



YOUR REPORT

FROM THE STATE MEDICAL BOARD OF OHIO

WINTER/SPRING 2003

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A WORD FROM THE PRESIDENT

Though still in its infancy, 2003 is already proving to be a challenging year for virtually everyone involved in the provision and regulation of health care in this country. The news media are saturated with stories about medical crises, from staffing shortages engendered by constricted recession-era budgets to unwieldy malpractice premiums that have sent frustrated physicians searching for reform and have prompted early retirement and even walkouts in some neighboring states.

One of the important issues we face, not just as it relates to the malpractice dilemma, but as a criticism of our health care system as a whole, is medical error. Inadequate patient-provider and provider-provider communication stimulates a plethora of mistakes, including medication errors and wrong patient-wrong site surgical procedures.

This issue of *Your Report* looks at the medical errors problem from several different perspectives. It will give you a taste of what is being done to address this national problem by organizations such as the JCAHO and a coalition of Ohio healthcare leaders, and will offer insights from some of our own experts in professional regulation. Perhaps, most importantly, it will leave you with some ideas about how you personally can better the provision of health care in our state.

R. Gregory Browning, President

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From the Secretary & Supervising Member

by Anand G. Garg, M.D., Ph.D., Secretary
and Raymond J. Albert, Supervising Member

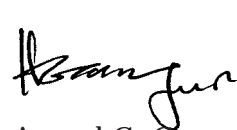
JCAHO's 2003 National Patient Safety Goals are a good starting point in the quest to reduce medical errors.

Unlike most editions of *Your Report*, which offer you an overview of current Ohio licensing and regulatory topics, you'll find that this issue has a definite focus: medical errors, and the devastating impact of those errors on our nation's health care.

Some complaints that cross the desk of the Secretary and Supervising Member at the State Medical Board read like case studies, documenting the kinds of miscommunications and mistakes that may lead to a malpractice

action, compromise patient safety and cost lives. As you'll see from the recommendations offered on the next several pages, eradicating this problem begins, figuratively, at home, with each of us taking responsibility for ensuring that our own actions don't become the seed for a medical mishap.

The State Medical Board of Ohio's website—www.state.oh.us/med/—features a link to the Joint Commission on Accreditation of Healthcare Organization's National Patient Safety Goals and Recommendations for 2003 that offers a touchstone for those seeking to reduce the medical errors that unfortunately appear too frequently in our health care system. We strongly urge you to embrace these goals and the other recommendations found in this issue of *Your Report*, and to make them a part of your clinical practice.



Anand G. Garg, M.D.
Secretary



Raymond J. Albert
Supervising Member

JCAHO 2003 National Patient Safety Goals

Goal 1: Improve the accuracy of patient identification.

Recommendations:

- Use at least two patient identifiers (neither to be the patient's room number) whenever taking blood samples or administering medications or blood products.
- Prior to the start of any surgical or invasive procedure, conduct a final verification process, such as a "time out," to confirm the correct patient, procedure and site, using active - not passive - communication techniques.

Goal 2: Improve the effectiveness of communication among caregivers.

Recommendations:

- Implement a process for taking verbal or telephone orders that requires a verification "read-back" of the complete order by the person receiving the order.

See **GOALS** on page 4

Editorial

Reducing Medical Errors: A Simple Step You Can Take in 2003

By Pitambar Somani, M.D., Ph.D.

Whether or not you believe in the accuracy of the number of deaths attributed to medical errors in the Institute of Medicine's 1999 report, *To Err is Human: Building a Safer Health System*, most physicians recognize the potential for harm if we are not on guard at all times when we provide care to our patients. After all, we have been persuasively cautioned by Hippocrates: *First, do no harm*. Current discussion in both the professional and the lay press has drawn much attention to the need for serious scrutiny of medical errors, and there can be no question that reducing medical errors should be high on our list of professional priorities.

While medical errors can be traced to many participants within the health care delivery system, we as physicians—as Captains of the ship, so to speak—have a heightened responsibility, and there is at least one aspect of the problem that we can directly control: *the manner in which we prescribe drugs for our patients*. National data suggest that each office visit results in our patients getting one or more prescription written by us. Therefore, the hundreds of prescriptions we and our colleagues issue daily are of more than passing importance. The IOM report estimated over 7,000 deaths each year from medication errors. Other sources provide equally staggering estimates.

In its November 12, 2002 edition of *Circulation*, the American Heart Association suggested that the medical community could reduce the frequency and clinical impact of medication errors by implementing safer methods of ordering, dispensing and tracking medication.

Several other professional organizations have made recommendations this year to help reduce common medication errors. The Ohio Patient Safety Discussion Forum (PSDF), a task force organized under the auspices of the Ohio Department of Health and supported in its first educational initiative, *Ohioans FiRx_{st}*, by the Ohio Medical Quality Foundation, has recommended that Ohio physicians recognize and change their habit of using confusing abbreviations that have been shown to lead to medication errors. The PSDF's "tool kit" for helping health care organizations change their medical abbreviation practices will be introduced in conjunction with Patient Safety Awareness Week, March 9 - 15, 2003. More on the PSDF's *Ohioans FiRx_{st}* initiative appears on [page 7](#) of this issue of **Your Report**.

Also in this issue, you'll find an article developed with input from the Ohio State Pharmacy Board ([see page 5](#)), which outlines corrective actions you can all incorporate in your daily practice.

A little extra care in conveying our intent with respect to a patient's treatment can go a long way. And quality of patient care is what it's all about. Our individual effort to communicate clearly through our prescriptions is the underpinning of what must be a successful national initiative to eradicate the medical errors that threaten the safety of the American people. *Clearly written prescriptions by you can truly make a difference.* ♦

Dr. Somani is the Immediate Past-President of the State Medical Board of Ohio and former Chair of the Medical Board's Prescribing Committee.

GOALS (continued from page 2)

- Standardize the abbreviations, acronyms and symbols used throughout the organization, including a list of abbreviations, acronyms and symbols not to use.

Goal 3: Improve the safety of using high-alert medications.

Recommendations:

- Remove concentrated electrolytes (including, but not limited to, potassium chloride, potassium phosphate, sodium chloride >0.9%) from patient care units.
- Standardize and limit the number of drug concentrations available in the organization.

Goal 4: Eliminate wrong-site, wrong-patient and wrong-procedure surgery.

Recommendations:

- Create and use a preoperative verification process, such as a checklist, to confirm that appropriate documents, (e.g., medical records, imaging studies) are available.
- Implement a process to mark the surgical site and involve the patient in the marking process.

Goal 5: Improve the safety of using infusion pumps.

Recommendation:

- Ensure free-flow protection on all general-use and PCA intravenous infusion pumps used in the organization.

Goal 6: Improve the effectiveness of clinical alarm systems.

Recommendations:

- Implement regular preventive maintenance and testing of alarm systems.
- Assure that alarms are activated with appropriate settings and are sufficiently audible with respect to distances and competing noise within the unit.

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Illegible Prescriptions & Medication Errors

Poorly written prescriptions are a common cause of medication errors.

When he was President of the Wisconsin Medical Society, Jack Lockhart, M.D., gave his members advice that the Ohio State Medical Board would like to echo loudly to its prescribing licensees: **“Many doctors are notorious for their poor handwriting, and it’s time we all concentrate on writing**

prescriptions legibly. Clearer writing is the least we can do as a first step to improve patient safety overall.”

Patient safety is threatened by medical error, and specifically, to a significant degree, medication error. The

Board wants you to understand, and to do what you can to help prevent medication error and patient harm.

In 1999, the Institute of Medicine released its study entitled *To Err is Human: Building a Safer Health System*. That report claimed that between 48,000 and 98,000 people in the United States die each year as a result of errors in the delivery of health care services. “Medication errors alone, occurring either in or out of the hospital, are estimated to account for over 7,000 deaths annually.” The Washington-based Leapfrog Group for Patient Safety reported that more than “one million serious medication errors occur every year in U.S. hospitals.” One could logically conclude that in addition to the 7,000 deaths, medication

errors are likely responsible for many thousands of cases of delay in patients receiving their medication and of non-fatal adverse medical events.

There does not appear to be hard data at this point to break down in a highly detailed manner the causes of medication errors, and there are undoubtedly several different causes and types of such errors, but it is believed that poorly written prescriptions play a significant role in the problem. While acknowledging that there are multiple causes of medication error, the Leapfrog Group cites as one of the common causes of medication errors: “Illegible handwritten

prescriptions by physicians leading to administration of the wrong drug.”

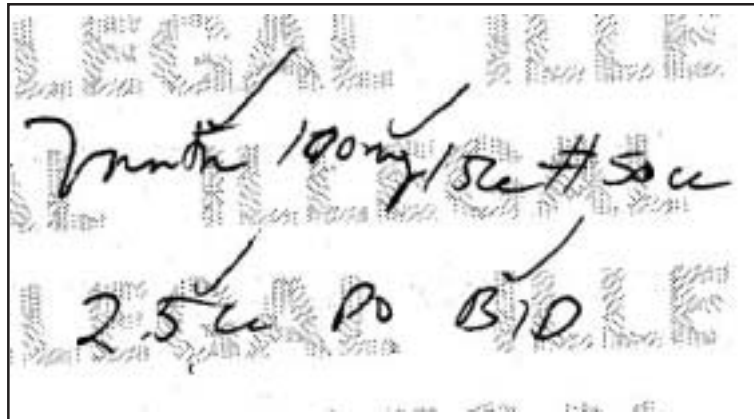
Sandra May, a PharmD, wrote in the October 2002 issue of *Community Pharmacist* that “Misinterpreting even one of the “five rights” of medication safety;

1) right patient,

2) right drug, 3) right dose, 4) right route, or 5) right frequency of administration, can have significant consequences.”

Ohio is not immune to this type of problem. In conversations with the Board of Pharmacy, the Medical Board has learned that, increasingly, pharmacists are coming before the Pharmacy Board for cases in which they have misinterpreted written prescriptions. In one case (see above), a prescription for Vantin was misread by the dispensing pharmacists as Motrin; each pharmacist member of the Pharmacy Board in turn examined the written prescription and saw the same thing.

While pharmacists have a duty to ensure that the drug being dispensed is the same as the



one being prescribed, and that may include contacting a prescribing physician when not sure of what drug the physician intended, this was a case in which there was no such uncertainty. The illegibility was such that it appeared *clearly* to be one drug when it was, in fact, another.

What You Can Do

A number of studies have documented that Computer Physician Order Entry (CPOE) in hospitals can significantly reduce the incidence of medication errors, a reduction of up to 88% in the number of serious medication errors according to one study in particular. The financial barriers to such a system can be significant, and a number of authors have commented that cultural factors—simply, the reluctance of some prescribers to enter prescriptions electronically rather than by hand—further restrict the adoption of such systems.

But there remain a number of things you can do to protect your patients short of computerized prescription entry. The first and most important is to be aware of the problem. Recognize that all of your hard work in evaluating and diagnosing your patient and developing a treatment plan can be undone by a carelessly written prescription. Once you make that realization, you can begin to understand the critical points at which errors can be introduced into the system. There are so many different drugs, many with similar sounding or looking names that, when written too quickly or with poor handwriting, can be confused. Specifically, you should consider the following:

- State law already limits you to a single order for controlled substances per prescription form and does not permit you to mix a prescription order for a controlled substance with any other drugs. For drugs

that are not controlled substances, put no more than three prescription orders on each prescription form (the Pharmacy Board showed us examples of as many as seventeen specific drugs listed on one sheet of a prescription pad);

- Print all prescriptions using a ballpoint pen, especially when using duplicate or triplicate forms;
- Use pre-printed prescription forms with your name and contact phone number clearly listed;
- Minimize the use of abbreviations and avoid those known to cause medication errors;
- Be available to clarify prescriptions with a pharmacy.

Above all, be cognizant of the fact the your prescription order is a communication between you and the dispensing pharmacist. For the sake of your patients, you should make the effort to ensure that the communication is clear and unambiguous. ♦

This article was developed in consultation with the Ohio State Board of Pharmacy

DO WE KNOW WHERE YOU ARE?

State law requires that . . .

- **you notify the Medical Board of a change of address within 30 days**
- **you provide both residence and principle practice addresses when you renew your license**

Health Care Leaders Join to Put Ohioans FiR_xst

Organization calls on individuals and institutions to adopt patient safety measures

In response to the Institute of Medicine's 1999 report on medical errors and prompted by Governor Bob Taft, Ohio's top health care leaders have joined forces as the Patient Safety Discussion Forum (PSDF) to identify and promote safeguards within the state's health care system. The group, representing state health care regulators, professional associations, and medical educators, is a cooperative venture between the public and private sector.

Medication errors have been identified as being among the most common health care mistakes, and one of the major causes of those errors is the ongoing use of potentially dangerous abbreviations in written and transcribed orders and prescriptions. Ohioans FiR_xst, the PSDF's

introductory initiative in Ohio, is aimed at reducing medication errors, and will be a springboard to other projects promoting patient safety. The goal of the Ohioans FiR_xst initial project, scheduled for launch during Patient Safety Awareness Week (March 9-10, 2003), is to eliminate the use of these five potentially dangerous abbreviations by 2005.

To aid in that effort, Ohioans First has developed a "tool kit" to help organizations and medical professionals eliminate the use of the five targeted abbreviations by recommending alternative ways for providers to convey their intended meaning. The tool kit, summarized below, along with references, links and other useful materials will be available on the Ohioans FiR_xst website, www.ohioansfirst.org, when the site goes live this March. ♦

Abbreviations to Avoid	Reason to Avoid	Best Practice
.5	Missing leading zeros may be misread as whole numbers	Always use zero before a decimal 0.5
1.0	Terminal zeros in whole numbers may be misread if decimal is not seen	Never use terminal zeros for doses expressed in whole numbers: 1
U or u	No acceptable abbreviation	Unit
µg	Mistaken for "mg"	microgram
q.d. or QD	Mistaken for q.i.d.	every day

Ohioans FiR_xst is an initiative of the Patient Safety Discussion Forum (PSDF)

Endorsed by

Ohio Department of Health, Ohio Hospital Association, Ohio KePRO, Ohio Nurses Association, Ohio Osteopathic Association, Ohio Patient Safety Institute, Ohio Pharmacists Association, Ohio State Board of Pharmacy, Ohio State Medical Association, Ohio University College of Osteopathic Medicine, State of Ohio Board of Nursing, and State Medical Board of Ohio.

Project Funded By

Ohio Medical Quality Foundation

On-Line Renewal on the Horizon

A computer system slated to “go live” later this year will give licensees the option of renewing via the internet.

Beginning sometime in the second half of 2003, the Medical Board plans to make available to its licensees direct on-line license renewal. The Board is replacing its antiquated computer database systems with a new, browser-based application that will allow the Board to manage virtually all of the processes in all of its departments through a secure web portal. Part of the new functionality will be the ability to offer licensees the option of filling out their renewal application and paying their renewal fees with a credit card from the comfort of their own home or office.

The Board is still a little early in the transitional process, and the exact details of how the on-line renewal system will function are not yet clear. Before the system goes live, the Board will make available explicit, detailed instructions for all potential users (see the Summer 2003 newsletter for details). In addition, the help features on the website will be clear and robust.

The Board does, however, have a basic understanding of the way the new system will work. The Board will continue to send each licensee a renewal notice. Once the on-line renewal system is ready for use, the renewal notice will include a password and instructions for locating the on-line renewal website. Each password will link to a single licensee.

Once the licensee logs on to the system using that password, the licensee will be required to check his or her home and practice addresses, to update them if necessary, to answer the questions found on the renewal card and to provide the other information currently required. You will not be able to move on to

the payment screens if all of the required information is not entered. **You must have a valid email address to renew on-line.** You will be asked to enter an email address, which will be used by the system to send an automated verification that you did complete your on-line renewal application. The email address will also be used to provide notification if your credit card payment is denied. Your email address entered in the on-line renewal system cannot be captured or used in any other way.

The new computer system will have the capacity to store an email address for use by the Board, and the Board will be encouraging its licensees to provide that information, but if you choose explicitly not to do so, the Board cannot have access to that information. The new software system is designed so that the Board and its staff never have access to the credit card information and email address you enter in the on-line payment process. As of now, the Board is considering which credit cards to accept, though Visa and Mastercard, at a minimum, appear likely.

The Board hopes that the convenience of this new process, when available, will make the process of renewing quicker and easier on all of its licensees, though you will continue to have the option of renewing by sending the paper renewal forms and a check to the Board. There will be more information available as the Board moves closer to implementation of the on-line renewal system. Look for the next *Your Report* for an update on the progress, and also keep an eye on the Board's web site at www5.state.oh.us/med/ for continuous updates as they become available.◆

Ohio's Senior Physicians Offer Inspiration

by Raymond J. Albert, Consumer Member

“These three medical heroes represent almost 200 years of quality medical practice between them.”

*Raymond J. Albert
OSMB Consumer Member*

From my earliest years on the State Medical Board, I always thought that our Board should do something to recognize and honor those senior physicians who have given so much to the citizens of our State and have maintained a good record throughout their years of practice. With the support of the Board, the Ohio General Assembly created a Physician Emeritus licensure status, which allows a physician to retire from practice with formal recognition of his or her past service as a member of the medical profession. I am pleased to spotlight some of our distinguished Emeriti for you here.

About two years ago, I saw an article in my local paper, the *Lancaster Gazette*, about **Dr. Herbert Amstutz**, a doctor who was 100 years old and had had an outstanding career. Dr. Amstutz was a maxofacial surgeon in WWII during the invasion of Europe and was the recipient of five Bronze Stars. He was licensed to practice in Ohio in 1934 and told me when we met that he had delivered 350 babies in his first seven years of practice. Dr. Amstutz recalled that he earned \$1 for an office call, \$2 for a house call, and \$25 for delivering a baby—when he got paid.

It is hard to find a person of middle-age or older in Lancaster whose life Dr. Amstutz did not touch. He taught high school for 16 years before he went to medical school, and then

worked his way through school as an instructor. One of his high school pupils was General Curtis LaMay, and one of his college students was Dr. Arthur James, for whom the cancer hospital at Ohio State University is named. Dr. Amstutz told me that he decided to retire when his malpractice insurance cost him more than he was taking in, although he had never been the subject of a complaint or a lawsuit. At a Medical Board ceremony, we awarded the doctor an Emeritus license and presented him with a Commendation from Governor Bob Taft.

Medical Board member Dr. Anita Steinbergh told me about a physician living in a Columbus retirement home, **Dr. James Mendelson**, who was 103 years old. I stopped in to see the doctor, and we subsequently developed a very close friendship that continued until his death this past fall at age 104. My almost weekly visits with him brought me a new story each time. Dr. Mendelson was licensed to practice medicine in 1923 and practiced for 71 years without a single complaint. He told me that anyone who came into his office honored him by trusting their health and lives to him. He also said that he never tried to be the smartest doctor in the world, but always tried to be the kindest. I was honored to be able to present both an Emeritus license and a Commendation from Governor Taft to Dr. Mendelson in the presence of his family and members of the Medical Board.

Another senior physician I have been privileged to meet is **Dr. William Garrett**, who lives with his wife in an assisted living facility in Chillicothe. Dr. Garrett was first licensed to practice medicine in Ohio in 1934 and maintained a perfect record. I asked Dr. Garrett when he decided to become a doctor. He told me that when he was a young boy, he and his father were cutting mine timbers when a local physician came riding by on horseback after visiting Dr. Garrett's cousin, who was ill with pneumonia. Dr. Garrett's admiration for that man started him towards a medical

career. Dr. Garrett served in WWII in the North Atlantic Sea and Air Rescue Unit. His entire medical career has been spent in southern Ohio, an area which has long been considered to be underserved. Dr. Garrett and Dr. Amstutz had attended medical school together at Ohio State, but had not seen each other for 50 years until we brought them together for recognition by the Medical Board.

These three medical heroes represent almost 200 years of quality medical practice between them. Since my call for recognition of senior physicians appeared in the most-recent issue of *Your Report*, we have been contacted about more than 20 physicians, and the calls and letters keep arriving.

I think that, too often, the Medical Board is perceived as a faceless government agency that carries out its licensing and regulatory duties without regard for its licensees as individuals. But from my experience as a public member of the Board for more than 15 years, I know otherwise. The Board's history of working with impaired practitioners and helping them toward recovery is only one example of the Board's interest in supporting practitioners who seek to deliver quality medical care. Recognition of our senior doctors is another example. These individuals gave so much to Ohio's citizens in an age when medicine was practiced in a much different way, often with little financial reward but with more time to compassionately administer to and listen to patients. From my encounters with these senior physicians, I have also learned that their contributions to their communities go far beyond the practice of medicine.

Perhaps in coming issues we can bring you more stories of Ohio's senior physicians that you will find, as I have, to be a source of inspiration. ♦

Mr. Albert, a recognized Ohio historian, is beginning his 16th year as a consumer member of the State Medical Board of Ohio.

New Medical Board Rules

The Medical Board has promulgated a number of administrative rules since the Summer 2002 issue of *Your Report*. The new rules are summarized below. The full text of all the new rules can be found on the Board's website at www.state.oh.us/med/rules/recentrules.htm. Just click on the rule number for each rule.

Section 119.032 of the Revised Code requires that all State agencies review each of their administrative rules every five years. The Board's **Examination rules**—Chapter 5 of the Ohio Administrative Code—were reviewed and amended pursuant to the 119.032 five-year review requirement and became effective on September 30, 2002.

The Board currently offers examinations for licensure in Massage Therapy and Cosmetic Therapy. The Chapter 5 rules, in conjunction with sections of Chapter 1 of the Administrative Code and 4731.16 and 4731.19 of the Revised Code, govern the Board's examination procedures. These rules apply only to examinations administered by the Board and not to other examinations that may be required for licensure, such as the USMLE.

In chapter 5, all of the rules were amended as to form. In addition, 4731-5-01 was amended to combine pre-test requirements into a single rule. 4731-5-04 was amended to make explicit board policy regarding reimbursement of exam fees. 4731-5-03 clarifies cumbersome and outdated language. 4731-5-08 was rescinded and the language of that rule was reintroduced in a clearer form in new rule 4731-5-02. Old

See **RULES** on page 24

STATE MEDICAL BOARD OF OHIO

DISCIPLINARY ACTIONS

June 2002 - December 2002

ADAMSON, Robin Rae aka **HAWN**, Robin Rae
(PA #541) – Delaware

Board Order - Physician assistant's certificate of registration permanently revoked based on her failure to practice in accordance with approved utilization plans due to her having examined, diagnosed and/or treated established patients with new conditions, or her having permitted P.A. students under her supervision to do so, when those patients had not been seen and personally evaluated by the supervising physician prior to initiation of treatment; her having prescribed and/or furnished, or supervised the prescribing or furnishing of, dangerous drugs to patients without prior specific orders from a physician; and her failure to properly record information about her medical orders. Order mailed 12/13/02; Order effective 12/13/02. **Court Action** - Notice of appeal of Board's 12/11/02 Order filed by physician assistant with Franklin County Court of Common Pleas on 12/27/02. Notice of dismissal of appeal filed by P.A. on 1/10/03.

ADAMSON, Wallace Cobner (MD #49575) – Delaware

Board Order - Medical license permanently revoked based on physician's failure to properly supervise

physician assistant in accordance with approved utilization plans by permitting her to examine, diagnose or treat established patients with new conditions without the doctor seeing and personally evaluating those patients prior to initiation of treatment; and failure to properly countersign P.A. medical orders. Order mailed 12/13/02; Order effective 12/13/02. **Court Action** - Notice of appeal of Board's 12/11/02 Order filed by doctor with Franklin County Court of Common Pleas on 12/27/02.

ALDRETE, Jorge Antonio (MD #28690) - Birmingham, AL

Voluntary Surrender - Doctor's voluntary surrender of medical license accepted by Board in resolution of requirements of 11/11/01 consent agreement. Doctor ineligible for reinstatement or licensure in the future. Effective 11/12/02.

ALLEN, David E. (MD #50640) - Columbus

Consent Agreement - Medical license suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent

Tips from the CME, Records & Renewal Department

Lost or misplaced your wall certificate or wallet card?

Now you can download an affidavit for a replacement from the State Medical Board's website at <http://www5.state.oh.us/med/licensees.htm>. Complete the applicable affidavit, have it notarized and forward it to the Medical Board offices at 77 South High Street, 17th Floor, Columbus, Ohio 43215-6127. Originals only, please; faxed copies cannot be accepted.

Endorsing to another State Medical Board?

If you are applying for licensure in another state and need a letter of Good Standing or a completed state verification form, you have the option of mailing your request to the Board offices or faxing it directly to the Records Department at (614) 644-1464. We process letters of Good Standing and licensure verification forms free of charge!

agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's admission that he wrote prescriptions in the names of others for his own use; and on history of alcoholism, opiate dependency and relapse, for which he has sought treatment through a Board-approved provider. Effective 8/14/02.

AMON, Joseph P. (DO #3165) – Canfield
Board Order - Application for restoration of medical license permanently denied based on applicant's plea of guilty to one felony count of Conspiracy to Distribute Cocaine and the acts underlying that plea, which served as the basis for the Board's 11/11/87 revocation Order; and prior action against applicant's Colorado license by that state's medical board based on the above-referenced guilty plea. Order mailed 7/12/02; Order effective 7/12/02.

ANGTUACO, Ernesto V. C. (MD #38360) - Youngstown
Consent Agreement - Medical license limited by establishment of conditions for reinstatement/restoration of lapsed license, including requirement that doctor enter into subsequent probationary consent agreement to monitor practice. Based on doctor's admission that he is currently unable to practice medicine due to bipolar disorder. Effective 8/14/02.

AUBRECHT, John R. (MT #5350) - Newburgh Heights
Board Order - Application for restoration of massage therapy certificate granted provided that applicant takes and passes the limited branch portion of the massage therapy examination within one year of the mailing of the July 2, 2002 notice of opportunity for hearing. Order mailed 11/19/02; Order effective 11/19/02.

BAJAJ, Anil K. (MD #71601) – Parsippany, NJ
Pre-hearing Suspension - Pursuant to Section 4731.22(l), O.R.C., medical license automatically suspended effective 12/11/02 based on doctor having been found guilty of one felony count of Gross Sexual Imposition and one felony count of Sexual Battery. Notice mailed 12/19/02.

BALDWIN, Mark Denison (DO #5880) - Columbus
Consent Agreement - 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 treatment and monitoring requirements are in place. Agreement effective 8/14/02; agreement to remain in effect for at least five years prior to any request for termination.

BARTON, Fred D. (MD #28424) - Tallmadge
Voluntary Retirement - Doctor's permanent voluntary retirement accepted by Board in lieu of further investigation related to possible violations of Sections

4731.22(B)(6) (failure to conform to minimal standards of care) and/or (B)(19) (inability to practice by reason of mental or physical illness), O.R.C. Effective 7/9/02.

BAUM, Diane Lynn (MT #11740) - Mansfield
Consent Agreement Application for certificate to practice massage therapy granted, subject to probationary terms, conditions and limitations to monitor practice. Based on massage therapist's diagnosis of bipolar disorder, for which she continues to receive treatment; and on massage therapist having been deemed by her treating psychiatrist to be capable of practicing according to acceptable and prevailing standards of care. Effective 8/14/02; Agreement to remain in effect for at least five years prior to any request for termination.

BOONE, Lewis Benton, Sr. (MD #59968) - Ashland, KY
Board Order - Medical license permanently revoked based on prior action against doctor's Kentucky license following findings that doctor excessively and otherwise improperly prescribed controlled substances, including narcotics and benzodiazepams. Order mailed 8/19/02; Order effective 8/19/02.

BRIGGS, Jeffrey Allen (MD #44176) - Powell
Consent Agreement - 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 history of alcohol dependence and relapse, for which doctor has sought treatment through a Board-approved provider; and on doctor's admissions that he failed to provide the Board with complete and accurate information on his license renewal application pertaining to relapse, and that he prescribed controlled substances to two individuals with whom he had not established an appropriate physician-patient relationship and for whom he did not maintain records. Effective 10/10/02.

BRUMFIELD, Daniel Howard (MD #65317) – Enon
Consent Agreement - 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 admissions that he has sought treatment for cocaine dependency through a Board-approved provider; that he has left otherwise blank, pre-signed prescriptions at his office for use by his staff, and that he authorized his staff to administer influenza injections to patients in his office with no supervising physician present. Eff. 12/12/02.

BUCKAU, Jeffrey Allen (DO #6350) - Sarasota, FL
Voluntary Surrender - Permanent voluntary surrender

of medical license accepted by Board in resolution of all obligations arising from 7/14/00 consent agreement, and in lieu of formal disciplinary proceedings based on doctor's voluntary surrender of his North Dakota medical license; doctor permanently ineligible for Ohio licensure in the future. Effective 8/30/02.

BYKOV, Victor (MD #68421) - Kirtland

Consent Agreement - 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 treatment and monitoring requirements are in place. Agreement effective 8/14/02; agreement to remain in effect for at least five years prior to any request for termination.

CAGLE, Orel Huston (MD #21548) - Kettering

Voluntary Surrender - Doctor's permanent surrender of medical license accepted by Board in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(10), O.R.C., based on doctor's prescribing of drugs. Effective 10/31/02.

CALIGARIS, Joseph Thayer (MD #50658) - Cincinnati

Consent Agreement - Terms, conditions and limitations established, including requirements that doctor participate in practice assessment through the Colorado Physicians Effectiveness Program (CPEP), complete any recommended remediation, and, if no remediation is required, practice subject to probationary terms and conditions for at least three years. Agreement entered in lieu of further formal proceedings or determinations at this time based on and to address allegations set forth in 7/10/02 notice of opportunity for hearing, including concerns about patient care where improvement over past practices is appropriate. Effective 12/20/02.

CALLION, Raleigh Shipp (MD #49458) - Columbus

Consent Agreement - 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 treatment and monitoring requirements are in place. Agreement effective 8/14/02; agreement to remain in effect for at least five years prior to any request for termination.

CHANDLER, Eugene J. (MD #25780) - Scottsdale, AZ

Voluntary Retirement - Doctor's voluntary retirement accepted by Board in lieu of formal disciplinary proceedings based on actions by Arizona's medical board. Doctor ineligible for reinstatement or licensure in the future. Effective 12/10/02.

CHANDRASEKHAR, Subramaniam (MD #79201) - Wheeling, WV

Consent Agreement - Probationary terms, conditions

and limitations imposed to monitor practice based on history of alcohol dependence, for which doctor completed treatment through a Board-approved provider; determination that doctor is capable of practicing medicine according to acceptable & prevailing standards of care so long as treatment and monitoring requirements are in place; and prior action by West Virginia's medical board related to doctor's alcohol dependence. Agreement effective 8/14/02; agreement to remain in effect for at least five years prior to any request for termination.

CHEEK, John Arthur (MD #47871) - Columbus

Voluntary Surrender - Doctor's voluntary surrender of medical license accepted by Board in lieu of doctor's continuing compliance with the terms of a 3/02 Step I consent agreement. Doctor ineligible for reinstatement of licensure in the future. Effective 11/29/02.

CLARK, Allan William (MD #57420) - Boardman

Consent Agreement - 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 history of chemical dependency and relapse, for which he has sought treatment through a Board-approved provider. Effective 12/12/02.

CODDINGTON, Robert Dean (MD #29667) - St. Clairsville

Interim Agreement - By interim agreement effective 10/9/02, doctor agreed to refrain from prescribing opioids or narcotics in any form to Ohio patients until allegations contained in 7/10/02 notice of opportunity for hearing have been fully resolved.

CRAWFORD, Steven Warren (MD #67148) - Portsmouth

Consent Agreement - 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's admission that he has sought treatment for chemical dependency through a Board-approved provider; and that he obtained controlled substances for his own use by taking samples from office stock and taking hydrocodone ordered from drug wholesalers. Eff. 8/14/02.

CRAWFORD, William Lawrence (MD #32527) - Warren

Consent Agreement - 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 history of alcohol dependence and relapse, for which he has

sought treatment through a Board-approved provider.
Effective 9/11/02.

DAVIS, Leslie Leon (MD applicant) - Ada
Board Order - Application for medical licensure denied. Order entered due to doctor's failure to submit to a Board-ordered psychiatric examination, which by law constitutes an admission that he is unable to practice according to acceptable and prevailing standards of care by reason of mental or physical illness (Journal Entry). Order mailed 10/10/02; Order effective 10/10/02.

DICELLO, Michael Andrew, Jr. (MD #31517) - Mentor
Pre-hearing Suspension - Pursuant to Section 3719.121(C), O.R.C., medical license immediately suspended based on doctor having been found guilty of four felony counts of Illegal Processing of Drug Documents. Suspension effective upon personal service of notice on 11/18/02. **Voluntary Surrender** - Permanent revocation of medical license authorized by doctor in lieu of further formal proceedings based on doctor having been found guilty of four felony counts of Illegal Processing of Drug Documents. Eff. 12/31/02.

EL-MAHDY, Amr Hamid (MD #51158) - Warren
Board Order - Medical license indefinitely suspended; conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Order entered due to doctor's failure to comply with Board-ordered examination for possible inability to practice according to acceptable and prevailing standards of care by reason of mental or physical illness. Order mailed 12/12/02; Order effective 12/12/02. **Court Action** - Notice of appeal of Board's 12/11/02 suspension Order filed with Medical Board on or about 12/27/02 and with Franklin County Court of Common Pleas on or about 12/30/02.

FELTER, Christian Tilen (MD training certificate #3026) - Toledo
Consent Agreement - Training certificate 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 treatment and monitoring requirements are in place. Agreement effective 8/14/02; doctor to complete minimum five year probation under any subsequent training certificates or other certificates that Board may grant. **Consent Agreement** - Medical license suspended for at least 365 days; interim monitoring conditions and conditions for consideration for renewal/issuance of a certificate established, including requirement that doctor enter into subsequent consent agreement incorporating probationary, terms, conditions and limitations to monitor practice. Based on violation of conditions of limitation imposed on license by 8/00 consent agreement and impairment of ability to

practice according to acceptable and prevailing standards of care due to chemical dependency relapse. Effective 12/11/02.

FRENZ, John Allen (MD #30978) - Pearl, MS
Board Order - Medical license revoked based on prior action against doctor's license by Mississippi's medical board following an investigation that indicated that doctor was currently unable to practice medicine with reasonable skill and safety to patients. Order mailed 12/13/02; Order effective 12/13/02. **Court Action** - Notice of appeal of Board's 12/11/02 revocation Order filed by doctor with Franklin County Court of Common Pleas on or about 12/27/02.

GARRIEL, Brenn Isidoro (DPM #3249) - Youngstown
Board Order - Podiatry license permanently revoked based on prior action against doctor's Indiana podiatry license following its findings that doctor had forged the signature of his employer to hydrocodone prescriptions; prior action by the Pennsylvania board based on Indiana's action; and doctor's failure to provide Ohio medical board with complete and accurate information during initial licensure process. Order mailed 6/13/02; Order effective 6/13/02. **Court Action** - Notice of appeal of Board's 6/12/02 permanent revocation Order filed by doctor in Franklin County Court of Common Pleas on or about 6/24/02.

GAYNOR, Steven P. (DPM #2273) - Toledo
Voluntary Surrender - Voluntary surrender of podiatry license accepted by Board in lieu of formal disciplinary proceedings based on impairment of ability to practice due to a mental disorder (psychotic disorder not otherwise specified); and in lieu of further investigation at this time regarding potential violations related to a pending criminal charge of Sexual Imposition. Effective 12/10/02.

GEORGE, Walter Lloyd, Jr. (MD #43159) - Beachwood
Consent Agreement - 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 treatment and monitoring requirements are in place. Agreement effective 9/11/02; agreement to remain in effect for at least five years prior to any request for termination.

GERACI, Thomas L. (DPM #2265) - Hilliard
Board Order - Permanent revocation of podiatry license stayed, subject to suspension for at least 18 months; conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least seven years established. Based on impairment of ability to practice according to acceptable and prevailing standards of care and violation of conditions of limitation

imposed on license by 3/98 consent agreement due to relapse on heroin. Order mailed 8/19/02; Eff. 8/19/02.

GERMANO, Gene A. (MD applicant) - Warren, OH/
St. Petersburg, FL

Board Order - Application for medical licensure permanently denied based on applicant having been found guilty of one misdemeanor count of Attempted Illegal Processing of Drug Documents; denial of his application for licensure in Virginia based in part on his having made false statements and representations in that application; denial of his application for licensure in Tennessee based on criminal history and unethical conduct; and his failure to provide complete and accurate information on his application for Ohio medical licensure. Order mailed 10/11/02; Eff. 10/11/02. **Court Action** - Notice of appeal of Board's 10/02 Order permanently denying licensure filed by applicant on or about 10/25/02.

GIPE, Dannie K., Jr. (MD applicant) - Lakewood
Court Action - By Decision filed on 10/11/02, Franklin County Court of Common Pleas affirmed Board's 2/13/02 Order permanently denying application for medical licensure. **Court Action** - Notice of appeal of 10/25/02 Court of Common Pleas Decision filed by doctor with Tenth District Court of Appeals on or about 11/25/02.

GOVIER, Ann Verlene (MD #51156) - Toledo
Consent Agreement - 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 history of chemical dependency and relapse, for which she has sought treatment through a Board-approved provider; and violation of conditions of limitations imposed on license by 1/17/02 consent agreement due to failure to abstain from alcohol. Effective 6/12/02.

GRIERSON, Archibald L. (MD #31163) - Cleveland Hts.
Pre-hearing Suspension - Pursuant to Section 4731.22(G), O.R.C., medical license summarily suspended based on Board's determination that there is clear and convincing evidence that doctor is unable to practice according to acceptable and prevailing standards of care due to mental illness (Alzheimer's disease); and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 6/13/02; notice hand-delivered 6/19/02; suspension effective upon service of notice. **Board Order** - Medical license revoked based on inability to practice according to acceptable and prevailing standards of care due to mental illness (Alzheimer's Disease). (Journal Entry - no hearing requested) Order mailed 8/19/02; Order effective 8/19/02.

HALL, Darrell Andre (MD #72948) - Toledo
Consent Agreement - 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 treatment and monitoring requirements are in place, including requirement that he continue psychiatric treatment and compliance with prescribed medications related to his diagnosed Adult Attention Deficit Disorder. Agreement effective 8/14/02; agreement to remain in effect for at least five years prior to any request for termination.

HAREWOOD, Sandra Kay (MD #45538) - Kettering
Consent Agreement - 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's admitted history of alcohol abuse and relapse, for which she has sought treatment through a Board-approved provider. Effective 8/14/02.

HELPHENSTINE, James Charles (DO #4200) - Miamisburg
Pre-hearing Suspension - Pursuant to Section 4731.22(G), O.R.C., medical license summarily suspended pursuant to Board's determination that there is clear and convincing evidence that doctor violated conditions of limitation imposed on his license by 9/99 consent agreement and that his ability to practice is impaired due to habitual or excessive use or abuse of drugs; and Board determination that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 9/12/02; suspension effective upon personal service of notice on 9/13/02.

HERNANDEZ, Cesar Ruben (MD applicant)
Greensboro, NC/Silver City, NM
Board Order - Application for medical license granted; doctor reprimanded based on prior action against his New York medical license, which included his admission that he had practiced medicine with negligence on more than one occasion. Order mailed 6/25/02; Order effective 6/25/02.

HIGHBERGER, W. Andrew (MD #56976) - Marysville
Consent Agreement - 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 treatment and monitoring requirements are in place. Agreement effective 7/10/02; agreement to remain in effect for at least five years prior to any request for termination.

HORACEK, Henry J. (MD applicant) - Charlotte, NC
Board Order - Application for medical licensure denied based on prior action against doctor's licenses in North

Carolina and California, following findings by the North Carolina board that there were serious questions regarding acknowledged violations or the appearance of violations of the physician-patient boundary; and doctor's alleged failure to cooperate with the Ohio Board's investigation. (Journal Entry - no hearing requested) Order mailed 11/14/02; Order eff. 11/14/02.

HOSTLER, John Andrew (MD #55503) - Columbus
Voluntary Surrender - Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on matters at issue in criminal charges (Possessing Child Pornography) pending against doctor in U.S. District Court. Effective 10/31/02.

HOWELL, Norman S., Jr. (DO #3148) - Kirksville, MO
Voluntary Surrender - By Amended Entry of Order filed on 10/7/02, Medical Board vacated its 6/12/02 Entry of Order revoking doctor's medical license and accepted doctor's permanent surrender of certificate. Action taken pursuant to settlement agreement ratified by Board on 11/9/02, in resolution of doctor's pending appeal.

HUTCHINSON, Roy Merle (MD applicant) - Petersburg, MI
Board Order - Application for medical license denied based on applicant's failure to provide complete and accurate information on licensure application pertaining to investigations, complaints and allegations involving Iowa's medical board; and failure to cooperate with an Ohio Medical Board investigation. (Journal Entry - no hearing requested) Order mailed 12/12/02; Order effective 12/12/02.

IBEN, Glenn Allan (MD #53297) - Columbus
Consent Agreement - Probationary terms, conditions and limitations imposed based on a determination, following a Board-ordered evaluation, that doctor's diagnoses include Major Depressive Disorder, Recurrent, in Partial Remission, and that he is currently able to practice according to acceptable and prevailing standards of care, subject to specified monitoring conditions. Agreement effective 12/11/02; agreement to remain in effect for at least two years prior to any request for termination.

JACOBS, Michael Bernard (MD #57031) - Las Vegas, NV
Board Order - Doctor reprimanded; ordered to provide, within six months, acceptable documentation of successful completion of a course dealing with the prescribing of controlled substances. Based on prior action against doctor's Florida license following allegations that he failed to meet acceptable standards of care in his treatment of a specified patient who suffered from chronic headaches. Order mailed 10/9/02; Order effective 10/9/02. **Court Action** - Notice of appeal of Board's 9/02 reprimand Order filed by doctor with Franklin County Court of Common Pleas on 10/11/02.

JAIN, Vikas Kumar (MD #76297) - Newark
Consent Agreement - 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 impairment of ability to practice according to acceptable and prevailing standards of care due to alcohol dependence, for which doctor has sought treatment through a Board-approved provider; and doctor's failure to advise the Board on his license renewal application that he had been convicted of Driving Under the Influence, a first degree misdemeanor. Effective 12/11/02.

JOHNSON, Cynthia Joan (PA #1350) - Cleveland Hts.
Consent Agreement - Certificate to practice as a physician assistant indefinitely suspended; interim monitoring conditions and conditions for reinstatement established, including requirement that P.A. enter into subsequent consent agreement incorporating probationary, terms, conditions and limitations to monitor practice. Based on P.A.'s admissions that she pled guilty to misdemeanor charges of Disorderly Conduct and Criminal Trespass, and that she has been diagnosed with alcohol dependence/abuse and depression, for which she has sought treatment through a Board-approved provider. Effective 10/10/02.

JOSEY, Willie Leroy (MD #55467) - South Shore, KY
Court Action - Doctor's notice of voluntary dismissal of appeal filed with Franklin County Court of Common Pleas on 6/18/02, resulting in dissolution of stay and imposition of Board's 3/13/02 indefinite suspension Order effective 6/18/02.

KALIA, Jitander N. (MD #66425) - Vienna
Board Order - Thirty day suspension of medical license stayed subject to probationary terms, conditions, and limitations for at least two years. Based on doctor having been found guilty of one misdemeanor count of Sexual Imposition. Order mailed 1/8/03; Order effective 1/8/03.

KAY, William Ezra (MD #42763) - Pepper Pike
Board Order - Medical license permanently revoked based on doctor having been found guilty of one felony count of Conspiracy to Defraud the United States and one felony count of Mail Fraud. Order mailed 7/12/02; Order effective 7/12/02.

KENNEN, James Michael (DO #4546) - Cleveland
Board Order - Medical license suspended for at least one year; interim monitoring conditions, conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least three years established. Based on violation of conditions of limitation imposed on license by 10/10/01 consent agreement due to alcohol relapse. Order mailed 8/16/02; Order effective 8/16/02.

KIRKENDALL, Dean Alan (MD #50844) - Columbus
Voluntary Surrender - Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(26), O.R.C., which permits the Board to take action based on 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. Effective 11/13/02.

KITCHEN, Anthony W. (MD #69821) - Belpre
Board Order - Indefinite suspension of medical license stayed subject to probationary terms, conditions, and limitations for at least three years. Based on doctor's diversion of Demerol, a Schedule II controlled substance, for his personal use; and prior action against doctor's license by West Virginia's medical board. Order mailed 1/8/03; Order effective 1/8/03.

KNOWLTON, David Alexander (MD #62797) - Springfield, OR
Board Order - Medical license permanently revoked based on prior action against doctor's license by Oregon's medical board following doctor's stipulation that he engaged in conduct constituting unprofessional or dishonorable conduct, gross or repeated negligence, prescribing controlled substances without a legitimate medical purpose or following accepted procedures, and performing artificial insemination upon a patient without consent. (Journal Entry - no hearing requested) Order mailed 11/14/02; Order effective 11/14/02.

LEVIN, Allan Bertram (MD #28488) - Middleton, WI
Consent Agreement - Doctor reprimanded based on prior action against his license by Wisconsin's medical board following findings that his staff routinely billed for services as purportedly provided by doctor, when patients had actually been seen by doctor's partners or residents when he was out of town. Effective 8/21/02.

LEWIS, Carol Elaine (MD #61461) - Cleveland
Consent Agreement 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 history of alcohol dependency and relapse; history of psychiatric treatment for diagnoses that include Bipolar II Disorder, Borderline Personality Disorder, and Major Depressive Disorder; and failure to provide complete and accurate information on license renewal applications pertaining to alcohol dependency & 1994 misdemeanor conviction for petty theft. Eff. 8/14/02.

LITTLEHALE, Robert Ferguson, Jr. (MD #66214)
Ottawa Hills
Voluntary Retirement - Voluntary retirement of medical license accepted by Board in lieu of further investigation

related to possible violations of Ohio's medical practices act based on doctor's voluntary retirement of his New Mexico medical license; doctor permanently ineligible for Ohio licensure in the future. Effective 9/9/02.

MANNINO, Joseph Robert, Jr. (DO #2973) - Coral Springs, FL
Board Order - Doctor reprimanded based on prior action against his Florida license by that state's osteopathic medical board based on his treatment of a specified patient who was subsequently diagnosed with colon cancer by another physician. Order mailed 12/13/02; Order effective 12/13/02.

MAZZI, James Albert (DO #939) - Hubbard
Voluntary Surrender - Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on doctor's pleas of guilty to thirteen misdemeanor counts of attempted trafficking in drugs. Effective 5/21/02.

MCCOLLISTER, Randall Lynn (MD #48013) - Ironton
Voluntary Surrender - Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on doctor having plead guilty in Federal District Court to one felony count of Conspiracy to Engage in the Business of Dispensing and Distributing Controlled Substances. Effective 12/11/02.

MENAMEE, Brian F. (MD #35216) - Cleveland
Consent Agreement - Indefinite suspension imposed by 4/10/02 consent agreement terminated; permanent revocation of medical license stayed, subject to suspension 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 history of chemical dependence and relapse, and diagnosis of major depressive disorder; and violation of conditions of limitation imposed on license by 4/10/02 consent agreement due to failure to abstain from alcohol. Effective 6/12/02. **Consent Agreement** - Permanent revocation of medical license stayed, subject to suspension for at least three years; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement to monitor practice. Based on doctor's admission that he violated conditions of limitation imposed on his license by 6/02 consent agreement due to alcohol relapse. Effective 11/29/02.

MICHAELIS, Kenneth Norton (MT #4478) - St. Louisville
Board Order - Massage therapy certificate suspended for at least 180 days; conditions for reinstatement and subsequent probationary terms, conditions, and limitations for at least three years established. Based on massage therapist's plea of guilty in federal court to one felony count of Introduction of an Unapproved Drug

[Laetrile] into Interstate Commerce. Order mailed 1/8/03; Order effective 1/8/03.

MILLER, David Ronald (MD #37602) - Marion
Consent Agreement - Medical license indefinitely suspended; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement to monitor practice. Based on doctor's admission that he is currently unable to practice medicine due to major depressive disorder. Effective 11/20/02.

MILLER, Ronald Lee (MD #44451) - Columbus
Consent Agreement - Doctor reprimanded; probationary terms, conditions and limitations established by 7/10/96 consent agreement remain in effect. Based on doctor's admission that he violated conditions of limitation imposed on his license by 7/10/96 consent agreement by failing to obtain Board approval prior to being employed by Focus Health Care, Inc. Effective 8/14/02.

MOLISKY, Jon Alan (DO #3447) - Boardman
Voluntary Surrender - Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings pursuant to Sections 4731.22(B)(26) (impairment of ability to practice according to acceptable and prevailing standards of care due to drug or alcohol misuse/abuse) and (B)(15), O.R.C., (violation of conditions of limitation previously imposed on license by the Medical Board). Effective 7/8/02.

MORRIS, Louise Delyte (PA #354) - Cedarville
Consent Agreement - Physician assistant registration suspended for at least 180 days; 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. Based on physician assistant's admission that she relapsed on Vicodin, which she obtained by requesting written prescriptions from one of her physician employers and by deceptively instructing office staff to phone in additional prescriptions to pharmacies using the employing physician's name without his knowledge. Effective 8/14/02.

O'BRIEN, Michael J. (DO #6651) - Steubenville
Board Order - Permanent revocation of medical license stayed, subject to indefinite suspension for at least four years; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on impairment of ability to practice according to acceptable and prevailing standards of care due to doctor having self-administered controlled substances and dangerous drugs which he obtained and used while on duty as an anesthesiologist; and doctor's plea of guilty to felony and misdemeanor counts

including Theft of a Dangerous Drug and Possession of Dangerous Drugs, for which he was found eligible for intervention in lieu of conviction. Order mailed 10/9/02; Order effective 10/9/02.

PACHUDA, Nicholas Michael (DPM #2865) - Sandusky
Board Order - Permanent revocation of medical license stayed subject to indefinite suspension of at least eighteen months; conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least five years established. Based on doctor having engaged in sexual conduct in front of a patient. Order mailed 12/12/02; Order eff. 12/12/02.
Court Action - Notice of appeal of Board's 11/13/02 suspension Order filed by doctor with Franklin County Court of Common Pleas on or about 12/16/02. By Entry filed 12/19/02, Court of Common Pleas granted doctor's motion for a temporary stay of Board's 11/13/02 Order until 1/16/03, subject to doctor maintaining an open door policy and having a chaperone physically present during patient visits. By Entry filed 1/21/03, Court of Common Pleas granted doctor's motion for a stay of Board's Order, noting that doctor has agreed to maintain an open door policy and have a chaperone physically present during patient visits.

PADHIAR, Ashok Vishram (MD #52511) - Circleville
Consent Agreement - Revocation of medical license stayed, subject to suspension 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 admissions that he failed to provide complete and accurate information pertaining to multiple misdemeanor convictions for DUI on applications for renewal of his medical license, and that he has been diagnosed with alcohol dependence, for which he has sought treatment through a Board-approved provider. Effective 9/11/02.

PARADIES, Karen M. (MD #81388) - Cincinnati
Pre-hearing Suspension - Pursuant to Section 4731.22(G), O.R.C., medical license summarily suspended based on board's determination that there is clear and convincing evidence that doctor is unable to practice according to acceptable and prevailing standards of care due to alcohol and cocaine dependence; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 11/14/02; suspension effective upon service of notice on 11/23/02.

POJE, Joanne (MD #78117) - Sidney
Consent Agreement - 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 treatment and monitoring

requirements are in place. Agreement eff. 12/11/02; agreement to remain in effect for at least five years prior to any request for termination.

PORTALES, Arturo (DO #5032) – Richmond, KY
Voluntary Surrender - Doctor's voluntary surrender of medical license accepted by Board in resolution of requirements of 2/13/02 Entry of Order and in lieu of formal disciplinary proceedings based on 5/15/02 action by Kentucky's medical board. Doctor ineligible for reinstatement or licensure in the future. Eff. 11/29/02.

PORTER, Stephen Randall (MD #69802) - Oxford
Consent Agreement - 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's admitted history of alcohol dependency and relapse, and his failure to self-report relapse as required by Board rule. Effective 8/14/02.

PURYEAR, Aki Sefaro (MD applicant) - Wilmington, DE
Application Withdrawn - Request to withdraw application for Ohio medical licensure accepted by board in lieu of formal disciplinary proceedings based on applicant's admission that he has been diagnosed with opiate dependence (hydrocodone), in remission; and that he failed to provide complete and accurate information on his application for Ohio medical licensure regarding criminal charges filed against him for Criminal Impersonation, a misdemeanor, and Obtaining a Controlled Substance by Forgery, a felony. Eff. 7/10/02.

RAMOS, Jesus Asung (MD #32174) - Strongsville
Voluntary Surrender - Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on his plea of guilty to five felony counts of Trafficking in Drugs. Effective 8/12/02.

REINGLASS, James Lowell (MD #31883) – Canton
Consent Agreement - Medical license indefinitely suspended; interim monitoring 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 a determination, following a Board-ordered evaluation, that doctor has the mental disorder of Major Depressive Disorder, Recurrent, Severe with Psychotic Features, which renders him currently unable to practice according to acceptable and prevailing standards of care. Effective 12/11/02.

ROCHON, Gary R. (MD applicant) - Yarmouth, ME
Board Order - Application for medical licensure permanently denied based on prior action against

doctor's license by Wisconsin's medical board following findings that he engaged in sexual relations with two female psychiatric patients; and on prior action by Maine's medical board involving doctor's application for a temporary educational certificate. Order mailed 1/8/03; Order effective 1/8/03.

RODMAN, Harvey Meyer (MD #57750) - Cleveland Hts.
Board Order - Application for reinstatement of medical license permanently denied based on acts that served as the basis for prior actions against doctor's license and licensure applications, including practice of medicine in Ohio without a license for approximately 13 years, commission of fraud, misrepresentation or deception in securing license, and commission of an act that would constitute a misdemeanor involving moral turpitude (Falsification). (Journal Entry - no hearing requested) Order mailed 11/14/02; Order eff. 11/14/02.

ROSS, Jessica Anne (MD #54530) – Dublin
Board Order - Doctor reprimanded; probationary terms, conditions and limitations for at least one year established. Based on doctor's failure to conform to minimal standards of care and violation of Code of Professional Ethics due to abandonment of patients. Order mailed 10/9/02; Order effective 10/9/02.

ROSS, Michael Reiff (MD #64760) – Hilliard
Board Order - Medical license revoked based on prior action against doctor's North Carolina license following findings that doctor prescribed Cipro and other medications for non-acute conditions via the internet, without first performing physical examinations, and without any prior physician-patient relationship. Order mailed 9/4/02; Order effective 9/4/02. **Court Action** - Notice of appeal of Board's 8/14/02 revocation Order filed by doctor with Franklin County Court of Common Pleas on 9/11/02. By Order filed 9/12/02, Common Pleas Court granted doctor's request for a stay of revocation Order.

ROSSITER, Lawrence J. (DO #1933) - Alliance
Court Action - By Decision and Judgment Entry on 4/25/02, Tenth District Court of Appeals reversed the judgment of Franklin County Court of Common Pleas and remanded case to Medical Board to reconsider penalty in view of Court's finding that doctor's misdemeanor conviction was not one involving moral turpitude, as had been found by the Board. **Board Order on Remand** - Medical license suspended for at least 90 days; conditions for reinstatement & subsequent probationary terms, conditions & limitations for at least five years established. Based on doctor having been found guilty in federal court of one felony count of Filing False Income Tax Return. Order mailed 8/5/02; Order effective 9/5/02. (**NOTE**: Order entered following reconsideration of penalty, pursuant to 4/25/02 remand from Court of Appeals.) **Court Action** - Notice of appeal

of Board's 7/10/02 Order on Remand filed by doctor with Franklin County Court of Common Pleas on or about 8/20/02. **Court Action** - By Entry filed 9/3/02, Common Pleas Court temporarily granted doctor's motion for a stay of Board's 8/14/02 Order on Remand.

SCHEIDLER, Joseph Stanley (DO #4803) - Hamilton
Consent Agreement - 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 treatment and monitoring requirements are in place. Agreement effective 8/14/02; agreement to remain in effect for at least five years prior to any request for termination.

SEWELL, Erica Agatha (DO #6191) - Ft. Myers, FL
Consent Agreement - Doctor reprimanded and minimum three year probation imposed based on prior action against doctor's license by Florida's osteopathic medical board, which was itself based on doctor's treatment of a specified patient who experienced abnormal liver function. Agreement effective 10/9/02; agreement to remain in effect for at least three years prior to any request for termination.

SHERMAN, Laurece Daun (CT#3804, MT #3896) - Akron
Board Order - Applications for restoration of previously revoked cosmetic therapy and massage therapy certificates permanently denied based on prior revocation of those certificates due in part to practitioner having held himself out as a physician; and his having been found guilty in 3/89 of one felony count of Sexual Battery with physical harm specification. Order mailed 9/13/02; Order effective 9/13/02.

SHIPPEL, Allan Hendley (MD #42499) - Canton, GA
Consent Agreement - Medical license indefinitely suspended; 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 history of alcohol dependence and opioid abuse, for which he has sought treatment through a Board-approved provider; and prior action against doctor's Georgia license based on that history and treatment. Eff. 6/12/02.

SHUMWAY, David Lucius (MD#72289) - Knoxville, TN
Voluntary Retirement - Voluntary retirement of medical license accepted by Board in lieu of further investigation related to possible violations of Ohio's Medical Practices Act based on doctor's voluntary surrender of his North Carolina medical license; doctor permanently ineligible for Ohio licensure in the future. Effective 8/12/02.

SINGER, Jonathan William (DO #3723) - Englewood, CO
Board Order - Doctor reprimanded based on prior action

taken by Colorado's medical board (letter of admonition) following findings that doctor's failure to comply with a provision of its 5/99 Order requiring timely submission of reports by a practice monitor constituted unprofessional conduct. Order mailed 11/19/02; Order eff. 11/19/02.

STANEK, Michael James (DO #4882) - Columbus
Consent Agreement - 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 treatment and monitoring requirements are in place. Agreement effective 8/14/02; agreement to remain in effect for at least five years prior to any request for termination.

STASCHAK, Michael Carmen (MD applicant)
Pittsburgh, PA
Board Order - Application for medical licensure permanently denied based on prior actions against doctor's license by Pennsylvania's medical board following findings that doctor had treated his wife with a controlled substance for three years, and that he had submitted a false expert report and medical record purportedly for his wife in connection with an administrative hearing before the Pennsylvania board. Order mailed 12/13/02; Order effective 12/13/02. **Court Action** - Notice of appeal of Board's 12/11/02 permanent denial Order filed by doctor with Franklin County Court of Common Pleas on or about 12/23/02.

STORROW, Alan B. (MD #60445) - Cincinnati
Consent Agreement - 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 to monitor practice. Based on doctor's admissions that he was diagnosed with opioid and benzodiazepine dependence, for which he has sought treatment and aftercare through a Board-approved provider; that he obtained controlled substances from the hospital Emergency Department biohazard waste bins and an unlocked storage cabinet, as well as through prescription from a colleague; that he has sought intervention in lieu of conviction in Hamilton County for a felony count of Aggravated Drug Possession; and that he prescribed a schedule IV controlled substance to a colleague on at least two occasions without performing a physical examination and maintaining records. Effective 11/20/02.

STURMI, James Edward (MD #60676) - Pickerington
Consent Agreement - 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 treatment and monitoring requirements are in place. Agreement effective 8/14/02;

agreement to remain in effect for at least five years prior to any request for termination.

SUBLER, David Edward (MD #65191) - Columbus
Consent Agreement - 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 to monitor practice. Based on doctor's admissions that he suffers from chemical dependency, for which he has sought treatment and aftercare through a Board-approved provider; and that he obtained controlled substances for self-use by theft and deception, including by stealing them from the hospital's medication inventory and a patient's prescription bottle, and by personally using part of the medication dosage reflected in his patients' charts. Effective 11/20/02.

SVEDA, Stephen J. (MD #29305) – Coshocton
Board Order - Medical license permanently revoked based on impairment of ability to practice according to acceptable and prevailing standards of care, and violation of conditions of limitation imposed on license due to doctor having failed field sobriety tests and testing with a blood alcohol content of 0.187 following an automobile accident. Order mailed 10/11/02; Order effective 10/11/02. **Court Action** - Notice to withdraw appeal of 2/13/02 Board Order filed by doctor with Franklin County Court of Common Pleas on 11/5/02.

TOLEDO, Florentino Humberto (MD applicant)
Chatworth, GA

Consent Agreement - Medical license issued subject to permanent limitations and restrictions prohibiting doctor from performing or assisting in any major surgical procedure. Based on prior action against doctor's license by Florida's medical board, which was itself based in part on the doctor's admission that he practiced medicine below the acceptable standard of care during his performance of a laproscopic procedure in 1992. Effective 12/11/02.

TOMCZAK, Rodney Louis (DPM #1889) - Columbus
Consent Agreement - Summary suspension terminated; medical license indefinitely suspended; 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 that he has been diagnosed with alcohol dependence and depression, for which he has sought treatment. Agreement effective 6/12/02.

TREISTER, Michael Roy (MD #33112) – Chicago, IL
Board Order - Doctor reprimanded based on prior action against his Illinois license following stipulated findings that controlled substances had been diverted while

under his control, and that he had failed to maintain proper control of those substances. Order mailed 9/4/02; Order effective 9/4/02.

URBAN, Edward John (DO #3523) - Cortland
Court Action - By Decision and Entry filed 6/26/02, Franklin County Court of Common Pleas granted Board's motion to vacate court's 12/17/01 stay order. Pursuant to motion for reconsideration filed by doctor's counsel on 7/1/02, Franklin County Court of Common Pleas stayed Board's 12/12/01 permanent revocation Order until Common Pleas Court renders its decision on doctor's appeal of that Order. Entry filed 7/9/02.

VELDENZ, Henry Charles (MD #62678) – Jacksonville, FL
Board Order - Matter dismissed following Board's determination that doctor presented sufficient evidence in mitigation of prior action against his Florida license by that state's medical board. Order mailed 10/9/02; Order effective 10/9/02.

VINSON, David Jr. (MD #58761) - Columbus
Interim Agreement - Pursuant to interim agreement accepted on 8/30/02, doctor agreed not to practice medicine in Ohio until allegations contained in 5/8/02 notice of opportunity for hearing have been fully resolved by Board.

VOORHIS, Charles C. (MD #31920) - Panama City, FL
Board Order - Doctor reprimanded based on prior action against his license by Florida's medical board in resolution of allegations that he failed to practice according to acceptable standards of care by performing a surgical procedure on the wrong side of a patient's chest, despite having been warned by the operative staff. Order mailed 8/19/02; Order effective 8/19/02.
Court Action - Notice of appeal of Board's 8/14/02 reprimand Order filed by doctor with Franklin County Court of Common Pleas on or about 8/27/02.

WAHL, Kelli Dawn (MT #5757) - Zanesville
Consent Agreement - Probationary terms, conditions and limitations imposed based on massage therapist's admission that she was convicted of Criminal Trespass, Menacing by Stalking, and Telephone Harassment related to her behavior involving a former client and that client's adult son. Agreement effective 6/12/02; agreement to remain in effect for at least five years prior to any request for termination.

WARGO, John David (DO #3969) - Green/Uniontown
Pre-hearing Suspension - Pursuant to Section 4731.22(G), O.R.C., medical license summarily suspended pursuant to Board's determination that there is clear and convincing evidence that doctor's ability to practice is impaired due to habitual or excessive use or abuse of drugs/alcohol; and Board determination that doctor's continued practice presents a danger of

immediate and serious harm to the public. Notice mailed 9/12/02; suspension effective upon personal service of notice on doctor on 9/16/02. **Board Order** - Medical license permanently revoked based on impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs/alcohol; and failure to comply with continuing medical education requirements. (Journal Entry – no hearing requested) Order mailed 11/14/02; Order effective 11/14/02.

WEBB, Deleno H., III (MD #37883) - Huntington, WV
Court Action - By Judgment Entry filed 7/18/02, Franklin County Court of Common Pleas remanded case to the Medical Board in accordance with the instructions of the Tenth District Court of Appeals. **Board Order on Remand** - Permanent revocation of medical license stayed, subject to ninety day suspension; subsequent probationary terms, conditions and limitations for at least five years established. Based on doctor's failure to advise Ohio Medical Board on license renewal applications that complaints had been issued against him by West Virginia's medical board. Order effective 10/11/02. (**NOTE:** Order entered pursuant to 11/29/01 remand from Tenth District Court of Appeals.) **Court Action** - Notice of Appeal of Board's 9/11/02 Order on Remand filed by doctor with Franklin County Court of Common Pleas on or about 10/30/02.

WEINER, Ned Elton (MD #77474) - University Heights
Pre-hearing Suspension - Pursuant to Section 4731.22(G), O.R.C., medical license summarily suspended based on Board's determination that there is clear and convincing evidence that doctor is unable to practice according to acceptable and prevailing standards of care due to chemical dependency relapse and violation of 12/00 consent agreement; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 6/13/02; notice hand-delivered 6/20/02; suspension effective upon service of notice on 6/15/02. **Board Order** - Permanent revocation of medical license stayed, subject to indefinite suspension for at least three years; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions and limitations for at least five years established. Based on doctor's inability to practice according to acceptable and prevailing standards of care due to chemical dependency relapse; and violation of conditions of limitation imposed on license by 12/00 consent agreement. Order mailed 10/24/02; Order effective 10/24/02.

WINHOLT, Jeffrey Wayne (MD #57816) – Cincinnati
Board Order - Permanent revocation of medical license stayed, subject to indefinite suspension for at least four years, such time to be calculated from the 1/9/02 effective date of doctor's consent agreement with the

Board; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on doctor's commission of acts that constitute felonies under State law—to wit: Deception to Obtain a Dangerous Drug, Illegal Processing of Drug Documents, and/or Theft—due to his having diverted fentanyl/sufentanil that was intended for patients for his own use from 1985 through 2001. Order mailed 10/9/02; Order effective 10/9/02.

WOLF, Leslie Rae (MD #56829) - Kettering
Consent Agreement - 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 treatment and monitoring requirements are in place. Agreement effective 6/12/02; agreement to remain in effect for at least five years prior to any request for termination.

YAP, Pedro Tan (MD #32956) - Newton Falls
Voluntary Surrender - Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(9), O.R.C., based upon doctor's pleas of guilty to nineteen felony counts of Aggravated Trafficking in Drugs. Effective 7/24/02.

YARBORO, C. Henry, III (MD #56180) – Mayfield Hts.
Voluntary Surrender - Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on commission of an act that constitutes a felony, to wit: Trafficking in Drugs. Effective 11/29/02.

Continuing Medical Education

ARUL SELVAM, Damodaran (MD #70620) – Kelso, WA
Consent Agreement - Doctor reprimanded; subject to mandatory CME audits for three biennial registration periods. Based on failure to timely submit documentation of compliance with Continuing Medical Education requirements, although CME hours had, in fact, been timely completed. Effective 11/20/02.

FLORO, Norman Alegarbes (MD #67764) – Amherst
Board Order - Doctor reprimanded; \$5000 fine imposed; medical license suspended for a minimum of thirty days and conditions for reinstatement established, unless, within thirty days of the effective date of Order, doctor can provide documentation of completion of 112 hours of CME credits—of which at least 45 hours shall be in Category I—for the July 1, 1998 through October 1, 2000, CME acquisition period; thereafter, doctor required to document compliance with CME requirements for two additional license registration periods. Based on failure

DISCIPLINARY ACTIONS (cont.)

to comply with continuing medical education requirements. Order mailed 9/4/02; Order eff. 9/4/02. (NOTE: Doctor did submit acceptable documentation of required 112 hours of CME in a timely manner, thereby avoiding imposition of suspension.)

NOGUEIRA, Thomas Edward (MD #76092)
Terre Haute, IN

Consent Agreement - 4/10/02 notice of opportunity for hearing dismissed with prejudice to further action based on doctor's satisfaction of terms of Kentucky Board Order and restoration of his license in that state; and on doctor's provision of documentation verifying that he is also in compliance with Ohio continuing medical education requirements. Agreement effective 7/11/02.

SARKAR, Nibar Kumar (MD #34277) - Cincinnati

Consent Agreement - 4/10/02 notice of opportunity for hearing dismissed with prejudice to further action based on doctor's satisfaction of terms of Kentucky Board Order and restoration of his license in that state; and on doctor's provision of documentation verifying that he is also in compliance with Ohio continuing medical education requirements. Agreement effective 7/11/02.

SHUMRICK, Kevin Albert (MD #52092) - Cincinnati

Consent Agreement - 4/10/02 notice of opportunity for hearing dismissed with prejudice to further action based on doctor's satisfaction of terms of Kentucky Board Order and restoration of his license in that state; and on doctor's provision of documentation verifying that he is also in compliance with Ohio continuing medical education requirements. Agreement effective 6/12/02.

TILLER, Tracy (MD #52697) - Cincinnati

Consent Agreement - Reprimand and \$1000 fine imposed; doctor required to document satisfactory completion of Continuing Medical Education hours for three biennial acquisition periods. Based on doctor's admission that she certified on license renewal application that she had completed required CME hours when, in fact, those hours had not been timely completed. (Remaining hours have since been completed.) Effective 12/11/02.

VIDU, Ignatz (MD #20955) - Cleveland

Voluntary Retirement - Doctor's voluntary retirement of medical license accepted by Board in lieu of formal disciplinary proceedings based on failure to complete Continuing Medical Education requirements; doctor ineligible for licensure in the future. Effective 11/13/02.

Court Action Update

BARRETT, Warrick Lee (MD #42010) - Lafayette, IN

Court Action - By Decision filed 5/23/02, Franklin County Court of Common Pleas affirmed Board's 8/8/01 permanent revocation Order, but ruled that Board's finding that doctor engaged in the sale of dangerous drugs in violation of R.C. 4729.51(C) was not sufficiently supported the evidence. Judgment Entry filed 5/30/02.

MARSH, Lonnie II (MD #38543) - Cleveland

Court Action - By Decision filed on 12/26/02, Franklin County Court of Common Pleas affirmed Board's 2/13/02 permanent revocation Order. Entry to be filed.

ROYDER, Clayton H. (DO #4352) - Columbus

Court Action - By Decision and Entry filed 12/24/02, Tenth District Court of Appeals affirmed the 11/30/01 Decision of the Court of Common Pleas, which had affirmed Board's 7/12/00 permanent revocation Order.

Ohio Military Personnel Receiving Smallpox Vaccine

The Ohio Department of Health has received notification that military personnel in Ohio and across the US are receiving smallpox vaccine. Some military personnel are being deployed; other military personnel are returning to their communities. Ohio clinicians should be aware of this fact and should question individuals about smallpox vaccine and/or smallpox vaccine in a family member when evaluating a rash/illness.

A thorough discussion of smallpox adverse events and management can be found in the MMWR Dispatch article published on January 24, 2003. The article is available on the CDC web site: <http://www.cdc.gov/smallpox>.

NEW RULES (continued from page 10)

rule 4731-5-02 was rescinded because it established examination schedules that do not reflect preferred practice. 4731-5-05 was rescinded and its language was added to amended 4731-5-01. 4731-5-06 was rescinded and its language has been carried over to the board's application for examination. 4731-5-07 was rescinded because was based on examination procedures that no longer exist.

The Board's rules governing procedures in cases of impairment—Chapter 16—were amended in part to incorporate additional sections of the Revised Code that became effective subsequent to the previous

effective date of the rules; that is, explicitly to insure that all of the Board's licensees are covered by the rules. In addition, 4731-16-02, 4731-16-04 and 4731-16-05 were amended to clarify procedures for examination, certification and treatment of impaired licensees. 4731-16-03 was rescinded as redundant with other Chapter 16 rules and new 4731-16-03 clarifies the applicability of the impairment regulations to conditions of mental impairment. 4731-16-16 enhances the consent agreement procedures for impaired licensees. 4731-16-10 clarifies the length and frequency of aftercare obligations and 4731-16-12 clarifies obligations regarding self-reporting of relapses by out-of-state licensees. ♦

STATE OF OHIO
THE STATE MEDICAL BOARD
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