pollock (MD Applicant) – Columbus, OH**

Application for medical licensure granted, provided that applicant takes and passes SPEX or specialty board recertification examination within six months of 12/30/08. Based on Board's finding that applicant had not engaged in the active practice of medicine for more than two years. (Journal Entry – no hearing requested) Order effective 2/11/09. **(Non-disciplinary)**

**THOMAS, Jennifer Anne (LMT #33-007890) – North Ridgeville, OH**

Application for restoration of massage therapy licensure granted, provided that applicant takes and passes the limited branch portion of the Massage Therapy examination within six months of 12/30/08. Based on Board's finding that applicant had not engaged in the active practice of massage therapy for more than two years. (Journal Entry – no hearing requested) Order effective 2/11/09. **(Non-disciplinary)**

**ZINNECKER, Kathleen Anne (LMT #33-006740) – Loveland, OH**

Application for restoration of massage therapy licensure granted, provided that applicant takes and passes the limited branch portion of the Massage Therapy examination within six months of 12/30/08. Based on Board's finding that applicant had not engaged in the active practice of massage therapy for more than two years. (Journal Entry – no hearing requested) Order effective 2/11/09. **(Non-disciplinary)**

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**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.**