

State Medical Board of Ohio
Formal Action Report – February 13, 2019

Prepared by: Colin G. De Pew, Assistant Attorney

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Please find below a summary of actions taken or initiated by the State Medical Board of Ohio and an update of Board matters pending or decided in courts as of February 13, 2019.

CITATIONS/PROPOSED DENIALS

DALE, Roman Michael, M.D., (#35.068153) - Cleveland, Ohio

Based on allegations of sexual misconduct with respect to the care and treatment of one specified patient. Notice of Opportunity for a Hearing mailed 2/14/2019.

HUSEL, William Scott, D.O., (#34.010969) - Dublin, Ohio

Based on allegations that the doctor undertook the care of six specified patients, to whom the doctor administered, or caused to be administered inappropriate and excessive doses of controlled substances, resulting in the death of the patients; and also based on the doctor's failure to cooperate during an investigative office conference. Notice of Opportunity for a Hearing mailed 2/14/2019.

LIFKA, Alesha Lynne, M.T. (#33.020492) – Cleveland, Ohio (Non-Disciplinary)

Based on the massage therapist's submission of her application for restoration of license to practice massage therapy, and that the massage therapist has not been engaged in the active practice of massage therapy for more than two years. Notice of Opportunity of Hearing mailed 2/19/2019.

LOCKE, Susan Sherlock, M.D. (#35.054961) – Shaker Heights, Ohio (Non-Disciplinary)

Based on the doctor's submission of her application for restoration of license to medicine and surgery, and that the doctor has not been engaged in the active practice of medicine for more than two years. Notice of Opportunity of Hearing mailed 2/19/2019.

MILLER, Anna Joy, M.T. (#33.016539) – Bowling Green, Ohio (Non-Disciplinary)

Based on the massage therapist's submission of her application for restoration of license to practice massage therapy, and that the massage therapist has not been engaged in the active practice of massage therapy for more than two years. Notice of Opportunity of Hearing mailed 2/19/2019.

MITCHELL, Jamie Michelle, M.T. (#33.011499) – Carroll, Ohio (Non-Disciplinary)

Based on the massage therapist's submission of her application for restoration of license to practice massage therapy, and that the massage therapist has not been engaged in the active practice of massage therapy for more than two years. Notice of Opportunity of Hearing mailed 2/19/2019.

OHLINGER, Amy Renee, M.T. (#33.021660) – Grove City, Ohio (Non-Disciplinary)

Based on the massage therapist's submission of her application for restoration of license to practice massage therapy, and that the massage therapist has not been engaged in the active practice of massage therapy for more than two years. Notice of Opportunity of Hearing mailed 2/19/2019.

PEPLOW, Summer, R.C.P., (Applicant) - Dublin, Ohio

Based on the respiratory care practitioner's submission of an application to practice respiratory care; and on the prior action by the former (now abolished) Respiratory Care Board, that issued a February 2012 Adjudication Order permanently revoking the respiratory care practitioner's license. Notice of Opportunity for a Hearing mailed 2/14/2019.

WALDORF, Monica Shane, M.T. (#33.018949) – Gahanna, Ohio (Non-Disciplinary)

Based on the massage therapist's submission of her application for restoration of license to practice massage therapy, and that the massage therapist has not been engaged in the active practice of massage therapy for more than two years. Notice of Opportunity of Hearing mailed 2/19/2019.

FINAL ORDERS

ANYADIKE, Chukwuma Paul, M.D., (#35.122805) - Hayes, Virginia

License to practice medicine and surgery revoked. Based on the finding that when the Office of Professional Medical Conduct, New York State Board for Professional Medical Conduct, New York Department of Health, issued a November 27, 2017 Consent Agreement against the doctor's license, that action constitutes any of the following actions taken by an agency responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand. Order effective 2/14/2019. (Journal Entry—No Hearing Requested).

BRIZUELA, Felix, Jr., D.O., (#34.008267) - Harrison City, Pennsylvania

License to practice osteopathic medicine and surgery indefinitely suspended; and subject to conditions for reinstatement or restoration. Based on the finding that when the Pennsylvania Department of State, State Board of Osteopathic Medicine, issued an Order approving a Consent Agreement, wherein the doctor's license was subject to a stayed indefinite suspension, and prohibited from prescribing, controlled substances, that action constitutes any of the following actions taken by an agency responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand. Order effective 2/14/2019. (Journal Entry—No Hearing Requested).

CASSELBERRY, Ronald Blane, M.D., (#35.054022) - Lyndhurst, Ohio

Commencing on the thirty-first day following the date the Order becomes effective, license to practice medicine and surgery is permanently revoked. During the thirty- day interim, the doctor shall not undertake the care of additional patients. Based on the finding that with respect to seventeen specified patients, the doctor: failed to maintain minimal standards applicable to the selection or administration of drugs, or failed to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease; that the doctor's acts conduct or omissions allegedly constitute a departure from or the failure to conform to minimal standards of care of similar practitioners under the same or similar circumstances; that the doctor's conduct allegedly violated the Board's rules on utilizing prescription drugs for the treatment of intractable pain; that the doctor's conduct allegedly violated the Board's rules on standards and procedures for review of the Ohio Automated Rx Reporting System; and that the doctor allegedly violated or attempted to violate, directly or indirectly, or assisted in or abetted the violation of, or conspired to violate, the rules of the Board or the Ohio Revised Code. Order effective 3/11/2019.

CRAIG, Thomas Lewis, III, M.D., (#35.057208) - Cleveland Heights, Ohio

License to practice medicine and surgery permanently revoked. Based on the finding that when the doctor plead guilty in the Cuyahoga County Common Pleas Court, Cuyahoga County, Ohio to ten felony counts of Trafficking, and sentenced to three years in prison, and five years post-release control, the doctor's actions individually or collectively constitute a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony. Order effective 2/14/2019. (Journal Entry—No Hearing Requested).

GARRITANO, Nicholas Matthew, D.O., (#34.004414) - Canfield, Ohio

No further action against the doctor's license to practice osteopathic medicine and surgery. Based the finding that when the doctor was convicted in the United States District Court for the Northern District of Ohio, to one felony count of Willful Failure to Collect or Pay Over Tax, his acts individually or collectively constitute a plea of guilty to, a judicial finding of guilt of, or a

judicial finding of eligibility for intervention in lieu of conviction for, a felony. Order effective 3/11/2019.

HOLLIS, Melvin Orlando, M.T., (#33.014893) - Cincinnati, Ohio (Non-Disciplinary)

Application for restoration of license to practice massage therapy approved, provided the massage therapist's successful completion of the Massage and Bodywork Licensing Examination within six months of the effective date of Order. Based on the massage therapist's submission of his June 14, 2017 restoration application, and on the finding that the massage therapist had not been engaged in the active practice of massage therapy for more than two years. Order effective 2/14/2019.

KALU, Olivia, M.D. (Applicant) – Columbus, Ohio (Non-Disciplinary)

Application for license to practice medicine and surgery approved, provided that the doctor successfully complete the Special Purpose Examination (SPEX), within six months of the date of mailing of the Notice of Opportunity for a Hearing, or upon successful recertification of the American Board of Internal Medicine (ABIM) at the first available certification date. Based on the doctor's August 17, 2018 application to practice medicine and surgery, and on the finding that the doctor has not been engaged in the active practice of medicine and surgery for more than two years. Order effective 2/14/2019. (Journal Entry—No Hearing Requested).

LAWRENCE (aka Colburn), Susan Donna, D.O., (#34.005458) - Athens, Ohio

License to practice osteopathic medicine and surgery indefinitely suspended, but not less than one hundred eighty days, and subject to a four thousand dollar (\$4,000.00) fine, interim monitoring conditions, conditions for reinstatement or restoration, and probationary terms, conditions and limitations for at least five years. Based on the finding that when the doctor: tested positive for alcohol; plead guilty in the Athens Court of Common Pleas, Athens County, Ohio to one felony count of Illegal Processing of Drug Documents; and was arrested and subsequently entered a plea of no contest and found guilty to operating a motor vehicle while intoxicated, she violated the terms, conditions and limitations of her August 2017 Consent Agreement; and her actions individually and collectively constitute a violation of the conditions of limitation placed by the board upon a license or certificate to practice; that she is impaired in her ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice; and constitute a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony. Order effective 3/11/2019.

MALACHIN, Scott, M.T., (#33.009220) - Canfield, Ohio (Non – Disciplinary)

Application for restoration of license to practice massage therapy approved, provided the massage therapist's successful completion of the Massage and Bodywork Licensing Examination within six months of the effective date of Order. Based on the massage therapist's submission of his February 4, 2018 restoration application, and on the finding that the massage therapist had

not been engaged in the active practice of massage therapy for more than two years. Order effective 2/14/2019. (Journal Entry—No Hearing Requested).

MCNUTT, Steven Scott, M.D., (#35.094053) - Shelby, Ohio

License to practice medicine and surgery revoked, and subject to a seven thousand five hundred dollar (\$7,500.00) fine. Based on the finding that when the doctor: failed to timely call-in, present to, submit a specimen for drug and alcohol screening to a Board-approved drug testing facility; and failed to maintain contractual and financial arrangements with a testing facility he violated the terms, conditions and limitations placed by the Board upon the doctor's license to practice contained in the 8/9/2017 Step I Consent Agreement, and that his actions individually and collectively, constitute a violation of the conditions of limitation placed by the board upon a license or certificate to practice. Order effective 3/11/2019.

SUMMER, Mory, M.D., (#35.024974) - Clayton, Ohio

License to practice medicine and surgery revoked. Based on the finding that when the doctor failed to appear for a board ordered psychiatric examination, and failed to demonstrate any circumstances beyond his control that prevented the doctor from attending, his actions individually and collectively constitute an inability to practice according to acceptable and prevailing standards of care by reason of mental illness or physical illness, including but not limited to, physical deterioration that adversely affects cognitive, motor, or perceptive skills. Order effective 2/14/2019. (Journal Entry—No Hearing Requested).

TROTTER, Johnny Ray II, M.D., (#35.090208) - Bloomfield Hills, Michigan

License to practice medicine and surgery permanently revoked. Based on the finding that when the doctor was convicted in the United States District Court for the Eastern District of Michigan to one count of Conspiracy to Commit Health Care Fraud or Wire Fraud, and three counts of Health Care Fraud to which the doctor was sentenced to one hundred and eighty months imprisonment, three years of probation, and restitution in the amount of nine million one hundred ninety-nine thousand nine hundred and forty-six dollars (\$9,199,946.00), his actions individually or collectively constitute a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony. Order effective 2/14/2019. (Journal Entry—No Hearing Requested).

VARGAS, Jose M.D. (Applicant) - North Syracuse, New York (Non-disciplinary)

Application for license to practice medicine and surgery granted. Based on the Board's review of the totality of all facts and circumstances within the doctor's application. Order effective 2/14/2019.

CONSENT AGREEMENTS

BATES, Elizabeth Veeneman, M.D. (#35.126986) - Louisville, Kentucky

License to practice medicine and surgery suspended for a definite period of one hundred eighty days, and subject to a permanent limitation forbidding the practice of hormone replacement therapy or optimization therapy. Based on the doctor's admission that when the Kentucky Board of Medical Licensure issued an Order of Indefinite Restriction that restricted and limited the doctor's license for an indefinite period of time, that action constitutes any of the following actions taken by an agency responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand. Agreement effective 2/13/2019.

BORISON, Daniel I., M.D., (#35.057425) - Beachwood, Ohio

License to practice medicine and surgery reprimanded and subject to a one thousand dollar (\$1,000.00) fine, probationary terms until the doctor has submitted and the Board accepts satisfactory documentation of completed educational courses. Based on the doctor's admission that he issued approximately ten prescriptions for Zenedi and Vyvanse to a colleague; that he did not chart the issuance of the prescriptions; and failed to access and review OARRS, which individually and collectively constitute violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any rule promulgated by the Board, to wit: Standards and Procedures for Review of the Ohio Automated Rx Reporting System (OARRS). Agreement effective 2/13/2019.

CRAWFORD, David A., M.D., (#35.127590) - New Albany, Ohio

License to practice medicine and surgery suspended for a definite period of one hundred eighty days, and subject to a twenty thousand dollar (\$20,000.00) fine. Based on the doctor's admission that he pled guilty in the Court of Common Pleas for Delaware County, Ohio, to three felony counts of Vehicular Assault; and a misdemeanor charge of OVI, which individually or and collectively constitutes a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony. Agreement effective 2/13/2019.

FOLKERTH, Steven Don, M.D. (#35.038465) - Dayton, Ohio

License to practice medicine and surgery reprimanded, and subject to a three thousand dollar (\$3,000.00) fine. Based on the doctor's admission that when the Nevada Medical Board issued a 10/3/2017 Consent Agreement reprimanding the doctor's license for failing to cooperate with the Nevada Medical Board during an investigation, that action constitutes any of the following actions taken by an agency responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand. Agreement effective 2/13/2019.

SCHOEN, Matthew Steven, M.D., (#35.132531) - Carrollton, Texas

Doctor's license to practice medicine and surgery subject to probationary terms, conditions, and limitations. Based on the doctor's admission that when the Kentucky Board of Medical Licensure issued a June 2018 Amended Agreed Order that limited and restricted the doctor's license, based on a prior action by the Texas Medical Board that also limited the doctor's license due to the doctor's cognitive impairment following severe head trauma sustained via an automobile accident, those actions individually or collectively constitute any of the following actions taken by an agency responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand. Agreement effective 2/13/2019.

VOLUNTARY PERMANENT SURRENDERS, RETIREMENTS, REVOCATIONS, WITHDRAWALS

CASTILLO, William M., M.D., (#35.049693) - Pittsburgh, Pennsylvania

Permanent revocation and permanent surrender of license to practice medicine and surgery authorized by doctor in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(12), Ohio Revised Code. Agreement effective 2/13/2019.

KALETA, Michele Denise, M.D., (#35.070776) - Fairfield, Ohio

Voluntary permanent retirement of license to practice medicine and surgery authorized by doctor in lieu of further investigation pursuant to section 4731.22(B)(19), Ohio Revised Code. Agreement effective 2/13/2019.

KIM, David Daesung, M.D., (#35.061016) - Colleyville, Texas

Permanent revocation and permanent surrender of license to practice medicine and surgery authorized by doctor in lieu of formal disciplinary proceedings pursuant to Sections 4731.22(B)(9), and 4731.22(B)(22), Ohio Revised Code. Agreement effective 2/13/2019.

PAYNE, Joshua, L.M.T., (#33.023003) - Westerville, Ohio

Permanent revocation and permanent surrender of license to practice massage therapy authorized by massage therapist in lieu of further formal disciplinary proceedings pursuant to Sections 4731.22(B)(6), 4731.22(B)(12), and 4731.22(B)(20), Ohio Revised Code. Agreement effective 2/13/2019.

PROBATIONARY REQUESTS AND MODIFICATIONS

BABAR, Nabila S., M.D., (#35.067632) - Mason, Ohio

Doctor's request for approval of release from the terms of the 2/10/2016 Consent Agreement, granted by vote of the Board on 2/13/2019. Release effective 2/28/2019.

BURKONS, David M., M.D., (#35.040676) - Shaker Heights, Ohio

Doctor's request for approval of a reduction in the chart review requirement from ten charts per week to ten charts per month, granted by vote of the Board on 2/13/2019.

GUPTA, Anshuli, M.D., (#35.126707) - Columbus, Ohio

Doctor's request for approval of monitoring physician, granted by vote of the Board on 2/13/2019.

HICKEY, Timothy M., M.D., (#35.084480) - Toledo, Ohio

Doctor's request for approval of release from the terms of the 1/14/2015 Board Order, granted by vote of the Board on 2/13/2019. Effective immediately.

JOHNSON, James C., D.O., (#34.007672) - Grove City, Ohio

Doctor's request for approval of monitoring physician, granted by vote of the Board on 2/13/2019. Frequency and number of charts established at ten charts per month.

KREBS, John K., M.D., (#35.066400) - Elyria, Ohio

Doctor's request for approval of a reduction in psychiatric treatment sessions from every two months to every three months, granted by vote of the Board on 2/13/2019.

LEUNG, Steve M., M.D., (#57.027338) - Bedford, Ohio

Doctor's request for approval of a reduction in drug and alcohol rehabilitation meetings from three per week to two per week with a minimum of ten per month, granted by vote of the Board on 2/13/2019.

RATNANI, M. Salim, M.D., (#35.066312) - Hurricane West Virginia

Doctor's request for approval to conduct behavioral counseling via electronic means while the doctor resides in Pakistan, granted by vote of the Board on 2/13/2019.

TANDON, Rajive, M.D., (#35.075550) - Columbus, Ohio

Doctor's request for approval of a reduction in drug and alcohol rehabilitation meeting attendance requirement from three per week to two per week with a minimum of ten per month;

and approval of request to discontinue the chart review requirement, granted by vote of the Board on 2/13/2019.

ZEWAIL, Aly M. A., M.D., (#35.088417) - Doylestown, Ohio

Doctor's request for approval to discontinue the chart review requirement, granted by vote of the Board on 2/13/2019.

PROBATION TERMINATED

CLARK, Dustin Michael, M.D., (#35.091627) - Johnson City, Tennessee

Doctor's request for release from the terms of the 9/12/2013 Board Order, granted by vote of the Board on 2/13/2019. Effective immediately.

DIAMANTIS, Nicholas Constantine, M.D., (#35.069292) - Bratenahl Village, Ohio

Doctor's request for release from the terms of his 11/4/2015 Consent Agreement, granted by vote of the Board on 2/13/2019. Effective 2/16/2019.

ROSE, Bernard J., M.D. (#35.052219) - Kettering, Ohio

Doctors request for release from the terms of his 9/12/2013 Step II Consent Agreement, granted by vote of the Board on 2/13/2019. Effective immediately.

REINSTATEMENT REQUESTS

MA, Muyuan, M.D., (#35.130288) - Cleveland, Ohio

Doctor's request for reinstatement of license to practice medicine and surgery, granted by vote of the Board on 2/13/2019, subject to the probationary terms and conditions as outlined in the 6/13/2018 Board Order, for at least three years, to include the permanent limitation and restriction of no direct patient care in an inpatient setting. Effective immediately.

COURT ACTIONS

GORDON, Scott D., D.O. (#58.005769) – Harvard, Nebraska

Decision and final judgment entry filed 1/22/2019 in the Court of Common Pleas, Franklin County, Ohio affirming the 12/13/2017 Board Order.

MOORE, John Pease, III, M.D. (#35.069259) – Dayton, Ohio

Journal Entry filed 2/5/2019 in the Court of Appeals of Ohio, Tenth Appellate District, vacating the 10/24/2018 Journal Entry of dismissal, doctor's appeal is reinstated.

Please note that revocation and suspension Orders are not always effective immediately. If you have questions about effective dates or conditions governing a doctor's practice before a Board Order takes effect, please contact the office.

Ohio law permits appeal of a Board Order to the Franklin County Court of Common Pleas. Due to this possibility and the potential for a stay that might delay the imposition of a Board action, you may wish to contact us periodically to verify a given practitioner's licensure status.

Most current citation letters, Board Orders, consent agreements and voluntary surrenders or retirements are available on the Medical Board's website under "Lookup a License." If you have questions or need additional details about Citations, Board Orders, Consent Agreements, or Court Actions, please contact the Case Control Office. If you have questions regarding a probationary modification or a probationary request, please contact the Compliance Office. Our offices may be reached at (614) 466-3934.