



YOUR REPORT

FROM THE STATE MEDICAL BOARD OF OHIO

SUMMER/FALL 2005

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A WORD FROM THE PRESIDENT

...about positive change

Change is good. Since the last issue of *Your Report* went to press almost a year ago, your Medical Board has had a lot of opportunities to repeat and internalize that mantra. The state's proposed FY06-FY07 budget provided one such opportunity. Even though ours is a self-sustaining agency, operating exclusively on the power of your licensing fees, we were not immune from the fiscal belt tightening brought on by Ohio's well-publicized budget crunch. Rethinking our priorities and moving forward with cost-saving projects like on-line license renewal enabled us to continue to do more with less.

Of greater concern to those who have worked to make ours one of the most efficient and effective medical boards in the country was a proposal in the biennial budget bill to consolidate Ohio's health regulatory boards under the Ohio Department of Health. The premise for consolidation—greater fiscal and general accountability—is laudable. In practice, though, we have seen the efficacy of medical boards in other states significantly diluted when their resources are divvied up to support multiple boards. Thanks to the efforts of many of your professional associations, to you as individual license holders, and ultimately to the prevailing wisdom of members of the General Assembly, your medical board will remain autonomous for now. As a licensee of this Board myself, I see the considerable work the Board does on our behalf and that of

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From the Secretary's Desk

Artful Communication

By Lance Talmage, MD
Secretary, State Medical Board of Ohio

As health care providers, we go through a rigorous educational process to learn the science, the technical skills and the art of medicine. The art of medicine, sometimes less intensely emphasized, includes ethics, communication and social responsibility. The Oath of Hypocrites tells us that, in as much as we help our fellow human beings, we will be rewarded. The large homes, luxury cars, and lifestyles of many medical practitioners are a reward for long hours, stressful decision-making and deferred wages during the learning years. Those rewards are being threatened by rising overhead, decreasing reimbursement and the pressure to do more in less time while trying to balance a reasonable family life.

From the vantage point of the Medical Board Secretary's desk, I see an impending disaster growing out of patient dissatisfaction with and loss of respect for the healing arts. Lawsuits and patient complaints are increasing exponentially as a result. It isn't just greedy lawyers seeking a deep pocket; it is patients who feel they were ignored, inadequately informed or even victimized by a practitioner who hurried through their care, often with poor results.

The Medical Board received over 4000 complaints last year. As Secretary, I reviewed virtually every one of them. I would estimate that 40% of those complainants had some measure of poor communication at the heart of their dissatisfaction. Perhaps the

practitioner did not take the time or use terms their patients could understand to properly apprise them of alternatives, risks or reasons for maloccurrences. The solution may be something as basic as making a prompt phone call or scheduling an emergency face-to-face meeting to convey critical lab tests or findings. It could be an e-mail or a call to a designated loved one so that the family understands the condition and prognosis of their nursing home resident, or a routine communication that assures the family that the patient is being seen and that problems are at least on the radar screen. Many patients who sue or complain to the Board simply want information that they have been refused or haven't been helped to understand.

We need to acknowledge that neglecting to communicate effectively is risky and bad for our patients and, ultimately, for us.

In order to gain back the credibility and maintain the intimate nature of the practitioner/patient relationship, we must provide more quality time and true communication with our patients. It is not the patient's fault that reimbursement is being continually squeezed. If they are convinced that they

are receiving quality care, they may even join you in advocating for reforms. If they are not, they won't have to look far in the burgeoning health care market place to find another practitioner who may be less qualified but more than willing to undertake their care. Physicians must change both their expectations and their approaches to patient care or the current reforms will succumb to rising patient dissatisfaction, insurance rates will keep climbing, and legislatures will continue to cut reimbursement. Physicians must work to meet their patients' expectations, or they will go into battle with no allies.

The Federation of State Medical Boards has adopted the theme "Serving the Public: Keeping the Trust." All physicians would do well to adopt the same theme for their practices. Poor communication is like talking

on the cell phone while driving: we know it is a risk, but we do it anyway because it suits our own purposes. We need to acknowledge that neglecting to communicate effectively is risky and bad for our patients and, ultimately, for us. The next logical step is to reform our practices to earn the confidence of patients who seek a trusted health care provider to help them maintain or regain their health.



Lance A. Talmage, M.D.
Secretary

New Pharmacy Board Rules Affect Prescribers

A pair of new rules adopted by Ohio's Board of Pharmacy provide essential guidance to prescribers about issuing valid prescriptions and writing multiple prescriptions for non-controlled medications. The rules, 4729-5-30 and 4729-5-13, Ohio Administrative Code, became effective on February 1, 2005. The following explanation of the rules is provided courtesy of the Ohio Board of Pharmacy.

Rule 4729-5-30, OAC - Manner of issuance of a prescription

Rule 4729-5-30 was completely rewritten this year. This has always been one of the most important rules for pharmacists and prescribers to know because it described the requirements for issuing and filling a prescription. Over the years, this rule had become fairly long and unwieldy, so it has been divided into two rules, 4729-5-21 and the new 4729-5-30. 4729-5-21 is a new rule that describes the process to be followed by pharmacists when filling a prescription. Rule 4729-5-30 has been rewritten to become the

rule that describes the process to be used by prescribers when issuing a prescription.

It is important to note that both rules contain identical language about the corresponding responsibility of **both** the prescriber and the pharmacist regarding the need for a prescription to be issued for a legitimate medical purpose by an individual prescriber acting in the usual course of his/her professional practice. The term "corresponding" as used in these rules is defined as "equal" when the individual health care practitioner is acting on what he/she knows **or should know**. For example, a physician who has been notified by a pharmacy that his/her patient is receiving prescriptions for the same controlled substance from five different doctors should take appropriate action to remedy the situation. Such action may include something as drastic as dismissal of the patient from the prescriber's practice. If, on the other hand, the physician takes no action but continues to prescribe as before, then questions about the legitimacy of the prescriptions must be raised. In addition, if the pharmacist continues to blindly fill the prescriptions, even though it is obvious that there is a problem, then he/she is as liable for providing the medications to the patient as is the prescriber. In other words, they both have a corresponding responsibility to ensure that the patient does not receive more medication than would be appropriate for the patient's legitimate medical condition.

Each patient's situation is different and requires good judgment on the part of both the prescriber and the pharmacist, but these rules make it clear that the pharmacist may not hide behind the excuse, "The doctor wrote it, so I have to fill it."

Rule 4729-5-13, OAC - Prescription Format

The format of prescriptions has been the subject of joint discussions between the

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PHARMACY RULES (cont.)

Medical Board and the Board of Pharmacy for some time. You may remember that Rule 4729-5-30 was revised in 2003 to require the printed or typewritten name and telephone number of the prescriber to be on all written prescriptions. (*Editor's Note: For more information on Rule 4720-5-30, see the Summer/Fall 2003 issue of Your Report on the Medical Board's website.*) You should also remember that several years ago, this rule (4729-5-13) was revised to limit controlled substances to one prescription per blank, but the number of handwritten noncontrolled substances that could be on a prescription form was not addressed. This year, the Medical Board and the Board of Pharmacy agreed that some limit needed to be placed on the number of noncontrolled substances that were placed on each prescription form. We have had

examples of prescribers putting 25 prescriptions on one standard sized prescription blank. That is definitely a patient safety hazard. As a result of the discussions between the Boards, a maximum of three noncontrolled substances are now allowed to appear on a single handwritten or typewritten prescription form. Pharmacists are urged to use some judgment when presented with prescriptions containing more than three orders on a blank. There will need to be a time frame for education of the prescribers. **Please do not put a patient in the middle of this process.** Pharmacists will first try to educate the prescriber on the rule change. If the prescriber refuses to comply and continues to knowingly violate the rule, pharmacists are asked to provide several copies of the offending prescriptions to the Board of Pharmacy for follow-up action by either the Medical Board or the Board of Pharmacy. ♦

Office-based Surgery Accreditation

The Winter-Spring 2004 issue of *Your Report* included a story summarizing new Medical Board rules governing the practice of surgery in physicians' offices. The story alerted physicians who use moderate sedation/analgesia or anesthesia services in an office setting of the requirement in Rule 4731-25-07, Ohio Administrative Code, to apply for accreditation by July 1, 2005 in order to continue to perform office-based surgeries or procedures. The rule also requires receipt of accreditation by January 1, 2007.

The four groups recognized in the rule for purposes of accrediting office settings are:

- Joint Commission on Accreditation of Healthcare Organizations (the JCAHO) (www.jcaho.org)
- Accreditation Association for Ambulatory Health Care, Inc. (the AAAHC) (www.AAAHC.org)

- American Association for Accreditation of Ambulatory Surgery Facilities, Inc. (the AAAASF) (www.AAAASF.org)
- Healthcare Facilities Accreditation Program of the American Osteopathic Association (the HFAP) (do-online.org).

If you perform procedures or surgery in your office, using moderate sedation/analgesia or anesthesia services, and you are not licensed by the Ohio Department of Health as an ambulatory surgical facility, these rules most likely apply to you. Those who missed the July 1st application deadline are urged to contact one of the above organizations immediately to avoid potential sanction from the Medical Board.

More information concerning the accreditation process may be obtained from each organization's website. To review the administrative rules concerning office-based surgery, go to www.med.ohio.gov/rules/4731-25.htm. ♦

Changes to Medical Board Rules

Since the last issue of Your Report (Summer/Fall 2004), the Medical Board has adopted changes to a number of its existing administrative rules. Many of these changes are technical or procedural in nature. Others, however, make substantive revisions to licensure eligibility requirements. The Medical Board encourages its licensees to familiarize themselves with all new and amended rules in order to understand their continuing legal obligations.

The following is a summary of Medical Board rules that have been amended in the past year. The full text of these and other current Medical Board regulations is available on the Board's website at www.med.ohio.gov/rules/rulespage.htm.

Chapter 4731- 6: Licensure

The amended rules, which took effect on October 31, 2004, identify the types of licensure exams that qualify an applicant for licensure in Ohio. Of note to the osteopathic community is the revision permitting the Board to accept the COMLEX-USA directly as an Ohio licensing examination. Prior to this change, the Board required diplomate status by the National Board of Osteopathic Medical Examiners. Additionally, language in Rule 4731-6-14 for the COMLEX-USA mirrors that of the USMLE limitations.

Also of note is a change of language in Rule 4731-6-16(B) specifying that endorsement of licenses that are "current and in good standing," for licensing purposes in Ohio, may include those of applicants who are on probation in another state if the appropriate probationary terms are implemented in Ohio.

Rule 4731-6-30 addressing training certificates was amended to include those participating in

a combined post-graduate training program.

Additionally, Rule 4731-6-14, Eligibility for Licensure by Examination, was later amended in 2005 to provide a limited exception to this rule that may be granted by the Board to an applicant who passes all three steps of the USMLE or COMLEX-USA within a ten-year period, if the applicant shows good cause for why he or she did not complete the examination sequence in a seven-year period and has not failed any step of the examination three times or more. This amendment was effective on June 30, 2005.

Other Rules Changes

Non-substantive updates and technical changes were made to the following rules as part of the agency's five-year rule review process required by state law. The following amended rules went into effect on June 30, 2005:

- 4731-7-01 - Method of notice of meetings
- 4731-8-01 - Personal Information Systems
- 4731-15-01 - Licensee reporting requirements; exceptions
- 4731-19-05 - Duty to refrain from certain procedures

The above rules, as well as any new proposed rules the Medical Board may be considering, are posted on the Board's website. To view, go to:

www.med.ohio.gov/rules/rulespage.htm

PRESIDENT (cont.)

our patients as a pretty good deal, especially considering that we haven't seen a fee increase since 1999.

And speaking of the Board's work, we were gratified to be recognized for our regulatory efforts yet again this year by Sidney Wolfe, M.D., and his Public Citizen Health Research Group, a national non-profit public interest organization. Public Citizen ranks state medical boards based on the rate of "serious" disciplinary actions taken per 1000 physicians in each state. Ohio is the only large state in terms of physician population that appears in Public Citizens' top ten, a distinction that the Ohio Board has held for the past seven years.

In both the licensing and disciplinary arenas, the Ohio Medical Board flourished under the leadership of Executive Director Thomas A. Dilling over the last five years. When Tom decided this past winter that he wanted to pursue new professional challenges with Ohio's Board of Nursing and our Board members were unable to dissuade him, we uttered our mantra—change is good—and went about the business of finding a new leader. After conducting a thorough management study of the agency, followed by an extensive search, we are delighted to announce the appointment of Richard A. Whitehouse to the position of Medical Board Executive Director. Rick comes to us from the Ohio Inspector General's office, where he served as Chief Legal Counsel and Deputy Inspector General. We look forward to his new ideas and approaches.

The opportune timing of Mr. Whitehouse's appointment allowed him to represent Ohio along with several board members at the annual meeting of the Federation of State

Medical Boards of the United States this past May. The theme of this year's meeting, "Serving the Public: Keeping the Trust" centered on patient safety, prevention of medical errors, and maintaining licensure through an ongoing demonstration of professional competence. One interesting topic was the shifting paradigm of medical board involvement in more than just single physician assessment and discipline to assessment and coordination of health system performance. These are emerging issues for medical boards, and we will be brainstorming about how to address them in our own work as a Board when we gather for a Strategic Planning Retreat in September.

Still more changes in our midst involved the departure of two longtime members of

the Board, Cincinnati OB-GYN Anant Bhati, M.D., and Anand G. Garg, M.D., of Avon, who has practiced neurosurgery in Youngstown. Dr. Bhati and Dr. Garg provided invaluable expertise and insight to the Board during their tenures. In addition to his duties as a Board member, Dr. Garg worked closely and productively for many years with Board staff in his capacity as Secretary, the agency's chief enforcement officer. Dr. Bhati and Dr. Garg distinguished themselves as fine gentlemen whose contributions and company will be missed. In their stead, we welcome new Board members Kamala Saxena, M.D., a pediatrician from Columbus, and Nandlal Varyani, M.D., who practices anesthesiology in Middleburg Heights.

To most Ohio physicians, the Medical Board probably only comes to mind at license renewal time or when this newsletter arrives to alert them to new rules or laws that impact their practices. It is likely of little consequence to them that Ohio's medical board is nationally recognized by fellow regulators, the media, and consumer groups as a standard bearer and

Ohio's medical board is nationally recognized by fellow regulators, the media, and consumer groups as a standard bearer and innovator.

innovator. With or without recognition, those of us who serve on the Board are deeply committed to fulfilling our stated mission of protecting and enhancing the health and safety of the public through effective medical regulation. This would not be possible without the hardworking people who serve the Board, be they employees, appointees or volunteers. I recall an observation attributed to the president of a major corporation: "Culture eats strategy for breakfast every morning." In my

experience, the Medical Board is a place filled not only with positive, energized culture, but with strategic vision as well. It has been my great honor to serve the Ohio Medical Board as its President.



Patricia Davidson, President

WANTED: YOUR MEDICAL EXPERTISE

In 2004, the State Medical Board of Ohio received nearly 4000 complaints involving medical practitioners. Approximately 27% of these complaints raised questions about whether or not the practitioner involved had departed from or failed to conform to minimal standards of care. In many cases, input from practicing physicians in applicable specialties is invaluable to the Board's Secretary and Supervising Member, who review each complaint to determine whether the subject of the complaint violated the standard of care. The Board itself also relies upon the testimony of medical experts at its administrative hearings to assist in determining violations of statutory standards.

The Board seeks your expertise in evaluating complaints involving minimal standards of care issues. Under State law, experts are offered legal protection for providing information to and testifying before the Board. Legal representation is made available by the Office of the Attorney General.

At the present time, the Medical Board is in particular need of practitioners from

the following specialty areas:

- diagnostic radiology
- pediatric neurosurgery
- ophthalmology
- surgery (particularly colo-rectal and orthopedic)
- dermatology
- pain management

Medical experts are usually compensated at \$100 an hour for preparation time and \$150 an hour for testimony, should it become necessary. The Board recognizes that it is not in a position to match the fee schedule offered by private attorneys; however, it is in the unique position of affording practicing physicians the opportunity to participate in the ongoing effort to assure that only high quality health care is provided to the citizens of this state.

To learn more about serving as an expert for the Medical Board, go to www.med.ohio.gov/expertcall.htm. If you are interested in offering your expertise, please contact Barb J. Sibla, Enforcement Paralegal, at (614) 728-3680. ♦

STATE MEDICAL BOARD OF OHIO

DISCIPLINARY ACTIONS

June 2004 - March 2005

Disciplinary actions taken by the State Medical Board of Ohio between June 2004 and March 2005 are listed below. For the most current license status information, go the Board's website, www.med.ohio.gov, and click on the *LICENSEE PROFILE AND STATUS* link.

ADAMS, Michael Todd (MD training certificate #57-009057) - Cleveland
Consent Agreement - Medical training certificate 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 he has sought treatment through a Board-approved provider. Agreement effective 11/12/04.

ALBOM, Jerrold Raphael (MD applicant) - Dallas, TX
Board Order - Application for medical licensure denied. Order entered due to doctor's failure to submit to a Board-ordered psychiatric evaluation, 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 effective 10/14/04. **Court Action** - Notice of appeal of Board's 10/13/04 Order denying medical licensure filed by doctor with Franklin County Court of Common Pleas on or about 10/28/04.

ALLEN, David E. (MD #35-050640) - New Albany
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 incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's admitted relapse and failure to comply with conditions of limitation imposed on his license by 2/12/03 consent agreement. Agreement effective 3/9/05.

AMPS, Jeremy (MD training certificate #57-000801) - Cleveland
Board Order - Suspension of training certificate for thirty days stayed; probationary terms, conditions, and limitations for at least one year established. Based on doctor having been found guilty of two felony counts of Theft of Services, the facts underlying which involved his issuance of prescriptions for Percocet and Oxycontin to his fiancée, in a manner that exceeded the authority granted by his medical training certificate. Order effective 9/9/04.

ARKO, Richard A. (MT #33-006785) - Barberton
Pre-hearing Suspension - Pursuant to §3719.121(C), O.R.C., certificate to practice massage therapy immediately suspended based on massage therapist having been found guilty of felony counts of Illegal Cultivation of Marijuana and Possession of Criminal Tools. Notice mailed 8/12/04. **Board Order** - Certificate to practice massage therapy permanently revoked based on massage therapist having been found guilty of felony counts of Illegal Cultivation of Marijuana and Possession of Criminal Tools. (Journal Entry - no hearing requested) Order effective 10/14/04.

ARUMUGAM, Subramaniam (MD training certificate #57-006776) - Cleveland
Voluntary Surrender - Revocation of medical training certificate authorized by doctor in lieu of formal disciplinary proceedings based on his having falsely represented in conjunction with his training certificate application that he had obtained a valid medical degree from the University of Illinois at Chicago when, in fact, he has not obtained a valid medical degree from any institution. Effective 12/17/04.

BAJPAI, Manju (MD applicant) - Sylvania
Board Order - Application for medical license denied based on applicant's failure to provide complete and accurate information concerning residency training history, and her failure to pass all three steps of the USMLE licensing examination within seven years, as required by Ohio law. Order effective 12/22/04.

BANAGA, Rogelio Ainza (MD #35-043037) - Lorain
Voluntary Surrender - Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on doctor's admission that he plead guilty to four felony counts of Attempted Corrupting Another with Drugs, and four felony counts of Illegal Processing of Drug Documents. Effective 10/12/04.

BANKS, Mark Andrew (MD #35-071099) - Lancaster
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 admission that he has been diagnosed as opiate dependent and has sought treatment through a Board-approved provider. Agreement effective 8/11/04.

Consent Agreement - Medical license reinstated subject to probationary terms, conditions and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 2/9/05; agreement to remain in effect for at least five years prior to any request for termination.

BARSOUM, Wael Kamal (MD #35-072588) - Westlake
Consent Agreement - Doctor reprimanded and terms, conditions and limitations imposed based on prior action by Florida's medical board, which action was the result of doctor having operated on the wrong knee of a specified patient. Agreement effective 3/9/05.

BERKMAN, Robert Allen (MD #35-044695) - Columbus
Board Order - Medical license suspended for at least 180 days; conditions for reinstatement and subsequent probationary terms, conditions, and limitations established. Based on doctor's plea of guilty in U.S. District Court to one felony count of Conspiracy to Violate the Prescription Marketing Act, the acts underlying which involved doctor's receipt of more than \$84,448.06 from billing for free or sample doses of Zoladex he prescribed for prostate cancer patients. Order effective 9/9/04.

BIERER, Craig Lindsay (DO training certificate #58-000448) - Cuyahoga Falls
Consent Agreement - Medical 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 certain treatment and monitoring conditions are in place. Agreement effective 6/9/04; agreement to remain in effect until doctor has completed at least a five year probationary period prior to any request for termination.

BLAHNIK, Gary Allen (MT applicant) - Mason
Board Order - Application for massage therapy certificate permanently denied based on applicant's inability to practice according to acceptable and prevailing standards of care by reason of mental illness. Order effective 6/14/04.

BLAIR, Mark Erik (MD #35-081181) - Dayton
Consent Agreement - Probationary terms, conditions and limitations established to monitor practice based on determination, following a Board-ordered examination, that doctor has the mental disorders of Bipolar I Disorder (in Full Remission) and Social Phobia, and that he is currently able to practice according to acceptable and prevailing standards of care so long as certain treatment

and monitoring conditions are in place. Agreement effective 10/15/04; agreement to remain in effect for a minimum of five years prior to any request for termination.

BRIGHTWELL, Robert Russell (DO #34-003008)
- 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 certain treatment and monitoring requirements are in place. Agreement effective 6/10/04; agreement to remain in effect for at least five years prior to any request for termination.

BRINDLE, Fred Andrew (MD #35-052438) - Sandusky
Board Order - Medical license suspended for at least 90 days; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on violation of conditions of limitation imposed on doctor's license by 8/01 consent agreement due to failure to comply with random urine screen requirements and submission of false declarations of compliance. Order effective 12/3/04.
Court Action - Notice of appeal of Board's 11/10/04 suspension Order filed by doctor with Franklin County Court of Common Pleas on or about 12/14/04. By Decision and Entry filed on 2/14/05, Franklin County Court of Common Pleas denied doctor's motion for a stay of Board's 11/10/04 indefinite suspension Order.

BRUENING, Frank Raymond (MD #35-032119) - 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 certain treatment and monitoring requirements are in place. Agreement effective 1/12/05; agreement to remain in effect for at least two years prior to any request for termination.

BRUMFIELD, Daniel Howard (MD #35-065317)
- Springfield

Pre-hearing Suspension - Pursuant to §4731.22(G), O.R.C., medical license summarily suspended based on Board's determination that there is clear and convincing evidence that (1) doctor violated conditions of limitation imposed on his license by 1/16/04 consent agreement and (2) his ability to practice according to acceptable and prevailing standards of care is impaired, as evidenced by his submission of a urine screen that tested positive for cocaine; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 12/9/04. **Board Order** - No further action taken, and doctor continued under the terms of his 1/16/04 consent agreement, based upon Board's finding that his submission of a urine specimen that tested positive for the presence of cocaine had not

been the result of intentional ingestion of cocaine. Order effective 1/24/05. (NOTE: License subjected to further disciplinary action on 4/13/05 and 7/13/05. See Board's website for more information.)

BURGHARDT, Michael Bruce (MD #35-064527)
- Newark

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 his ability to practice according to acceptable and prevailing standards of care is impaired due to alcohol relapse, for which he has sought treatment through a Board-approved provider. Agreement effective 3/9/05.

CARRINGTON, Victoria Lynn (MD #35-072057)
- Richmond Heights

Voluntary Surrender - Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on her having prescribed, on approximately 6000 occasions over the course of approximately six months, psychotropic medications and other dangerous drugs, via the internet, to patients whom she neither saw in person nor with whom she ever spoke. Effective 12/20/04.

CESTONE, Patrick Brian Jr. (MD #35-070978)
- Youngstown

Consent Agreement - Doctor reprimanded; 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 admissions that he was initially prescribed opiates for pain management; that he subsequently obtained opiates by forging the signature of one of his partners on prescriptions and/or by writing prescriptions in the name of a patient/friend and filling them himself; that he has been diagnosed as being opiate dependent; and that he has sought treatment through a Board-approved provider. Agreement effective 2/10/05.

CHATFIELD, Robert H. (DO #34-002208)
- Swartz Creek, MI

Board Order - Medical license suspended indefinitely for at least ninety days; 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 history of alcohol dependence and relapse, and mental illness, including major depression; prior action by Michigan's medical board based on doctor's mental and physical impairment; and doctor's alleged failure to self-report

relapses as required by Ohio law. (Review and Journal Entry - no hearing requested) Order effective 6/10/04.

CHECK, Lynne Ellen Zeglob (MD #35-033827)
- Garfield Heights

Board Order - Medical license indefinitely suspended; conditions for reinstatement established. Order entered due to doctor's failure to comply with Board-ordered examination, resulting in Board's finding, pursuant to Section 4731.22(B)(26), O.R.C., that doctor's ability to practice according to acceptable and prevailing standards of care is impaired because of habitual excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. (Journal Entry) Order effective 1/13/05. **Pre-hearing Suspension** - Pursuant to §4731.22(G), O.R.C., medical license summarily suspended based on Board's determination that there is clear and convincing evidence that doctor violated conditions of limitation imposed on her license by 3/10/04 consent agreement; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 1/13/05; suspension effective 1/13/05. **Court Action** - Notice of appeal of Board's 1/12/05 indefinite suspension Order filed by doctor with Franklin County Court of Common Pleas on or about 1/26/05.

COCKERILLE, Lawrence Lee, Jr. (MD #35-027302)
- Litchfield

Voluntary Surrender - Doctor's permanent voluntary surrender of medical license accepted by Board in lieu of formal disciplinary proceedings based on doctor's plea of guilty to one felony count of Conspiracy. Effective 8/11/04.

CONNORS, Jason Dean (DO #34-007046)
- Huber Heights

Voluntary Surrender - Revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on his having plead guilty to seven counts of Trafficking in Drugs. Effective 12/17/04.

COOPER, L. Jean (MD #35-069638) - Cincinnati
Consent Agreement - Doctor reprimanded; medical license suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's admission that she relapsed on alcohol, for which she has sought treatment through a Board-approved provider; and that she failed to provide complete and accurate information pertaining to her relapse on her licensure renewal application as required. Agreement effective 2/9/05.

DAWSON, Robert David, Jr. (PA #50-001587)
- Willowwood

Child Support Default Suspension - Pursuant to determination by Lawrence County Child Support

Enforcement Agency that physician assistant is in default under a child support order, physician assistant registration immediately suspended until such time as Board receives notice from Lawrence County Child Support Enforcement Agency that physician assistant is no longer determined to be in default. Notice mailed 5/28/04; Suspension effective 5/28/04.

DENNISON, Patrick Robert (DO #34-003779) - Cleveland
Consent Agreement - Medical license suspended for at least one year; reinstatement conditions and subsequent probationary terms, conditions and limitations for at least five years established. Based on doctor's admission that he engaged in sexual contact with a patient while he was treating her for conditions including depression. Agreement effective 3/10/05.

DIAMANTIS, Nicholas Constantine (MD #35-069292) - Middleburg Heights
Consent Agreement - Medical license suspended for thirty days; subsequent probationary terms, conditions and limitations for at least five years established. Based on doctor's admission that he performed dental procedures without holding a license to do so, and that insurance carriers were billed for and issued payment for dental procedures in the name of his business partner, a licensed physician/dentist, when doctor had actually rendered those services. Agreement ratified by Board on 9/8/04; agreement effective on 9/30/04.

DORIOTT, Elizabeth A. (DO #34-006593) - Springboro
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, resulting in Board's finding, pursuant to Section 4731.22(B)(26), O.R.C., that doctor's ability to practice according to acceptable and prevailing standards of care is impaired because of habitual or excessive use or abuse of drugs, alcohol or other substances that impair ability to practice. (Journal Entry) Order effective 2/10/05. **Court Action** - Notice of appeal of Board's 2/9/05 indefinite suspension Order filed by doctor with Franklin County Court of Common Pleas on or about 2/23/05. By Entry filed 3/11/05, Common Pleas Court denied doctor's motion for a Temporary Restraining Order and Suspension of Board's Order.

DRAKE, Miles Edward Jr. (MD #35-047457) - Columbus
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 admission that he is alcohol dependent and has sought treatment through a Board-approved provider. Agreement effective 2/9/05.

DUNCAN, Gregory David (MT applicant) - Batavia
Board Order - Application for certificate to practice massage therapy denied based on impairment of ability to practice according to acceptable and prevailing standards of care due to alcohol dependency. Order effective 8/31/04.

EATON, Lynne Antoinette (MD #35-060149) - Columbus
Consent Agreement - Medical license suspended for at least 60 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 she self-reported that she had entered treatment for chemical dependency through a Board-approved provider, and that her drug of choice is Percocet, which she began abusing during or about 11/03 related to migraine headache pain. Effective 6/9/04. **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 certain treatment and monitoring requirements are in place. Agreement effective 10/15/04; agreement to remain in effect for at least five years prior to any request for termination.

EBNER, Gregory Lee (DO #34-003080) - Cincinnati
Board Order - Medical license suspended for at least 180 days; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least two years established. Based on denial of doctor's application for licensure in Arizona by that state's osteopathic medical board following its determination that doctor's conduct constituted "procuring or attempting to procure a license to practice osteopathic medicine by fraud or misrepresentation." Order effective 12/22/04.

EKWULUGO, Emeka Obinna (MD #35-062617) - Erie, PA
Board Order - Application for restoration of medical license permanently denied based on applicant's alleged failure to provide complete and accurate information on application pertaining to his participation in and actions taken against him in residency training programs. Order effective 2/10/05.

ERNST, David Carl (MD #35-060456) - Sandusky
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 admission that he has sought treatment for chemical dependency through a Board-approved provider, and that his drug of choice is Vicodin, upon which he became dependent during or about 2/01 when he endeavored to self-treat pain from a knee injury. Effective 8/11/04.

FAUST, James Thomas (PA #50-001214) - Cincinnati
Voluntary Surrender - Permanent revocation of certificate of registration to practice as a physician assistant authorized by P.A. in lieu of formal disciplinary proceedings based upon facts including that he suffers from inability to practice as a P.A. due to chemical dependency. Effective 10/14/04.

FERGUSON, JoCinda Kay (MT applicant) - Middleport
Board Order - Application to practice massage therapy denied. Order entered due to applicant's failure to comply with Board-ordered examination, resulting in Board's finding, pursuant to Section 4731.22(B)(26), O.R.C., that applicant's ability to practice according to acceptable and prevailing standards of care is impaired because of habitual or excessive use or abuse of drugs, alcohol or other substances that impair ability to practice. (Journal Entry) Order effective 2/10/05.

FIERRA, Jeffrey James (MD #35-031774) - Cleveland
Board Order - Permanent revocation of medical license stayed subject to indefinite suspension for at least six months; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on doctor's plea of guilty to two misdemeanor counts of Workers Compensation Fraud and one misdemeanor count of Aggravated Theft. Order effective 2/4/05. **Court Action** - Notice of appeal of Board's 1/12/05 indefinite suspension Order filed by doctor with Franklin County Court of Common Pleas on or about 2/16/05. By Decision and Entry filed on 3/15/05, Franklin County Court of Common Pleas granted doctor's motion for a stay of Board's 1/12/05 indefinite suspension Order, conditioned on requirement that doctor not perform any services for which a bill would be submitted, either directly or indirectly, to the Ohio Bureau of Workers' Compensation. (NOTE: Prior to stay, license suspended from 2/4/05 until 3/15/05.)

FOOTE, Mary Jo (PA #50-000864) - Martins Ferry
Consent Agreement - Permanent revocation of certificate to practice as a physician assistant stayed, subject to indefinite suspension for at least three years; 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 impairment of ability to practice according to acceptable and prevailing standards of care and violation of conditions of limitation imposed on certificate by 7/01 consent agreement due to relapse. Agreement effective 8/11/04; suspension time to be calculated from 1/1/04, the most recent dated of licensee's sobriety.

FULTZ, Barry (MT #33-011323) - Bellevue
Board Order - Massage therapy certificate indefinitely suspended; 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 alcohol dependency. Order effective 10/19/04.

GALANG, Lamberto T. R., Jr. (MD training certificate #57-004620) - Cincinnati

Consent Agreement - Probationary terms, conditions and limitations established to monitor practice based on doctor's admission that he has been in treatment for dysthymia, social phobia and voyeurism, and on his having been deemed capable of practicing medicine according to acceptable and prevailing standards of care so long as he continues his current treatment for his psychiatric diagnoses. Agreement effective 9/9/04; agreement to remain in effect for at least five years prior to any request for termination.

GARADA, Hazem (MD #35-070905) - Vienna, VA
Voluntary Surrender - Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on his plea of guilty to one felony count of Health Care Fraud and prior action by Virginia's medical board; and in resolution of all obligations arising from 5/13/98 Ohio Board Order. Effective 5/27/04.

GIORDANO, Stephen Robert (DO training certificate #58-001345) - Cleveland

Pre-hearing Suspension - Pursuant to §4731.22(G), O.R.C., medical training certificate summarily suspended based on Board's determination that there is clear and convincing evidence that doctor's ability to practice according to acceptable and prevailing standards of care is impaired due to chemical dependency; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 10/14/04. (NOTE: Certificate reinstated via consent agreement on 4/8/05. See Board's website for further information.)

GOEL, Mahesh Chand (MD #35-082727) - Cleveland
Board Order - Medical license permanently revoked based on (1) doctor's failure to provide complete and accurate information on applications for licensure, training certificate renewal, hospital credentialing and prospective privileging, pertaining to the suspension of his hospital employment, on full pay, in the United Kingdom as a result of a series of events that led to the performance of wrong-site surgery; (2) doctor's failure to provide complete and accurate information on Ohio licensure applications and Department of Insurance Standardized Credentialing Form pertaining to his having been arrested and criminally charged in the United Kingdom with unlawfully killing a patient; and (3) prior action against doctor's medical registration by the General Medical Council of the United Kingdom following findings that he was guilty of serious professional misconduct. Order effective 3/1/05. **Court Action** - Notice of appeal of Board's 2/9/05 permanent

revocation Order filed by doctor with Franklin County Court of Common Pleas on or about 3/16/05.

GREER, Steven Franklin (MD training certificate #57-007242) - Cleveland

Consent Agreement - Medical 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 certain treatment and monitoring conditions are in place. Agreement effective 6/9/04; agreement to remain in effect until doctor has completed at least a five year probationary period prior to any request for termination. **Pre-hearing Suspension** - Pursuant to §4731.22(G), O.R.C., medical training certificate summarily suspended based on Board's determination that there is clear and convincing evidence that doctor violated conditions of limitation imposed by 4/04 consent agreement and that his ability to practice is impaired due to relapse; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice of suspension effective upon service of notice on doctor on 7/19/04.

Board Order - Permanent revocation of medical training certificate stayed subject to indefinite suspension for at least ninety days; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on violation of conditions of limitation imposed on license by 4/04 consent agreement and impairment of ability to practice according to acceptable and prevailing standards of care due to relapse; and doctor having made false, fraudulent, deceptive or misleading statements by failing to reveal his history of cocaine abuse and dependence. Order effective 2/4/05.

GUIDI, Claude Bernard (MD #35-064995) - Tampa, FL
Voluntary Surrender - Doctor's permanent voluntary surrender of medical license accepted by Board, based on doctor's admission that a Final Order entered by Florida's medical board in 6/01 constituted a violation of Ohio Revised Code 4731.22(B)(22). Doctor ineligible for licensure in the future. Effective 6/7/04.

HAJ-HAMED, Ghassan (MD #35-069745) - Cincinnati
Board Order - Medical license permanently revoked based on doctor's violation of conditions of limitation imposed on license by 11/14/03 consent agreement. Order effective 2/4/05. **Court Action** - Notice of appeal of Board's 1/12/05 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on or about 2/8/05.

HAREWOOD, Sandra Kay (MD #35-045538) - Kettering
Board Order - Medical license 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, as evidenced by doctor having been found guilty in 11/03 of Driving

Under the Influence of Alcohol and Drugs; and violation of conditions of limitation imposed on license by 6/03 consent agreement. Order effective 10/19/04.

HELPHENSTINE, James Charles (DO #34-004200) - Franklin

Voluntary Surrender - Permanent voluntary surrender of medical license accepted by Board in lieu of further formal disciplinary proceedings, based on doctor's admitted impairment of ability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs/alcohol, as evidenced by urine screen reflecting the presence of THC; and his violation of conditions of limitation imposed on his license by 12/03 Board Order. Doctor ineligible for licensure in the future. Effective 6/9/04.

HEYSE, Paul Frank (MD #35-043188) - Dayton

Consent Agreement - Probationary terms, conditions and limitations imposed to monitor practice based on doctor's admission that he has been diagnosed with alcohol dependency, for which he received treatment through a Board-approved provider, and based on his having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring requirements are in place. Agreement effective 7/14/04; agreement to remain in effect for at least five years prior to any request for termination.

HILL, Sam (DO #34-003607) - Hillsboro

Board Order - Medical license permanently revoked based on impairment of ability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs/alcohol, as evidenced by urine screen reflecting the presence of benzodiazepines; and violation of conditions of limitation imposed on license by 5/03 Board Order. Order effective 10/19/04.

HOLLADAY, Jeffrey Scott (MT #33-011044) - Napoleon

Voluntary Surrender - Permanent revocation of massage therapy certificate authorized by massage therapist in lieu of formal disciplinary proceedings based upon his lack of compliance with the terms of his 4/14/04 consent agreement. Effective 10/28/04.

HOPKINS, Jordan Eric (MD training certificate #57-005132/MD #35-084936) - Columbus

Consent Agreement - Application for full medical license granted 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 certain treatment and monitoring requirements are in place. Agreement effective 8/11/04.

HOWARD-MCGRADY, Felicia Kanaz (MD #35-078691) - Forest Park, IL/Kennesaw, GA

Board Order - No further action ordered following

determinations by Board that doctor's failure to pay Illinois state income tax, which had resulted in the suspension of her license in that state, was due to an oversight which she had worked diligently to correct, and that there was no evidence that doctor poses any threat to the public. Order effective 1/14/05.

HOXIE, David Albert (MD #35-071037) - Waverly
Board Order - Medical license permanently revoked based on doctor's failure to provide complete and accurate information pertaining to past drug-related arrests and/or convictions on applications for Ohio and Virginia licensure, an application for DEA registration, and in response to questions from DEA and Ohio medical board staff; his violation of Board rules by prescribing controlled substance anorectics to a family member in an improper manner; and his issuance of postdated prescriptions to three specified patients. Order effective 7/15/04. **Court Action** - Notice of appeal of Board's 7/14/04 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on 7/19/04. By Order filed 7/27/04, Franklin County Court of Common Pleas granted doctor's motion for a stay of Board's 7/14/04 permanent revocation Order pending the court's decision on the merits of doctor's appeal.

HUMES, Katherine Alicia (MD #35-068502) - Lancaster
Consent Agreement - Medical license suspended for at least 120 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. Agreement effective 9/9/04.

HUMPHREY, Stephen Henry (DPM #36-002754) - Bryan
Interim Agreement - By Interim Agreement effective 12/13/04, doctor agreed not to practice podiatric medicine and surgery in Ohio in any form until allegations contained in 8/11/04 notice of opportunity for hearing have been fully resolved.

HUNTER, Brian John (DO #34-004610) - Youngstown
Voluntary Surrender - Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on doctor's non-compliance with the terms of 8/13/03 Board Order. Effective 11/23/04.

HUTCHINSON, Roy Merle (MD applicant)
- Petersburg, MI
Board Order - Application for medical licensure permanently denied based on applicant's failure to provide complete and accurate information on licensure application and in response to interrogatories pertaining to his treatment of and sexual involvement with a specified patient, as well as to the status of his New York license. Order effective 3/11/05.

JHANGIANI, Anil H. (MD #35-072547) - Dayton
Consent Agreement - Probationary terms, conditions and limitations imposed to monitor practice based on doctor's admissions that he was diagnosed, following a Board-ordered psychiatric evaluation, with Personality Disorder Not Otherwise Specified. Agreement effective 12/9/04; agreement to remain in effect for at least five years prior to any request for termination.

JONES, Jeffrey Thomas (PA #50-001782) - Canton
Board Order - Certificate to practice as a physician assistant suspended for 150 days, such time to be calculated from 2/17/04, the effective date of P.A.'s summary suspension; subsequent probationary terms, conditions and limitations for at least three years established. Based on physician assistant's plea of guilty to one felony count of possession of drugs (anabolic steroids), for which he was found eligible for intervention in lieu of conviction. Order effective 7/15/04.

JONES, William Warren (MD #35-027330) - Cincinnati
Voluntary Retirement - Doctor's permanent voluntary retirement of medical license accepted by Board in lieu of formal disciplinary proceedings pursuant to §4731.22(A), (B)(5) and (B)(20), Ohio Revised Code. Effective 7/29/04.

JOSEY, Willie Leroy (MD #35-055467) - South Shore, KY
Interim Agreement - By Interim Agreement effective 9/3/04, doctor agreed not to practice medicine and surgery in Ohio in any form until allegations contained in 11/12/03 notice of opportunity for hearing have been fully resolved. **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 by 3/02 Board Order due to positive urine screen. Order effective 2/10/05. **Court Action** - Notice of appeal of Board's 2/9/05 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on or about 2/18/05.

KALIA, Jitander M. (MD #35-066425) - Warren
Board Order - Medical license permanently revoked based on improper prescribing and/or failure to conform to minimal standards of care with respect to treatment of four specified pediatric patients. Order effective 8/12/04. **Court Action** - Notice of appeal of Board's 8/11/04 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on 8/26/04. **Court Action** - By Decision filed on 10/7/04 and documented by Entry filed on 11/16/04, Franklin County Court of Common Pleas denied doctor's motion for a stay of Board's 8/11/04 permanent revocation Order. By Decision filed on 1/7/05 and documented by Entry filed on 1/25/05, Franklin County Court of Common Pleas affirmed Board's 8/11/04 permanent revocation Order.

KANNAPIRAN, Kandhasamy (MD #35-048702) - Mansfield

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 certain treatment and monitoring requirements are in place. Agreement effective 8/11/04; agreement to remain in effect for at least five years prior to any request for termination.

KIRKLAND, Jeanne Marie (MD #35-045543) - Dayton
Board Order - Medical license indefinitely suspended; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on improper prescribing of controlled substances to ten specified patients, in violation of minimal standards of care and Medical Board rules. Order effective 10/19/04. **Court Action** - Notice of appeal of Board's 10/13/04 indefinite suspension Order filed by doctor with Franklin County Court of Common Pleas on or about 11/2/04. **Court Action** - By Order and Entry filed on 11/2/04, Franklin County Court of Common Pleas granted doctor's motion for a stay of Board's 10/13/04 indefinite suspension Order pending disposition of this appeal, provided that doctor not prescribe any of the medications at issue in this matter, or their generic equivalent, while stay order is in effect. **Consent Agreement** - In resolution of doctor's appeal of Board's 10/13/04 suspension Order, and in recognition of doctor's compliance with terms of suspension and conditions for reinstatement established by that Order, medical license reinstated, subject to probationary terms, conditions and limitations for at least four years. Agreement effective 1/13/05. (NOTE: License was suspended from 10/19/04 through 11/2/04)

KOHER, Grant Franklin (DO #34-006892) - Chapel Hill, NC
Board Order - Medical license suspended for one year, with all but six months stayed; subsequent probationary terms, conditions, and limitations for at least three years established. Based on prior action against doctor's license by North Carolina's medical board, following findings by that board that doctor provided medical services through a corporation via the Internet, and that he prescribed Propecia and Viagra to patients without a physical examination and without any prior physician-patient relationship. Order effective 7/2/04.

LEON, Alberto A. (MD #35-046211) - Middletown
Board Order - Medical license suspended for at least two years; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on doctor's commission of acts that would constitute felonies (to wit: Trafficking in Drugs, Deception to Obtain a Dangerous Drug, Illegal Processing of Drug Documents), stemming from his having prescribed controlled substances to five specified patients, including a family member, without complying with Medical Board rules requiring

examination, evaluation and documentation to support such prescribing; doctor's alleged diversion of controlled substances for his own use, and on doctor's pleas of guilty to four felony counts of Deception to Obtain a Dangerous Drug, for which he was found eligible for intervention in lieu of conviction. Order effective 12/3/04.

LEVY, David Joseph (MD #35-052773) - Erie, PA
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 provided that treatment and monitoring conditions are in place, including psychiatric follow-up to monitor psychotropic medication. Agreement effective 6/9/04; agreement to remain in effect for at least five years prior to any request for termination.

MACLEAN, Bruce F. (MD #35-027583) - Springfield
Voluntary Surrender - Permanent voluntary surrender of medical license accepted by Board effective 5/26/04; doctor ineligible for licensure in the future.

MALKIN, Walter (DPM #36-001201) - Youngstown
Voluntary Surrender - Permanent revocation of license to practice podiatric medicine authorized by doctor in lieu of formal disciplinary proceedings based on his plea of guilty to Health Care Fraud and/or his commission of acts constituting Health Care Fraud. Effective 7/29/04.

MARSICO, Robert Edward, Jr. (MD #35-064913) - Akron
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 impairment of doctor's ability to practice according to acceptable and prevailing standards of care due to cocaine dependence, for which he has sought treatment through a Board-approved provider; and his failure to advise the Board on his application for license renewal that he had pled guilty in 1996 to misdemeanor counts of Criminal Damaging and Assault. Agreement effective 10/15/04. **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 certain treatment and monitoring conditions are in place. Agreement effective 1/12/05; agreement to remain in effect for at least a five years prior to any request for termination.

MASIMORE, Gregory Scott (MD #35-066335) - Toledo
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 his ability to practice according to acceptable and prevailing standards of care is impaired due to alcohol dependency relapse, for which he has sought treatment through a Board-approved provider. Agreement effective 3/10/05.

MCGINNIS, James Martin (DO #34-005660) - Wheelersburg

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 certain treatment and monitoring conditions are in place. Agreement effective 6/9/04; agreement to remain in effect until doctor has completed at least a five year probationary period prior to any request for termination.

METZ, Claudia (MD #35-044436) - Cleveland

Consent Agreement - Doctor reprimanded and required to complete course in controlled substance management based on her admission that she failed to maintain appropriate medical records to support her prescribing of Ritalin to a colleague since 1995 and her prescribing of medication for a two or three month period to treat the colleague's depression. Agreement effective 10/15/04.

MEYERS, Martin L. (MD #35-050601) - Page, AZ

Voluntary Surrender - Permanent voluntary surrender of medical license accepted by Board in lieu of formal disciplinary proceedings based on prior action by Arizona's medical board. Effective 3/8/05.

MOSLEY, Francine Robinson (MD training certificate #57-005226/MD #35-085080) - London, KY

Consent Agreement - Medical license granted subject to probationary terms, conditions and limitations to monitor practice based on doctor's history of recurrent Major Depressive Disorder, which is currently in full remission. Agreement effective 9/9/04; agreement to remain in effect for at least five years prior to any request for termination.

MURTAGH, William Owen, Jr. (MD #35-047907) - Maumee

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 addiction and relapse, for which doctor has sought treatment through a Board-approved provider. Agreement effective 6/10/04. **Consent Agreement** - Medical license reinstated subject to probationary terms, conditions and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective

3/10/05; agreement to remain in effect for at least five years prior to any request for termination.

NEIDHART, Jeffrey D. (MD #35-071376)

- Farmington, NM

Board Order - Medical license indefinitely suspended and conditions for reinstatement established; probationary terms, conditions, and limitations of 11/99 Step II Consent Agreement maintained. Based on action against doctor's New Mexico license by that state's medical board related to his failure to timely advise a patient and a collateral treating physician that the patient had erroneously been given a medication overdose. Order effective 12/22/04.

NORTH, Phillip Thiele (MD #35-057152) - Columbus

Consent Agreement - Medical license suspended for at least 60 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 was diagnosed, pursuant to a Board-ordered evaluation, with alcohol dependence and bipolar disorder, and that he has sought treatment through a Board-approved provider. Agreement effective 2/9/05.

OSTING, Ralph George (DPM #36-002996) - Elyria

Consent Agreement - Doctor reprimanded and license to practice podiatric medicine suspended for thirty days; probationary terms, conditions and limitations for at least two years established. Based on doctor's admission that he was found guilty of Voyeurism, a third degree misdemeanor; and on doctor having been deemed capable of practicing podiatric medicine according to usual and prevailing standards of care following a Board-ordered assessment to determine whether he was impaired due to mental illness or chemical dependency. Agreement effective 1/12/05.

PARADIES, Karen Mary (MD #35-081388) - Cincinnati

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 certificate by 4/03 Board Order due to relapse. (Review and Journal Entry - no hearing requested) Order effective 7/15/04.

PARKER, Michael Paul (MD #35-053127) - Columbus

Board Order - Medical license suspended for at least one year; conditions for reinstatement and subsequent probationary terms, conditions, and limitations for at least five years established. Based on doctor's prescribing of controlled substances to a specified patient in a manner that failed to comply with Medical Board rules; and doctor having made false statements in interrogatories related to the Medical Board's investigation of that prescribing. Order effective 11/5/04.

PAYNE, Frederic James (MD #35-057794) - Wheeling, WV
Voluntary Surrender - Permanent voluntary surrender of medical license accepted by Board in lieu of formal disciplinary proceedings based on prior actions against doctor's licenses by medical boards in Kentucky and North Dakota. Doctor ineligible for licensure in the future. Effective 5/26/04.

PICKETT, Thomas Richard (PA applicant) - Columbus
Board Order - Application for registration as a physician assistant granted, subject to indefinite suspension for at least 180 days; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on applicant's inability to practice according to acceptable and prevailing standards of care due to alcohol dependency. Order effective 1/14/05.

PIDHORODECKY, Nykolai Vasil (MD #35-079642)
- Akron

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 admission that he is chemically dependent and has sought treatment through a Board-approved provider; and that he pled guilty to, and was found eligible for intervention in lieu of conviction of, one felony count of Possession of Cocaine. Agreement effective 1/12/05.

PORTER, Stephen Randall (MD #35-069802)
- Metamora, IN/Harrison, OH

Pre-hearing Suspension - Pursuant to §4731.22(G), O.R.C., medical license summarily suspended based on Board's determination that there is clear and convincing evidence that doctor's ability to practice according to acceptable and prevailing standards of care is impaired due to relapse on alcohol; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 10/14/04.

PRATT-HARRINGTON, Dale (DO #34-006970) - Athens

Consent Agreement - 2/04 summary suspension terminated; permanent revocation of medical license stayed, subject to suspension for at least twelve months; 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 violation of conditions of limitation imposed on his license by 2/01 consent agreement and 5/03 addendum to consent agreement. Agreement executed 6/10/04; effective 5/12/04 per agreement of the parties.

RAMSEY, Katrina Renee (MT #33-011171) - Irondale
Consent Agreement - Massage therapist reprimanded based on her plea of guilty to Theft, a fifth degree felony,

the acts underlying which involved her having taken \$3,672.61 in 10/01 from a store at which she was employed. Agreement effective 6/9/04.

RANK, Douglas Holland (MD applicant) - Lexington, KY
Board Order - Application for medical license granted, subject to immediate suspension for at least six months; conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least two years established. Based on applicant's failure to provide complete and accurate information on licensure application pertaining to action against his license by Kentucky's Medical Board; and on prior actions against doctor's licenses by medical boards in Kentucky and New York. Order effective 8/31/04.

RAUS, Russell James (DPM #36-001512)
- Garfield Heights

Pre-hearing Suspension - Pursuant to §4731.22(G), O.R.C., license to practice podiatric medicine summarily suspended based on Board's determination that there is clear and convincing evidence that doctor's ability to practice according to acceptable and prevailing standards of care is impaired due to vascular dementia; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 10/14/04. **Board Order** - License to practice podiatric medicine suspended; conditions for reinstatement/restoration and subsequent probationary terms, conditions and limitations for ten years established. Based on doctor's inability to practice according to acceptable and prevailing standards of care due to vascular dementia. Order effective 3/24/05.

REED, Barbara Anne (MD #35-016377) - Mansfield
Board Order - Medical license permanently revoked; doctor given option of permanent surrender of license if accomplished within two weeks of June 9, 2004. Based on improper prescribing and/or failure to conform to minimal standards of care with respect to treatment of eleven specified patients. Order effective 7/16/04. **Court Action** - Notice of appeal of Board's 6/9/04 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on 7/13/04. By Order filed 7/15/04, Common Pleas Court granted doctor's motion for a stay of Board's Order until the filing of court's final decision or order, provided that doctor close her medical office, not evaluate or treat any patients, and limit her practice to activities necessary to fulfill her duties as Deputy Coroner of Richland County, Ohio. By Decision filed on 2/3/05 and documented by Entry filed on 2/16/05, Common Pleas Court affirmed Board's permanent revocation Order. Notice of appeal to Tenth District Court of Appeals filed by doctor on 2/17/05. By Order filed on 2/17/05, Common Pleas Court granted doctor's motion for a further stay of Board's permanent revocation Order until 10/15/05 or the filing of a final Decision and Order by the Tenth District Court of Appeals, whichever occurs first. Stay conditioned upon doctor 1) closing her medical office and not evaluating or

treating any patients and 2) limiting her practice of medicine to what is necessary to fulfill her duties as Richland County Deputy Coroner.

RENZ, Mark Allan (MD training certificate #57-007902) - Columbus

Consent Agreement - Medical training certificate suspended for at least one year; interim monitoring conditions and conditions for reinstatement/renewal 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 sought treatment through a Board-approved provider for chemical dependency at the referral of his anesthesia residency training program. Effective 1/12/05.

RICHARDS, Philip O. (MD #35-030329) - Jackson, MI
Voluntary Surrender - Doctor's permanent voluntary surrender of medical license accepted by Board in lieu of formal disciplinary proceedings based on prior action against doctor's license by Michigan's medical board. Effective 9/8/04.

ROBERTSON, William Denny (MD #35-031038) - Medina
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 impairment of ability to practice according to acceptable and prevailing standards of care due to alcohol dependence, and on doctor's admission that he failed to advise the Board on his license renewal application that he had been diagnosed as alcohol dependent, despite the fact that the facility where he had received treatment was not approved by the Board. Effective 6/9/04. **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 certain treatment and monitoring requirements are in place. Agreement effective 11/12/04.

ROBINSON, Kent (MD #35-051764) - Cincinnati
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 admissions that he is impaired due to chemical dependence (cocaine), for which he has sought treatment through a Board-approved provider; and that he obtained Viagra by deception, in that he wrote or called in prescriptions for Viagra in the name of a relative, but obtained and kept the medication for his personal use. Agreement effective 12/8/04.

ROSSITER, Lawrence (DO #34-001933) - Alliance
Voluntary Surrender - Doctor's voluntary surrender of medical license accepted by the Board in lieu of his further compliance with 7/10/02 Board Order, which became effective on 2/14/04 following court appeals. Doctor ineligible for Ohio licensure in the future. Effective 12/29/04.

RUFFIN, Julia (DPM #36-002249) - Cincinnati
Pre-hearing Suspension - Pursuant to Section 4731.22(G), O.R.C., podiatry license summarily suspended based on Board's determination that there is clear and convincing evidence that doctor's ability to practice according to acceptable and prevailing standards of care is impaired due to mental illness, and that her continued practice presents a danger of immediate and serious harm to the public. Suspension effective 9/9/04. **Consent Agreement** - Summary suspension terminated; license to practice podiatric medicine 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 impairment of ability to practice according to acceptable and prevailing standards of care due to mental illness. Agreement effective 11/16/04.

SANTANELLO, Thomas Michael (DO #34-003569) - St. Mary's
Voluntary Surrender - Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on doctor having been found guilty of felony counts of Trafficking in Drugs, Illegal Processing of Drug Documents, Theft, and Workers Compensation Fraud. Effective 7/29/04.

SAWKAR, Raghunath T. (MD #35-041647) - Napa, CA
Voluntary Surrender - Doctor's permanent voluntary surrender of medical license accepted by Board in lieu of doctor's appearance at an investigatory office conference for which he had been subpoenaed. Effective 7/14/04.

SCHNEIDER, Andrew (MD #35-053843) - Powell
Pre-hearing Suspension - Pursuant to §4731.22(G), O.R.C., medical license summarily suspended based on determination that there is clear and convincing evidence that doctor's ability to practice according to acceptable and prevailing standards of care is impaired due to chemical dependency; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 11/1/04. **Court Action** - Notice of appeal of 11/1/04 Order of Summary Suspension filed by doctor with Franklin County Court of Common Pleas on 11/12/04. **Consent Agreement** - Summary suspension imposed on 11/1/04 terminated, with agreement that parties will file a joint motion dismissing doctor's appeal of Board's 11/1/04 summary suspension Order; 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 his ability to practice according to acceptable and prevailing standards of care is impaired due to chemical dependency relapse on opiates, for which he has sought treatment through a Board-approved provider. Agreement effective 1/12/05.

SCHULTE, Gregory Todd (MD #35-063923) - Columbus
Consent Agreement - Probationary terms established by 12/14/01 consent agreement and 2/13/02 addendum terminated; medical license suspended for at least one year. Interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on impairment of doctor's ability to practice according to acceptable and prevailing standards of care, and his violation of conditions of limitation imposed on his license by 12/14/01 consent agreement and 2/13/02 addendum to that agreement. Agreement effective 11/12/04.

SCHWACHTER, Marc H. (MD #35-080114) - Dayton
Consent Agreement - 11/03 consent agreement terminated; medical license suspended until at least 12/31/04; 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, in addition to the alcohol and Adderall abuse to which he previously admitted, he also engaged in the illegal use of cocaine while in residency training, and that he pled guilty in 12/03 to four drug-related counts, including Illegal Processing of Drug Documents and Deception to Obtain a Dangerous Drug, for which he was granted intervention in lieu of conviction. Effective 6/9/04.

SEYMOUR, Robert Floyd (MD #35-020874) - Cleveland
Voluntary Surrender - Doctor's permanent voluntary surrender of medical license accepted by Board in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(6), O.R.C., related to inappropriate prescribing involving one patient. Effective 7/14/04.

SHAFFER, Jay Hammond (MD #35-036369) - La Jolla, CA
Consent Agreement - Permanent revocation of medical license stayed, subject to suspension for at least one year; conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least three years established. Based on prior action against doctor's California medical license in resolution of allegations by that state's medical board that he engaged in a personal and sexual relationship with a patient while he was her treating psychiatrist.

Agreement effective 6/9/04; agreement to remain in effect for at least one year prior to any request for termination.

SHAW, Christopher S. (MD training certificate #57-006421) - Akron

Consent Agreement - Medical training certificate suspended for at least 120 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 polysubstance dependence and relapse on cocaine, for which he is pursuing evaluation and treatment. Agreement effective 10/15/04. **Consent Agreement** - 10/15/04 consent agreement amended to extend minimum term of suspension to 120 days from 11/25/04, based on doctor's relapse and subsequent completion of 28 days of residential treatment for chemical dependence. Agreement effective 1/12/05.

SHERMAN, Christopher John (MD #35-054258) - Warren
Board Order - Medical license revoked based on impairment of ability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs/alcohol due to relapse, as evidenced by doctor's admission that he self-administered Fentanyl and Versed and consumed alcoholic beverages. (Review and Journal Entry - no hearing requested) Order effective 6/10/04.

SKOBLAR, Richard S. (MD #35-038099) - Akron
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 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. Agreement effective 10/15/04.
Consent Agreement - Suspension imposed by 10/15/04 consent agreement superceded by suspension for at least one year, such time to be calculated from the effective date of this agreement; 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 violation of conditions of limitation imposed on his license by 10/15/04 consent agreement due to relapse, for which he has sought treatment through a Board-approved provider. Agreement effective 3/9/05.

SLINGLUFF, Jack Edwin (DO #34-001265) - Canton
Board Order - Medical license suspended for one year; subsequent probationary terms, conditions, and limitations for at least one year established. Based on doctor's plea of guilty to one misdemeanor count of

Introduction or Delivery for Introduction into Interstate Commerce of an Unapproved Drug, to wit: 30 vials of Laetrile to be shipped from West Palm Beach, Florida to Salem, Ohio in violation of federal law. Order effective 12/6/04. **Court Action** - Notice of appeal of Board's 11/10/04 suspension Order filed by doctor with Franklin County Court of Common Pleas on or about 12/10/04. By Order filed on 12/13/04, Court granted doctor's motion to stay Board's suspension Order pending appeal, subject to conditions, including that doctor not 1) prescribe, purchase, order, administer or treat patients with Laetrile; 2) counsel or advise patients on the use of Laetrile; or 3) refer patients to another facility or physician for Laetrile treatment.

SOLIMAN, Hisham H. (MD applicant) - Orangevale, CA **Board Order** - Application for medical licensure permanently denied based on applicant's failure to provide complete and accurate information on Ohio and Federation Credentials Verification Service applications, and/or in investigatory deposition, pertaining to his psychiatric residency training program and his employment with the Fresno County, California Department of Adult Services. Order effective 11/5/04.

SOUTHERN, Brian D. (MD training certificate #57-008187) - Cleveland **Board Order** - Permanent revocation of training certificate stayed, subject to indefinite suspension; Board shall not consider renewal of training certificate or issue any other certificate for at least one year; 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 history of substance abuse and relapse. Order effective 9/24/04.

SPEARS, David Paul (DO training certificate #58-001123) - Marietta **Consent Agreement** - Medical 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 certain treatment and monitoring conditions are in place. Agreement effective 1/12/05; agreement to remain in effect until doctor has completed at least a five year probationary period prior to any request for termination.

STANOS, Peter Steven (DO #34-006030) - Columbus **Board Order** - Permanent revocation of medical license stayed, subject to indefinite suspension for at least twelve months; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least three years established. Based on doctor's practice of medicine while his license was in a suspended status. Order effective 1/3/05. **Court Action** - Notice of appeal of 11/10/04 suspension Order filed by doctor with Franklin County Court of Common Pleas on

12/20/04. By Decision and Entry filed 12/22/04, Franklin County Court of Common Pleas granted doctor's request for a stay of Board's 11/10/04 suspension Order during the pendency of this appeal.

STARR, Tom Reutti (MD #35-026557) - Dayton **Board Order** - Medical license suspended for 15 days; all terms and limitations imposed by 8/8/01 Board Order to remain in effect. Based on doctor's violation of conditions of limitation imposed on license by 8/01 Board Order and impairment of ability to practice according to acceptable and prevailing standards of care due to his use of a medication containing phenobarbital. Order effective 7/15/04.

STOCKSLAGER, Viki Lynn (MD #35-058800) - Sylvania **Voluntary Surrender** - Doctor's voluntary surrender of medical license accepted by the Board in lieu of formal disciplinary proceedings based upon doctor's inability to engage in the practice of medicine and surgery due to Major Depressive Disorder, recurrent, severe. Effective 12/14/04.

STORROW, Alan B. (MD #35-060445) - 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 incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's violation of conditions of limitation imposed on his license by 12/10/03 consent agreement due to relapse, for which he has sought treatment through a Board-approved provider. Agreement effective 3/9/05.

SULLIVAN, Michael William (MD #35-066178) - Omaha, NE **Consent Agreement** - Restoration of medical license granted subject to probationary terms, conditions and limitations based on doctor's history of drug dependence and treatment; and based on prior action against doctor's Nebraska license for reasons related to chemical dependency. Agreement effective 1/12/05; Agreement to remain in effect for a minimum of three years prior to any request for termination.

SYKES, Evan Laythe (DO training certificate #58-001376) - Marietta, OH/Pikeville, KY **Board Order** - Application for medical licensure permanently denied and medical training certificate permanently revoked based on applicant's admission that he issued prescriptions for controlled substances to individuals who were not patients of the residency program in which he was participating; that he wrote prescriptions in the names of individuals for whom the medication was not intended; and that he failed to maintain proper documentation of such prescribing. Order effective 3/24/05.

TATE, Larry Raymont (MD #35-035815) - Columbus
Pre-hearing Suspension - Pursuant to §4731.22(G), O.R.C., medical license summarily suspended based on Board's determination that there is clear and convincing evidence that doctor's ability to practice according to acceptable and prevailing standards of care is impaired due to alcohol dependence; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 10/14/04.
Voluntary Surrender - Permanent voluntary surrender of medical license accepted by Board in lieu of further formal disciplinary proceedings based on doctor's admission to factual allegations set forth in Board's 10/13/04 Notice of Summary Suspension and Opportunity for Hearing. Effective 3/3/05.

TAYLOR, Deborah Lynn (MD #35-051038) - Columbus
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 chemical dependence and relapse, for which she has sought treatment through a Board-approved provider. Agreement effective 12/8/04.

THOMAS, Walter Alvin (MD #35-021901) - Columbus
Voluntary Retirement - Permanent voluntary retirement of medical license accepted by Board in lieu of further investigation and/or disciplinary proceedings pursuant to Sections 4731.22(B) (6) and (19), O.R.C.; doctor ineligible for licensure in the future. Effective 5/27/04.

THOMPSON, Richard Arthur (MT #33-013696) - Parma
Board Order - Allegations set forth in 4/14/04 Notice of Opportunity for Hearing dismissed following Board's determination that evidence did not demonstrate that applicant had intended to deceive the Board; application for certificate to practice massage therapy granted. Order effective 8/12/04.

TOMCZAK, Rodney Louis (DPM #36-001889)
- Columbus
Voluntary Surrender - Permanent revocation of license to practice podiatric medicine authorized by doctor in lieu of formal proceedings pursuant to §4731.22(B)(19) and (26), O.R.C., and in resolution of all obligations arising from doctor's 6/02 consent agreement. Effective 6/8/04.

TRIPOULAS, John Alexander (MD applicant)
- Rocky River
Board Order - Application for medical licensure permanently denied based on applicant's failure to provide complete and accurate information pertaining to his residency training on an Ohio licensure application, on a Federation Credentials Verification Service application, and to specified residency programs. Order effective 1/14/05.

TSENG, Hsiang Lee (MD training certificate #57-007720)
- Cincinnati
Board Order - Doctor required to complete an ethics course to be approved by the Board, and to complete 100 hours of community service to be approved by the Board, prior to submitting any future application for training certificate or other license issued by the Board. Based on applicant's failure to provide complete and accurate information to Ohio Medical Board pertaining to his having been found guilty in 1996 of Petty Theft. Order effective 12/15/04.

TUCK, Kelle (PA #50-000673) - Lima
Voluntary Surrender - Non-permanent surrender of physician assistant's registration accepted by Board and conditions for reinstatement/restoration established in lieu of formal disciplinary proceedings. Action based on P.A.'s admission that on or about 11/11/04, she was arrested related to alleged drug-seeking behavior, and that such criminal charges remain pending at this time. Effective 2/23/05.

VOLSKY, Michael D. (MD #35-036938) - Beachwood
Voluntary Retirement - Permanent voluntary retirement of medical license accepted by Board in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(19), O.R.C.; doctor ineligible for licensure in the future. Effective 5/27/04.

WANKEWYCZ, Kristopher Nicholas (MT #33-013247)
- Parma
Board Order - Application for massage therapy certificate granted subject to suspension for at least ninety days; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on applicant's failure to provide on licensure application complete and accurate information pertaining to past convictions; and based on impairment of ability to practice according to acceptable and prevailing standards of care due to chemical dependency, which was diagnosed pursuant to a Board-ordered examination and for which applicant has sought treatment through a Board-approved provider. Order effective 6/14/04.

WARREN, Michael Craig (DO #34-008173) - 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 certain treatment and monitoring conditions are in place. Agreement effective 3/10/05; agreement to remain in effect for at least five years prior to any request for termination.

WEBSTER, Joseph Curley (MD applicant) - Columbus
Board Order - Application for medical licensure permanently denied based on applicant's failure to provide complete and accurate information on Ohio

licensure application pertaining to the suspension of his clinical privileges at a state psychiatric facility in Middletown, CT, and the suspension of his clinical privileges while in the U.S. Air Force at Eglin Air Force Base (Florida) for inability to practice safely due to physical illness or impairment and alcohol or other substance abuse. Order effective 8/12/04.

WEISS, Richard Alan (MD #35-074955) - Beachwood Board Order - Permanent revocation of medical license stayed, subject to indefinite suspension for at least one year; conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least five years established. Based on doctor's failure to advise Ohio Medical Board on licensure renewal application that an Accusation had been filed against him by California's medical board. (Review and Journal Entry - no hearing requested) Order effective 10/14/04.

WILLIAMS, Shelton Jr. (MT #33-011327) - Cincinnati Board Order - Certificate to practice massage therapy permanently revoked based on based on massage therapist's submission of false statements of compliance and violation of conditions of limitation imposed on his certificate by 5/8/02 consent agreement. (Review and Journal Entry - no hearing requested) Effective 8/12/04.

YEN, Mary Mea-Ling (MD #35-072128) - Cincinnati Board Order - Medical license indefinitely suspended; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least ten years established. Based on impairment of ability to practice according to acceptable and prevailing standards of care due to mental illness, and failure to comply with conditions of limitation imposed on license by 7/03 consent agreement. Order effective 11/5/04.

ZAP, John F. III (MD #35-073277) - Middleburg Heights Consent Agreement - Medical license suspended for thirty days; subsequent probationary terms, conditions and limitations for at least five years established. Based on doctor's admission that he allowed his business partner to perform dental procedures without holding a license to do so, and that insurance carriers were billed for and issued payment for dental procedures in his name when his business partner, a licensed physician, had actually rendered those services. Agreement effective 9/30/04.

ZINNIA, Gregory Stephen (MD #35-049784) - Canfield Consent Agreement - Medical license suspended for at least 180 days or until all criminal charges relating to acts underlying this agreement have been fully and finally resolved, whichever is later; 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 was diagnosed as chemically

dependent, and has sought treatment through a Board-approved provider. Agreement effective 8/11/04. **Pre-hearing Suspension** - Pursuant to §3719.121(C), O.R.C., medical license immediately suspended based on doctor's pleas of guilty to three felony counts of Illegal Processing of Drug Documents. Notice mailed 12/9/04. **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; and on his having plead guilty to and been found eligible for intervention in lieu of conviction of Illegal Processing of Drug Documents. Agreement effective 3/10/05; agreement to remain in effect for at least five years prior to any request for termination.

ZINNIA, Richard Allan (DO #34-003785)
- Richmond Heights

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 admissions that he was diagnosed pursuant to a Board-ordered evaluation with chemical dependence, for which he has sought treatment through a Board-approved provider; that he diverted hydrocodone, which was obtained for use in his practice, for his own use; and that he failed to maintain complete records concerning his purchase and distribution of controlled substances as required by state and federal law. Effective 3/9/05.

Continuing Medical Education

BURDGE, Jeremy John (MD #35-042744) - Hilliard Board Order - Doctor reprimanded and \$1000 fine imposed; doctor required to document compliance with outstanding Continuing Medical Education obligation and to document compliance for two additional CME acquisition periods thereafter. Based on doctor's failure to comply with Continuing Medical Education requirements. Order effective 8/15/04.

CONNORS, Garrett Michael (DPM #36-003117)
- Youngstown

Board Order - Doctor reprimanded; \$5000 fine imposed; license to practice podiatric medicine suspended for an indefinite term and conditions for reinstatement established; thereafter, doctor required to document compliance with CME requirements for two additional license registration periods. Based on doctor's failure to comply with Continuing Medical Education requirements. (Review and Journal Entry - no hearing requested) Order effective 12/13/04.

ERIKSEN, David Edwin (MD #35-028222) - Toledo Consent Agreement - Doctor reprimanded and \$5000

fine imposed; doctor required to document compliance with outstanding Continuing Medical Education obligation and to document compliance for two additional CME acquisition periods thereafter. Based on doctor's failure to comply with Continuing Medical Education requirements. Agreement effective 7/15/04.

HUNTER, William Ward., Jr. (MD #35-040186)
- Columbus

Board Order - Doctor reprimanded; \$5000 fine imposed; medical license suspended for an indefinite term and conditions for reinstatement established; thereafter, doctor required to document compliance with CME requirements for two additional license registration periods. Based on doctor's failure to comply with Continuing Medical Education requirements. Order effective 12/18/04.

Court Action Update

ADAMSON, Wallace Cobner (MD #35-049575)
- Delaware

Court Action - By Opinion and Entry filed 9/30/04, Tenth District Court of Appeals affirmed the judgment of the Franklin County Court of Common Pleas, which had affirmed Board's 12/11/02 permanent revocation order in part, reversed it in part, and ordered that the partial reversal did not support remanding appeal back to Board for further consideration of any modification of penalty. Notice of appeal to Ohio Supreme Court filed by doctor on 11/12/04. By Entry filed on 2/16/05, Ohio Supreme Court declined to accept jurisdiction of doctor's appeal of Board's permanent revocation Order.

ALLEN, Mark L. (MD #35-063078) - Parma
Court Action - By Decision filed on 1/27/05 and documented by Judgment Entry filed on 2/10/05, Franklin County Court of Common Pleas affirmed Board's 1/14/04 Order, but remanded case to Board to reconsider its sanction in light of the Court's finding that testimony of a specified witness must be disregarded as unreliable. Pursuant to Court's decision, Board's Order suspended until Board enters an order reflecting reconsideration.

DAHLQUIST, Glenda Mae (MD #35-061900) - Dayton
Court Action - By Decision filed 6/29/04 and documented by Entry filed on 7/19/04, Franklin County Court of Common Pleas affirmed Board's 1/04 permanent revocation Order. By Entry filed 8/5/04, Franklin County Court of Common Pleas denied doctor's motion for a continuation of the stay granted by Court on 3/3/04. Notice of appeal to Tenth District Court of Appeals filed by doctor on 8/12/04. By Entry filed on 8/18/04, Tenth District Court of Appeals denied doctor's motion for a stay of Board's permanent revocation Order pending her appeal in that court.

GRAOR, Robert Alan (MD #35-044093) - Beavercreek
Court Action - By Opinion and Entry filed on 12/7/04, Tenth District Court of Appeals affirmed the judgment of the Court of Common Pleas, which had affirmed Board 2/12/03 permanent revocation Order.

GUIDI, Claude Bernard (MD #35-064995) - Tampa, FL
Court Action - Pursuant to terms of 6/9/04 settlement agreement, pending appeal in the Tenth District Court of Appeals dismissed on 6/11/04, doctor's permanent voluntary surrender of medical license accepted by Board on 6/7/04, and Board's 5/14/03 Order vacated upon Board's acceptance of surrender.

HILL, Sam (DO #34-003607) - Hillsboro
Court Action - By Decision filed 9/20/04 and documented by Entry filed 10/1/94, Franklin County Court of Common Pleas affirmed Board's 5/14/03 indefinite suspension Order.

ISTANBOOLY, Faye Fatina (MD #35-060216) - Chicago, IL
Court Action - By Opinion and Entry filed 7/13/04, Tenth District Court of Appeals affirmed the 12/03 decision of the Court of Common Pleas, which had affirmed in part and reversed in part the Board's suspension Order.

JONES, Miles James (MD #35-079363) - Lee's Summit, MO
Court Action - Notice of appeal of Board's 2/11/04 Order, which was served on doctor via publication effective 7/9/04, filed by doctor with Franklin County Court of Common Pleas on 7/26/04.

PAAT, Erdulfo Paz (MD #35-034225) - North Olmsted
Court Action - Notice of dismissal of appeal and termination of stay filed by doctor with Franklin County Court of Common Pleas on 6/11/04.

PRADA, German Virgilio (MD #35-039814) - Dayton
Court Action - By Entry filed 8/9/04, Franklin County Court of Common Pleas granted doctor's motion for a stay of Board's 3/10/04 indefinite suspension Order, subject to requirements that (1) doctor notify each patient seen during the period of stay that he pled no contest to and was convicted of sexual imposition involving a patient, that his license was suspended, and that the suspension has been stayed pending an appeal; and (2) prior to resuming practice under the stay, doctor shall obtain evaluation and finding from a board-certified psychiatrist that he is capable of practicing in accordance with accepted standards of care. By Decision filed 9/14/04 and Entry filed 9/28/04, Franklin County Court of Common Pleas affirmed Board's indefinite suspension Order. By Journal Entry filed on 10/21/04, Tenth District Court of Appeals denied doctor's motion for a stay of Board's Order as being prematurely filed in that Court. By Judgment Entry filed on 10/21/04, Franklin County Court of Common Pleas denied doctor's motion for a stay due to the nature of the Board's findings. Notice of voluntary dismissal of appeal filed by doctor with Tenth District Court of Appeals on 11/2/04.

ROSS, Michael Reiff (MD #35-064760) - Towson, MD
Court Action - Pursuant to 4/27/04 decision of the Tenth District Court of Appeals, Franklin County Court of Common Pleas affirmed Board's 8/14/02 revocation Order by Journal Entry filed 6/15/04.

SCHECHTER, John Michael (MD #35-061517) - Akron
Court Action - By Decision filed on 9/2/04 and documented by 9/15/04 Entry, Franklin County Court of Common Pleas affirmed Board's 3/10/04 permanent revocation Order. Notice of appeal to Tenth District Court of Appeals filed by doctor on 10/12/04.

SHERMAN, Christopher John (MD #35-054258) - Warren
Court Action - Notice of appeal of Board's 6/9/04 revocation Order filed by doctor with Franklin County Court of Common Pleas on 6/25/04. Notice of voluntary dismissal of appeal filed by doctor in Common Pleas Court on 8/9/04.

SHIN, Cheung Soo (MD #35-033143) - Middlesboro, KY
Court Action - Notice of appeal of Board's 5/12/04 revocation Order filed by doctor with Franklin County

Court of Common Pleas on 5/27/04. **Court Action** - Pursuant to terms of 7/28/04 settlement agreement, pending appeal in the Tenth District Court of Appeals dismissed on 8/2/04 and Board's 5/12/04 Order vacated upon Board's acceptance of surrender. **Voluntary Surrender** - Doctor's permanent voluntary surrender of medical license accepted by Board, based on prior action against doctor's license by Kentucky's medical board following Agreed Findings relative to doctor's inadequate supervision of a physician assistant. Doctor ineligible for licensure in the future. Effective 7/28/04.

STASCHAK, Michael Carmen (MD applicant) - Pittsburgh, PA
Court Action - By Opinion and Entry filed on 9/2/04, Tenth District Court of Appeals affirmed Board's 12/11/02 Order permanently denying application for medical licensure.

VINSON, David Jr. (MD #35-058761) - Chicago, IL
Court Action - By Decision filed on 9/1/04 and documented by Entry filed on 9/16/04, Franklin County Court of Common Pleas affirmed Board's 6/11/03 permanent revocation Order.

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