



YOUR REPORT

FROM THE STATE MEDICAL BOARD OF OHIO

SUMMER 2006

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The Ethics of Co-Management

Co-management has evolved over the years. Today, the practice of dividing responsibilities for patient care among various caregivers can create an ethical quagmire when the potential for personal financial gain influences patient care decisions.

The original purpose of surgical co-management of patients was to provide continuity of care when the operating surgeon was unavailable to provide post-op care, or when the patient was unable to travel to the surgeon for follow-up care. This increases communication between providers, improves access to care, and expands care options in underserved areas.

Problems arise when professional ethics are compromised and co-management arrangements are based upon financially advantageous relationships between two providers. Payment by or to a physician solely for the referral of a patient, commonly referred to as fee-splitting, is unethical. Surgical co-management arrangements with another physician or caregiver in return for some financial gain may jeopardize your medical license.

The State Medical Board, through Rule 4731-18-01, Ohio Administrative Code, outlines how the operating surgeon may delegate defined aspects of post-operative care to other qualified physicians, allied health professionals, or licensees of other health regulatory boards who are licensed to independently provide the scope of practice and level of care needed by the patient. The American Medical Association Code of Ethics opinion E-8.043 *Ethical Implications of Surgical Co-Management* defines guidelines for this practice.

Patient care must always be the primary concern for medical professionals. If we place financial concerns above patient care, we fail our patients, our profession, and ourselves. It is incumbent that we abide by the highest ethical standards and strive for the highest quality of care possible.

Andrew F. Robbins, Jr., MD
President

Inside **YOUR REPORT**

From the Secretary's Desk - Defining Professionalism	2
Sub SB 154 Changes PA Practice in Ohio	3
Board Sets Strategic Plan - A message from the Executive Director	7
Disciplinary Sanction Definitions	8
Disciplinary Action Listing - April 2005 through April 2006	9
Licensees Regulated by the Medical Board	23

From the Secretary's Desk

Defining Professionalism

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

Many articles have been written recently expressing concern with the seeming decline of professionalism within the medical profession. Medical regulation by medical boards and professional organizations are increasingly focused on establishing standards of professional behavior. The Liaison Committee on Medical Education has promulgated and enforced the requirement that professionalism and its evaluation be part of the medical school curriculum. Those of us who review and evaluate complaints by patients or their families are seeing greater numbers of complaints claiming indifference, delayed response, curt language, and hurried clinical care.

Some blame working conditions, practice economics, unrealistic patient expectations, and the general decline of civility in our society as reasons for this decline in professionalism. The fact remains that physicians and other licensees have very intimate specialized knowledge about our patients who depend on us to allay their fears and relieve their distress. The penalties we pay for declining professionalism include irate phone calls, verbal confrontations, diminished community reputation, and ultimately, medical board investigations or lawsuits. From medical school until retirement, we must recognize and nurture the special relationship we have with patients. It is our professional obligation.

There are three issues we must keep in mind:

- 1) What are the characteristics of professionalism?
- 2) What personal barriers and attitudes diminish our professionalism? and,
- 3) How can we better communicate professionalism to our patients?

The American Board of Internal Medicine (ABIM) issued a well thought out paper identifying six characteristics of professionalism:

- Altruism
- Accountability
- Excellence
- Duty
- Honor and integrity,
- Respect of patients, colleagues, and assistants

The ABIM also recognized the following attitudinal pitfalls which erode professionalism:

- Abuse of power
- Arrogance
- Greed
- Impairment
- Lack of conscientiousness
- Conflict of interest
- Misrepresentation by commission or by omission

If we adopt the characteristics of professionalism, yet ignore the attitudinal pitfalls, should we ever be considered "professional"? To truly be professional, we need to embrace the key characteristics and prevent the attitudinal pitfalls by talking with and listening to our patients. We need to remember that patients don't converse in the language of medicine, with its many acronyms, that is second nature to us. Often, a patient may be embarrassed or unwilling to admit that they don't understand the information we are telling them. Other patients are reluctant to ask questions because we have made it clear that our time is valuable and short. We inadvertently diminish their worth by interrupting (an average of 17 seconds into their chief complaint), avoiding eye contact, and using body language which indicates we have no time for them. We must be mindful of these behaviors and attitudes. Simple adjustments can vastly improve physician-patient relationships.

The prescription for such ill practice — sit, listen, explain, ask for questions, and check for understanding. Take the time to communicate more effectively. This simple approach can raise the professionalism bar for our profession.



Lance A. Talmage, M.D.
Secretary

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Sub. SB 154 Changes Physician Assistant Practice in Ohio

Substitute Senate Bill 154, effective May 17, 2006, significantly impacts the practice of Physician Assistants (PAs) in Ohio. The legislation increases educational requirements for PA licensure; addresses scope of practice issues; and requires the Medical Board to adopt rules defining prescriptive authority for PAs. Yet a key provision remains unchanged. PAs may only work under supervision of a physician with whom the PA has entered into a Supervision Agreement approved by the Medical Board. This requirement applies to all practice settings.

The most noteworthy changes included in the new PA law are highlighted in this article. Applicable sections of Chapter 4730, Ohio Revised Code (ORC), are cited for your reference.

Terminology changes:

- Certificate of Registration is now called a "Certificate to Practice"
- Standard utilization plan has been replaced with "Physician Supervisory Plan"
- Supplemental utilization plan is now called a "Special Services Plan"

PA Certificate to Practice:

A Certificate to Practice, issued by the Medical Board, constitutes evidence of state licensure as a Physician Assistant for insurers, credentialers, or any other governmental body requiring such proof. A current certificate of registration automatically becomes a Certificate to Practice on May 17, 2006.

Eligibility for PA Certificate to Practice:

Until January 1, 2008, applicants must be 18 years of age, of good moral character, and hold certification from the National Commission on Certification of Physician Assistants (NCCPA).

After January 1, 2008, all applicants must meet the same age, character and NCCPA requirements, and either hold a Masters or higher degree obtained from a PA program accredited by the ARC-PA, or hold any degree from an ARC-PA program, plus a Masters or higher degree in a course of study with clinical relevance to the practice of PAs.

The Masters degree requirement is waived for those holding Ohio PA Certificates to Practice prior to January 1, 2008, or those currently licensed as a PA in another jurisdiction prior to January 1, 2008.

Renewal of Certificate to Practice:

The PA Certificate to Practice must be renewed biennially by January 31st of even-numbered years. PAs must maintain NCCPA certification, complete 100 hours of continuing education, and pay a \$100 renewal fee.

PA Practice Settings:

Under the new legislation, the services a PA may provide are determined by two types of practice settings – within a health care facility or outside of a health care facility. "Health care facility" is defined below.

PA Practice within a Health Care Facility:

The PA practices under supervision of the supervising physician according to the policies of the health care facility in accordance with statute. No Supervisory Plan is required, yet a Medical Board approved Supervision Agreement is necessary. The supervising physician can limit PA practice within the health care facility.

PA Practice outside of a Health Care Facility:

The PA practices under supervision of the supervising physician according to terms of a Medical Board approved Physician Supervisory Plan or Special Services Plan.

Physician Supervisory Plans and Special Services Plans:

Physician Supervisory Plans and Special Services Plans approved by the Medical Board do not apply to hospitals or other defined health care facilities. The Physician Supervisory Plan defines PA practice in an office setting and allows the PA to perform the services listed in Section 4730.09(A), ORC. The application is completed by the supervising physician and submitted

See **PA CHANGES** on page 4

PA CHANGES (cont.)

to the Medical Board for approval. The application may include a request for Special Services. There is no fee for this application.

Standard Tasks for PAs:

A Physician Assistant practices only under the "supervision, control, and direction" of the supervising physician (Section 4730.08(A)(1), ORC). A list of tasks that are permitted to be performed by a PA as part of a standard Physician Supervisory Plan are included in Section 4730.09(A), ORC. It is important to note that some of the tasks and procedures now included in a standard plan used to require a supplemental utilization plan.

Section 4730.09(A)(37), ORC, also allows PAs to perform additional services that are part of any model Physician Supervisory Plan, or are designated by the Medical Board as services not requiring approval as "Special Services." At this time, the Board, through the Physician Assistant Policy Committee (PAPC), has not developed any model physician Supervisory Plan, nor identified any services that would not require approval by the Board.

"Special Services" (formerly called supplemental utilization plans):

Special Services include any service not specified in the list of tasks outlined in Section 4730.09(A), ORC, that is not otherwise prohibited by statute or rule. The supervising physician may request Medical Board approval for Special Services as part of the application for a Physician Supervisory Plan. The application for approval of Special Services is processed through the PAPC then voted on by the Medical Board.

What is considered a Health Care Facility?

As stated in Section 4730.01 (C), ORC, Health Care Facility means any of the following:

1. A hospital registered with the department of health under Section 3701.07, ORC;
2. A health care facility licensed by the department of health under Section 3702.30, ORC;
3. Any other facility designated by the state medical board in rules adopted pursuant to division (B)(2) of Section 4730.08, ORC .

Health facilities licensed by the Ohio Department of Health under Section 3702.30, ORC, are:

- ambulatory surgical facilities
- freestanding dialysis centers
- freestanding inpatient rehabilitation facilities
- freestanding birthing centers
- freestanding radiation therapy centers
- freestanding or mobile diagnostic imaging centers

PA Practice in Health Care Facilities:

As stipulated in Section 4730.09(B), ORC, "Under the policies of the health care facility, the services a PA may provide are limited to the services the facility has authorized the PA to provide for the facility."

The legislation also provides that a facility may authorize PAs to perform:

1. Any or all of the services listed in Section 4730.09(A),ORC.
2. Assisting in surgery in the health care facility
3. Any other services permitted by the policies of the health care facility, except that the facility may not authorize a PA to perform a procedure prohibited by any provision of Chapter 4730, ORC. However, the supervising physician may impose limitations on the PAs practice in the health care facility.

Section 4730.26(A), ORC, provides explicit investigatory authority for the Medical Board to access health care facility policies pertaining to the practice of PAs and the services authorized for a particular PA to perform within that facility.

PAs Practicing in a Health Care Facility and a Medical Office:

For those PAs working in both a health care facility and a medical office setting, the PA needs approval by the health care facility for services provided in that setting, and a Medical Board approved Physician Supervisory Plan outlining the services to be provided in the medical office.

PA CHANGES (cont.)

Anesthesia Issues:

Pursuant to Section 4730.09(A)(36) and Section 4730.091, ORC, Physician Assistants are permitted to administer, monitor or maintain local anesthesia, as defined in Section 4730.091, ORC. Yet, PAs are prohibited from administering, monitoring or maintaining any other form of anesthesia, including regional anesthesia or any systemic sedation, regardless of the setting, as stated in Section 4730.091, ORC.

Supervision Agreements:

A Supervision Agreement is a document that links the supervising physician and the PA. It is required for all practice settings, and needs Medical Board approval prior to initiating supervision of a PA. The agreement requires the PA to hold a current Certificate to Practice in Ohio. The Agreement also designates if the PA will practice within a health care facility or an office setting. If the PA will be working in an office setting, the physician must hold a Medical Board approved Physician Supervisory Plan.

The supervising physician applies for the Supervision Agreement, and pays the \$25 application fee. The Agreement includes all of the PAs supervised by the physician. A supervising physician may add additional PAs to a previously approved Supervision Agreement by completing an Addendum to the Physician Assistant Supervision Agreement form. The Supervision Agreement must be renewed by January 31st of odd-numbered years.

PA Supervision:

The supervising physician assumes legal liability for the services provided by the PA under their supervision. A supervising physician may authorize a PA to perform a service ONLY if the physician is satisfied that the PA is capable of competently performing the service. A supervising physician shall not authorize a PA to perform any service that is beyond the physician's or the PAs normal course of practice and expertise.

New patients/new conditions/countersignature of orders:

The legislation eliminated the requirement that the supervising physician personally see each new patient or each established patient with a new condition prior to treatment being initiated (Section 4730.21, ORC).

It is no longer required that a supervising physician must countersign every order before the order is carried out (Section 4730.21(E), ORC).

Responsibilities of the Supervising physician:

Section 4730.21, ORC, clearly defines the responsibilities of physicians supervising PAs, to include:

- Being physically present at the location where the PA is practicing; or being readily available to the PA through some means of telecommunication and within 60 minutes travel time from the location where PA is seeing patients
- Actively reviewing the PAs professional activities
- Regularly reviewing the condition of the patients treated by the PA
- Ensuring that the QA system is implemented and maintained
- Applying for biennial renewal of the Supervision Agreement

The minimal content of a QA system is outlined in Section 4730.21(F), ORC, and stipulates that the supervising physician must have documented QA activities in place, that include:

- Routine review of PA medical orders & patient record entries
- Discussion of complex cases
- Discussion of relevant new medical developments
- Any QA activities required by Medical Board rule
- Other QA activities the supervising physician deems appropriate

Execution of PA Orders:

Section 4730.03 (D), ORC, provides that PAs may independently order or direct the execution of procedures or techniques by an RN or LPN only to the extent the PA is authorized to do so by the policies of the health care facility in which the PA is practicing.

PA CHANGES (cont.)

Prescriptive Authority for PAs:

PAs are not permitted to prescribe any medications until administrative rules have been promulgated by the Medical Board. The legislation allows the Board up to one year to complete these rules, which will define the educational requirements and pharmacology training required for PAs seeking prescriptive authority.

The law also states that the initial formulary may not be more restrictive than the formulary in use by the Nursing Board, except that PAs specifically cannot prescribe any Schedule II controlled substances or any drug or device used to perform or induce an abortion. The formulary represents the outer limits of what a PA may prescribe; the supervising physician may limit that prescriptive authority or put other conditions on the exercise of the prescriptive authority. Sections 4730.38 through 4730.52, ORC, address prescriptive authority for PAs.

Section 4730.09, Ohio Revised Code: Services a Physician Assistant can perform under a Standard Physician Supervisory Plan as approved by the Medical Board

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| (1) Obtaining comprehensive patient histories; | (19) Removing norplant capsules; |
| (2) Performing physical examinations, including audiometry screening, routine visual screening, and pelvic, rectal, and genital-urinary examinations, when indicated; | (20) Performing penile duplex ultrasound; |
| (3) Ordering, performing, or ordering and performing routine diagnostic procedures, as indicated; | (21) Changing of a tracheostomy; |
| (4) Identifying normal and abnormal findings on histories, physical examinations, and commonly performed diagnostic studies; | (22) Performing bone marrow aspirations from the posterior iliac crest; |
| (5) Assessing patients and developing and implementing treatment plans for patients; | (23) Performing bone marrow biopsies from the posterior iliac crest; |
| (6) Monitoring the effectiveness of therapeutic interventions; | (24) Performing cystograms; |
| (7) Exercising physician-delegated prescriptive authority pursuant to a certificate to prescribe issued under this chapter; | (25) Performing nephrostograms after physician placement of nephrostomy tubes; |
| (8) Carrying out or relaying the supervising physician's orders for the administration of medication, to the extent permitted by law; | (26) Fitting or inserting family planning devices, including intrauterine devices, diaphragms, and cervical caps; |
| (9) Providing patient education; | (27) Removing cervical polyps; |
| (10) Instituting and changing orders on patient charts; | (28) Performing nerve conduction testing; |
| (11) Performing developmental screening examinations on children with regard to neurological, motor, and mental functions; | (29) Performing endometrial biopsies; |
| (12) Performing wound care management, suturing minor lacerations and removing the sutures, and incision and drainage of uncomplicated superficial abscesses; | (30) Inserting filiform and follower catheters; |
| (13) Removing superficial foreign bodies; | (31) Performing arthrocentesis of the knee; |
| (14) Administering intravenous fluids; | (32) Performing knee joint injections; |
| (15) Inserting a foley or cudae catheter into the urinary bladder and removing the catheter; | (33) Performing endotracheal intubation with successful completion of an advanced cardiac life support course; |
| (16) Removing intrauterine devices; | (34) Performing lumbar punctures; |
| (17) Performing biopsies of superficial lesions; | (35) In accordance with rules adopted by the board, using light-based medical devices for the purpose of hair removal; |
| (18) Making appropriate referrals as directed by the supervising physician; | (36) Administering, monitoring, or maintaining local anesthesia, as defined in section 4730.091 of the Revised Code; |
| | (37) Performing other services that are within the supervising physician's normal course of practice and expertise, if the services are included in any model physician supervisory plan approved under section 4730.06 of the Revised Code or the services are designated by the board by rule or other means as services that are not subject to approval as special services. |

A Message from the Executive Director

MEDICAL BOARD SETS STRATEGIC PLAN

by Richard A. Whitehouse, Esq.

The mission of the State Medical Board of Ohio is to protect the public through effective medical regulation. So, what is *effective* medical regulation? Our organization goals speak to maintaining high standards of licensing, meting out discipline tempered with efforts to rehabilitate when possible, and ensuring the Board acts in the best interest of the public in the administration of its duties.

But, we believe effective medical regulation must also be that which results from a holistic view of how our work affects the quality of healthcare. Accordingly, one of the final acts of the Board in 2005 was the adoption of a five-year strategic plan establishing such a vision for the future. This plan sets forth the concept of "quality of healthcare" regulation.

The key initiatives derived from this plan are set forth below:

Culture - We will become an ethics driven/high performance workplace to be effective in fulfilling our mission. This involves creating a meaningful set of metrics to measure performance and establish a record of achievement for the public.

Competency - We will work with licensees and other stakeholders to identify at-risk licensees and address the issue of licensee competency. This will allow us to become more pro-active in the early detection and possible prevention of adverse outcomes.

Collaboration - We will "build a better licensee" through partnering with other stakeholders and leveraging resources to create more educational and better communication opportunities with licensees and the public.

"Quality of healthcare" regulation is recognition of the fact that the work of state medical boards does not take place in a vacuum. It affects – for good or ill – the very cost, quality, and availability of healthcare. This assertion is never more certain as when a board must take serious disciplinary action against a licensee in order to protect the public. The corresponding loss of a trained practitioner with years of education and experience represents a failure in the system to identify the at-risk licensee earlier. This failure is exacerbated when the licensee practices in an underserved population or in an area of practice in high demand.

We believe improved rehabilitative, remedial, and educative efforts can improve the cost, quality, and availability of healthcare in Ohio. By pursuing this vision and continuing to address traditional regulatory principles of strict licensing standards and strong disciplinary action, the State Medical Board of Ohio will increase the public value it offers Ohio citizens and better serve its licensees.

DISCIPLINARY SANCTIONS DEFINED

PERMANENT REVOCATION: The permanent loss of a certificate to practice in Ohio and the inability, at any time, to reapply for or hold any certificate to practice in Ohio. An individual whose certificate has been permanently revoked shall forever thereafter be ineligible to hold any certificate to practice, and the board shall not accept from that individual an application for reinstatement or restoration of the certificate or for issuance of a new certificate. (Chapter 4731-13-36 (A), Ohio Administrative Code)

REVOCATION: The loss of a certificate to practice in Ohio. An individual whose certificate has been revoked shall be eligible to submit an application for a new certificate. All disciplinary action taken by the board against the revoked certificate shall be made a part of the board's records for any new certificate granted under this rule. (Chapter 4731-13-36 (B), Ohio Administrative Code)

SUSPENSION: The temporary loss of a certificate to practice in Ohio. A suspension shall be imposed for either a definite or an indefinite period of time. (Chapter 4731-13-36 (C), Ohio Administrative Code)

LIMITATION: Precludes the certificate holder from engaging in a particular conduct or activity, to impose conditions on the manner in which that conduct or activity may be performed, or to require the certificate holder to abide by specific conditions in order to continue practicing medicine. A limitation shall be either temporary or permanent. (Chapter 4731-13-36 (D), Ohio Administrative Code)

PROBATION: A situation whereby the certificate holder shall continue to practice only under conditions specified by the board. Failure of the certificate holder to comply with the conditions of probation may result in further disciplinary action being imposed by the board. The probation period shall be for either a definite or indefinite term. If probation is for an indefinite term, the board shall establish a minimum probation period and the board shall release the certificate holder from the conditions of probation upon completion of the minimum probation period and upon the board's determination that the purpose of probation has been fulfilled. (Chapter 4731-13-36 (E) Ohio Administrative Code)

PERMANENT DENIAL: An individual whose application for a certificate has been permanently denied shall forever thereafter be ineligible to apply to the board for any certificate to practice, and the board shall not accept from that individual an application for issuance of a certificate. (Chapter 4731-13-36 (J), Ohio Administrative Code)

DENIAL: An individual whose application for a certificate has been denied shall be eligible to submit a new application for a certificate. In determining whether to grant a new application, the board may consider any statutory violations that were committed by the individual before or after the denial of the individual's previous application, including those that formed the basis for the denial. (Chapter 4731-13-36 (K), Ohio Administrative Code)

REPRIMAND: The certificate holder is formally and publicly reprimanded in writing. (Chapter 4731-13-36 (F), Ohio Administrative Code)

CONSENT AGREEMENT: Conditions and limitations placed on licensee's practice by mutual agreement with the Medical Board.

VOLUNTARY SURRENDER: Practitioner surrenders license to practice in lieu of further disciplinary proceedings; may authorize the Board to revoke the practitioner's license without further legal proceedings.

DISMISSAL: The board finds that no violation has occurred. (Chapter 4731-13-36 (H), Ohio Administrative Code)

PRE-HEARING SUSPENSIONS

SUMMARY SUSPENSION: License to practice is suspended prior to a hearing based on clear and convincing evidence that continued practice by the licensee poses a danger of immediate and serious harm to the public. (Section 4731.22 (G), Ohio Revised Code)

AUTOMATIC SUSPENSION: License to practice is suspended prior to a hearing when a licensee pleads guilty to, is found by a judge or jury to be guilty of, or is found eligible for intervention in lieu of conviction of specified crimes of violence. (Section 4731.22 (I), Ohio Revised Code)

IMMEDIATE SUSPENSION: License to practice is suspended prior to a hearing pursuant to Section 3719.121, Ohio Revised Code, when a licensee pleads guilty to, is found by a judge or jury to be guilty of, or is found eligible for intervention in lieu of conviction of a felony drug abuse offense.

STATE MEDICAL BOARD OF OHIO DISCIPLINARY ACTIONS

April 2005 - April 2006

Disciplinary actions taken by the State Medical Board of Ohio between April 2005 and April 2006 are listed below. For the most current license status information, go to the Board's website, www.med.ohio.gov, and click on the *LICENSEE PROFILE AND STATUS* link.

ABDUL-NOOR, Farid M. aka NOOR, Farid M. (MD #35-058908) Toms River, NJ

Voluntary Surrender: Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based upon doctor having been convicted in New Jersey of one felony count of criminal sexual contact with a patient; and prior actions against doctor's licenses by New Jersey and New York medical boards. Effective 11/09/05.

ADKINS, Paula Clark (MD #35-072775) Huntington, WV

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 she fraudulently issued prescriptions for Tussionex in the name of a neighbor and obtained such medication for self-use; that she pled guilty in North Carolina to misdemeanor common law forgery related to the aforementioned acts; that she surrendered her North Carolina medical license in relation to that misdemeanor conviction; that she has a history of recurrent depression and anxiety for which she has been under the care of a psychiatrist; and that a licensed therapist affiliated with a substance abuse treatment program in which doctor participated has opined that, although doctor has been diagnosed with Opioid Abuse, she does not meet the clinical criteria for a diagnosis of substance dependence. Agreement effective 6/8/05.

AKHTAR, Jabir Kamal (MD applicant) Copley, OH

Board Order: Application for medical license granted, provided applicant meets all statutory and regulatory requirements, and subject to suspension for a definite term of ninety days; subsequent probationary terms, conditions, and limitations for at least two years established. Based on applicant's 2001 plea of guilty to a misdemeanor count of Conspiracy to Commit Theft of Public Money of over \$20,000, the acts underlying which involved his having forged the name of a school official on a student loan application in order to fraudulently obtain money. Order effective 3/09/06. Order mailed 3/09/06.

ALLEN, David E. (MD #35-050640) New Albany, OH

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 3/09/06; agreement to remain in effect for at least five years prior to any request for termination.

ALLEN, Jamal (LMT applicant) Cleveland, OH

Board Order: Application for certificate to practice massage therapy permanently denied based on applicant having been convicted of

felonies in six unrelated cases since 1990; and on his failure to provide complete and accurate information on his application regarding his criminal history. (Review and Journal Entry - no hearing requested). Order mailed 12/15/05; Order effective 12/15/05.

ALLEN, Mark L. (MD #35-063078) Parma, OH

Board Order: Upon reconsideration of Board's 1/14/04 Order pursuant to a 3/19/04 remand order from the Franklin County Court of Common Pleas, doctor's medical license indefinitely suspended; interim monitoring conditions, conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least five years established. Based on Board's determination that, even after disregarding the hearing testimony of a specified witness, the Order adopted by the Board on 1/14/04 was appropriate. Order mailed 4/22/05; Order effective 4/22/05.

AMIEWALAN, Anthony O. (MD #35-061785) Sidney, OH

Voluntary Surrender: Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary action based on denial of doctor's application for medical licensure by Kansas' medical board, which was itself based upon doctor's failure to respond to the Kansas board's Response in Opposition to Application for Licensure and Proposed Default Order concerning the doctor's surrender of medical staff privileges at an Ohio hospital, while under investigation for substandard or inadequate care and for filing false reports or falsifying records. Effective 12/14/05.

AMOILS, Steve (MD #35-059500) Cincinnati, OH

Consent Agreement: Medical license suspended for at least 180 days; conditions for reinstatement established. Based on the doctor's failure to conform to minimal standards of care and violation of a code of professional ethics by engaging in sexual contact with a specified patient despite their on-going physician-patient relationship. Agreement effective 11/09/05.

BAIRD, Jeffrey Downes Jr. (MD training certificate #57-008878) Columbus, OH

Consent Agreement: Medical training certificate 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 admissions that he is chemically dependent on cocaine, for which he has sought treatment through a Board-approved provider; and that he failed to properly advise the Board on his training certificate application of his illegal use of a controlled substance (cocaine). Agreement effective 6/8/05. **Board Order:** Physician training certificate revoked based on doctor's failure to comply with conditions of limitation imposed on license by 6/8/05 consent agreement and impairment of ability to practice due to relapse on alcohol. (Review and Journal Entry - no hearing requested). Order effective 2/9/06. Order mailed 2/9/06.

BANKS, Mark Andrew (MD #35-071099) Lancaster, OH
Summary 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 by 2/9/05 consent agreement and that his ability to practice is impaired; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 7/14/05; suspension effective 7/14/05. **Consent Agreement:** Summary suspension issued on 7/13/05 terminated; medical license suspended for at least 150 days from 11/10/05; 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 impairment of ability to practice according to acceptable and prevailing standards of care and violation of conditions of limitation imposed on his license by 2/9/05 consent agreement due to his use of drugs in a manner not in accordance with the terms of that agreement. Agreement effective 11/10/05.

BOLDEN, Tracie Lynne (MD training certificate #57-010437) Cincinnati, OH
Consent Agreement: Medical training certificate subject to probationary terms, conditions and limitations to monitor practice based on diagnoses, including Major Depression, and recommendation by physician at a Board-approved treatment program that doctor abstain from mood-altering substances. Agreement effective 4/12/06; agreement to remain in effect for at least two years prior to any request for termination.

BOSACK, Douglas Paul (MD # 35-048959) Canton, OH
Summary 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 his license by 12/8/99 Board Order due to chemical dependency relapse; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 5/19/05; suspension effective 5/19/05. **Consent Agreement:** Summary suspension issued on May 18, 2005 terminated. Permanent revocation of medical license stayed; license suspended for at least three years; interim monitoring and conditions for reinstatement established including a requirement that the doctor enter into a subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor his practice. Based on doctor's impairment of ability to practice and violation of conditions of limitation imposed on his license by 12/8/99 Board Order due to chemical dependency relapse, his failure to report that relapse, and his submission of false, fraudulent, deceptive or misleading statements to the Board. Agreement effective 10/14/05.

BRANDT, Robert L. Jr., (MD #35-046724) Dayton, OH
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 habitual or excessive use or abuse of alcohol and drugs. Agreement effective 12/14/05.

BROADNAX, Walter George (MD #35-060685) Cincinnati, OH
Child Support Suspension: Pursuant to determination by Hamilton County Child Support Enforcement Agency that doctor is in default under a child support order, medical license immediately suspended until such time as Board receives notice from Hamilton County Child Support Enforcement Agency that doctor is no longer determined to be in default. Notice mailed 4/19/05; suspension effective 4/19/05. **Reinstatement:** License reinstated effective 4/21/05 pursuant to Notice to Reinstale/

Reissue Professional License from Hamilton County Child Support Enforcement Agency.

BROWN, Marvin Joseph, Jr. (MD #35-022452) Mayfield Heights, OH
Voluntary Surrender: Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on his having pled to and been found guilty of one felony count of Conspiracy to Distribute and Dispense Controlled Substances. Effective 5/19/05.

BRUMFIELD, Daniel Howard (MD #35-065317) Springfield, OH
Summary 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 by 1/16/04 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 mailed 4/14/05; suspension effective 4/13/05. **Board Order:** Medical license revoked based on doctor's violation of conditions of limitation imposed on his license by 1/16/04 consent agreement and impairment of his ability to practice according to acceptable and prevailing standards of care due to his relapse on cocaine. Order mailed 8/12/05; Order effective 8/12/05.

BUFFINGTON, Stephen Nelson (DO #34-002862) Dayton, OH
Voluntary Surrender: Doctor's permanent voluntary surrender of medical license accepted by Board in lieu of formal proceedings based on his having written prescriptions for a non-controlled medication in the name of a patient, for such patient to fill and return the medication to doctor for his own use. Doctor permanently ineligible for reinstatement or issuance of any other certificate issued by Board. Effective 5/19/05.

BURGHARDT, Michael Bruce (MD #35-064527) Newark, OH
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 8/10/05; agreement to remain in effect for at least five years prior to any request for termination.

CAMPBELL, Grady B. (MD #35-037334) Cincinnati, OH
Consent Agreement: Medical license suspended for 90 days; interim conditions and subsequent probationary terms, conditions and limitations established. Based on doctor's admission that he concealed information from a patient and intentionally mislabeled and altered dates on the patient's x-rays. Agreement effective 7/13/05; agreement to remain in effect for at least five years prior to any request for termination.

CAMPANO, Mark A. (MD #35-054088) Dover, OH
Summary Suspension: Pursuant to Ohio Revised Code §4731.22(G), medical license summarily suspended based on Board's determination that there is clear and convincing evidence that the doctor's ability to practice is impaired due to relapse on clonidine; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 11/09/05; Notice mailed 11/10/05. **Board Order:** Medical license permanently revoked based on the doctor's impairment of ability to practice according to acceptable and prevailing standards of care due to relapse on clonidine. Order effective 2/9/06. Order mailed 2/9/06.

CARVER, Joseph Claude (MD #35-062026) Norwalk, OH
Consent Agreement: Revocation of medical license stayed; license suspended for at least one year; interim monitoring and conditions for reinstatement established, including a requirement that the doctor successfully complete the Center for Personalized Education for

Physicians program and enter into a subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor his practice. Based on doctor's admission that he failed to conform to minimal standards of care with respect to treatment rendered to two specified patients; and his admission to having engaged in a sexual relationship with a patient. Agreement effective 11/1/05.

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

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 9/14/05; agreement to remain in effect for at least five years prior to any request for termination.

CHAHO, Amy Jane (MD #35-064676) Rocky River, OH

Board Order: Doctor reprimanded. Based on (1) doctor's misleading statements to the board, and (2) denial of doctor's application for licensure by West Virginia medical board following doctor's failure to pass the SPEX and for concern regarding the doctor's competence. Order effective 4/12/06. Order mailed 4/28/06.

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

Board Order: Medical license revoked based on doctor's violation of conditions of limitation imposed on license by 3/04 consent agreement and her failure to comply with Board-ordered examination for possible inability to practice according to acceptable and prevailing standards of care due to chemical dependency. Order mailed 11/14/05; Order effective 11/14/05.

**CHURCH, Jason Victor (MD #35-085844) Columbus, OH/
Centerville, UT**

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 sought and completed treatment through a Board-approved provider after a period of illegally prescribing and otherwise inappropriately obtaining drugs for his own use; that his diagnoses include chemical dependence and depression; and that he failed to advise the Board during the licensure application process of his illegal use of controlled substances. Agreement effective 7/13/05. **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 2/8/06; agreement to remain in effect for at least five years prior to any request for termination.

CLAASSEN, Paul (DO #34-002889) Fairborn, OH

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 because of habitual or excessive use or abuse of alcohol; that he has sought treatment through a Board-approved provider; that he pled guilty to one misdemeanor count of Operating a Vehicle While Intoxicated in May 2003, and one felony count of Operating a Vehicle While Intoxicated in June 2005; and that he failed to report the misdemeanor conviction on his March 2005 application for renewal of his certificate to practice medicine or surgery. Agreement effective 11/9/05.

CLARK, Allan W. (MD # 35-057420) Pittsburgh, PA

Consent Agreement: Medical license reinstated subject to probationary terms, conditions and limitations to monitor practice. Based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain monitoring conditions are in place; and action taken against the doctor's Pennsylvania license by the Pennsylvania Board in June 2005. Agreement effective 10/12/05; agreement to remain in effect for at least five years prior to any request for termination.

COATES, John T. (MD applicant) Stevens Point, WI

Board Order: Application for medical licensure denied based on prior action against doctor's license by the Wisconsin medical board due to his having had sexual contact with a patient. (Journal Entry - no hearing requested) Order effective 1/11/06. Order mailed 1/12/06.

COLEMAN, Robert Stanley Jr. (MD #35-075738) Chardon, OH

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 doctor's failure to provide complete and accurate information (1) on his application for licensure in North Carolina pertaining to action taken against him by a medical school; and (2) on his application for renewal of his Ohio medical license pertaining to the denial of his application for licensure by North Carolina's medical board. Order effective 3/10/06. Order mailed 2/9/2006. **Court Action:** Notice of appeal of Board's 1/11/06 indefinite suspension Order filed by doctor with Franklin County Common Pleas Court on 2/13/06. By Entry filed 2/22/06, Franklin County Court of Common Pleas granted motion for stay of Board's 1/11/06 indefinite suspension Order.

CREPS, Philip L. (DO #34-005726) Muncie, IN

Board Order: Permanent revocation of medical license stayed, subject to indefinite suspension for at least two years; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least three years established. Based on doctor's failure to provide complete and accurate information on application for Ohio medical licensure and application for hospital medical staff membership and staff privileges pertaining to actions taken against him by two medical schools. Order effective 3/3/06. Order mailed 3/3/06.

DAHMAN, Abdulkader (MD #35-034098) Harlan, KY

Board Order: Medical license revoked based on prior action against doctor's license by Kentucky's medical board regarding the doctor's behavior towards the nursing staff at a Kentucky hospital. (Journal Entry - no hearing requested) Order effective 1/11/06. Order mailed 1/12/06. **Court Action:** Notice of appeal of Board's 1/11/06 revocation Order filed by doctor with Franklin County Court of Common Pleas on or about 1/27/06.

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

Consent Agreement: Medical license suspended for at least 18 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 impairment of doctor's ability to practice according to acceptable and prevailing standards of care due to relapse; and doctor's failure to advise the Board of relapse on his application for license renewal. Agreement effective 7/13/05.

DERAKHSHAN, Iraj (MD #35-037499) Charleston, WV

Board Order: Medical license revoked based on prior action against doctor's license by West Virginia's medical board requiring the doctor to complete courses on controlled substance management and record keeping; to cease advising patients to cut time-released medicines in half with a pill cutter; and to continue to reduce the daily number of patients examined or treated. (Journal Entry - no hearing requested) Order effective 1/11/06. Order mailed 1/12/06. **Court Action:** Notice of

appeal of Board's 1/11/06 revocation Order filed by doctor with Franklin County Court of Common Pleas on or about 1/20/06.

DESAI, Priyakant K. (MD #35-035954) Beavercreek, OH
Automatic Suspension: Pursuant to §4731.221, O.R.C., medical license automatically suspended effective on or about 4/27/05, upon doctor being adjudged by Greene County Probate Court to be mentally ill or mentally incompetent.

DOAN, Binh Quoc (MD #35-076728) Orange Park, FL
Board Order: Medical license suspended for 30 days with reporting requirements for two years following effective date of Board Order. Based on doctor's failure to provide complete and accurate information on licensure applications in Ohio and Florida pertaining to his having been criminally charged with DUI in West Virginia in 2002 and his having subsequently been found guilty of Reckless Driving, a misdemeanor. Order mailed 12/28/05; Order effective 12/28/05.

DOOLEY, Dixie A. (DPM #36-001778) Centerville, OH
Consent Agreement: Podiatric 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 diagnosis, pursuant to a Board-ordered evaluation, of chemical dependence with the drug of choice being marijuana, for which doctor has sought treatment through a Board-approved provider; and doctor's false statements to the Board. Agreement effective 4/12/06.

DOUGHERTY, David Andrew (DO #34-006330) Cuyahoga Falls, OH
Summary 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 by 4/10/02 Board Order and that his ability to practice according to acceptable and prevailing standards of care is impaired; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 6/9/05; suspension effective 6/9/05. **Board Order:** Medical license permanently revoked based on doctor's violation of conditions of limitation imposed on his practice by 4/10/02 Board Order, and impairment of ability to practice according to acceptable and prevailing standards of care. Order mailed 9/16/05; Order effective 9/16/05.

DOUGLAS, Janice Electa Green (MD #35-039559) Bratenahl, OH
Consent Agreement: Medical license indefinitely suspended; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's history of chemical dependency; doctor's diagnosis, pursuant to a Board-ordered evaluation, of alcohol dependence, for which doctor has sought treatment through a Board-approved provider; and doctor's acknowledgement that the consent agreement does not dispose of the pending administrative matter concerning the allegations set forth in the Notice of Opportunity for Hearing issued by the Board on 7/13/05. Agreement effective 4/12/06.

DRAKE, Miles Edward Jr. (MD #35-047457) Columbus, OH
Consent Agreement: Suspension of medical license imposed by 2/9/05 Consent Agreement terminated. Medical license suspended for at least five 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 admission that he issued a prescription for a psychotropic drug, Abilify, while his license was suspended pursuant to the 2/9/05 Consent Agreement. Agreement effective 10/12/05.

DUMA, Gregory G. (MD #35-068722) Cincinnati, OH
Consent Agreement: License to practice medicine 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 impairment of doctor's ability to practice according to acceptable and prevailing standards of care due to substance abuse. Agreement effective 3/08/06.

DUNCAN, Paul E. (MD #35-073208) Middletown, OH
Consent Agreement: Medical license suspended for at least 18 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 upon doctor's admission that he was diagnosed with acute cocaine psychosis and has sought treatment through a Board-approved provider; that he issued prescriptions for a controlled substance and accepted the return of a portion of the medication for his own use; that he wrote a prescription for a controlled substance in the name of an individual for whom the medication was not intended in order to obtain the drug for his own use; that he obtained Ultracet and Flexeril for his own use from his office sample supply; and that he failed to provide complete and accurate information pertaining to his chemical dependence on his licensure renewal application as required. Agreement effective 10/12/05.

ECK, Tania Renee (LMT #33-015109) Lancaster, OH
Consent Agreement: Application for registration as massage therapist granted, subject to probationary terms, conditions and limitations imposed to monitor practice. Based on her having been deemed capable of practicing massage therapy according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 12/14/05; agreement to remain in effect for at least forty-three months prior to any request for termination.

ERNST, David Carl (MD #35-060456) Sandusky, OH
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 5/19/05; agreement to remain in effect for at least five years prior to any request for termination.

ESSA, Yazeed Mansi (MD #35-072322) Akron, OH
Summary 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 by 5/12/04 consent agreement and that his continued practice presents a danger of immediate and serious harm to the public. Notice mailed 4/14/05; suspension effective 4/13/05. **Board Order:** Medical license revoked based on doctor's violation of conditions of limitation imposed on his license by 5/12/04 consent agreement due to failure to provide urine samples for screening and failure to appear for a quarterly, scheduled interview. (Review and Journal Entry - no hearing requested). Order mailed 12/15/05; Order effective 12/15/05.

FERRARO, Carl M. (MD #35-049581) Chicago, IL
Voluntary Surrender: Voluntary surrender of medical license accepted by the Board effective 2/8/06 in lieu of formal disciplinary proceedings pursuant to Ohio Revised Code §4731.22 (B)(22), as set forth in the Notice of Opportunity for Hearing issued by the Board on or about 9/14/05.

FERTAL, Bruce Douglas (DPM #36-001582) Canal Fulton, OH
Board Order: License to practice podiatric medicine revoked based on doctor's plea of guilty in federal court to one felony count of Health Care

Fraud. (Journal Entry - no hearing requested) Order mailed 4/14/05; Order effective 4/14/05.

FIERRA, Jeffrey James (MD #35-031774) Cleveland, OH
Court Action: By Decision filed 7/25/05, and documented by Judgment Entry filed 8/10/05, Franklin County Court of Common Pleas affirmed Board's 1/12/05 indefinite suspension Order. **Board Order:** Board's 2/4/05 Order suspending doctor's medical license for at least 6 months amended to add an additional 30 days of suspension. Order effective 4/14/06. Order mailed 4/14/06.

FOSTER, Gregory Scott (DO applicant) Pittstown, NJ
Consent Agreement: Upon receipt and appropriateness of necessary documentation, medical license to be granted subject to probationary terms, conditions and limitations to monitor practice. Based on doctor's history of chemical dependency, relapse and treatment; action against his license by New Jersey's medical board relative to his impairment; and his on-going, documented maintenance of sobriety since 10/01. Agreement effective 7/13/05; agreement to remain in effect for at least three years prior to any request for termination.

FRYMAN, Ryan S. (DO #34-008473) Columbus, OH
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 doctor's ability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of alcohol. Agreement effective 12/14/05.

GAETANO, John Carl (DO #34-007359) Mayfield Heights, OH
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 §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, other substances that impair ability to practice. (Journal Entry) Notice mailed 9/15/05; Order effective 9/15/05.

GANZHORN, Dann William (MD #35-048491) Cleveland, OH
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 history of alcohol dependence; relapse on alcohol, for which doctor has sought treatment through a Board-approved provider; and diagnosis of depression. Agreement effective 4/12/06.

GARDNER, Alan M. (MD #35-066286) Defiance, OH
Voluntary Surrender: Voluntary surrender of medical license accepted by the Board effective 3/8/06 in lieu of formal disciplinary proceedings, based on doctor's admitted inability to practice according to acceptable and prevailing standards of care due to mental illness.

GAYTON, Samuel E. (MD #35-060993) Westerville, OH
Voluntary Surrender: Permanent surrender of medical license authorized by doctor in lieu of formal disciplinary action based upon his having prescribed controlled substances without maintaining medical records in compliance with Rule 4731-11-02(D), Ohio Administrative Code. Effective 12/14/05.

GINTZ, Aimee Jo (LMT applicant) Dover, OH
Application Withdrawn: Request to withdraw application for massage therapy certificate accepted by the Board in lieu of further investigation of possible violations of §4731.22 (B)(19), and (B)(26), Ohio Revised Code. Based on applicant's having received medical treatment for mental illness and polysubstance dependence. Applicant shall not apply for massage therapy licensure any time sooner than five years from the effective date of the withdrawal of application. Effective 11/9/05.

GIORDANO, Stephen Robert (DO training certificate #58-001345) Westlake, OH
Consent Agreement: 10/13/04 summary suspension terminated; medical training certificate 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 admissions that his ability to practice according to acceptable and prevailing standards of care is impaired due to chemical dependence and that he diverted intravenous Fentanyl for his personal use by using real and fictitious patient names to access a Pyxis drug dispensing machine. Agreement effective 4/15/05. **Consent Agreement:** Medical training certificate 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, without the need for psychiatric treatment and without restrictions related to a psychiatric condition; and on his having been accepted into a residency training program in a specialty other than anesthesiology. Agreement effective 6/8/05; agreement to remain in effect for at least five years prior to any request for termination.

GOTTSCHALK, Todd Gilbert (DO #34-006902) Las Vegas, NV
Consent Agreement: Doctor reprimanded; probationary terms, conditions and limitations imposed for at least two years from the date upon which the doctor reenters the U.S. following his current overseas military service. Based on doctor's admissions that he committed acts involving moral turpitude that would constitute misdemeanor offenses in Ohio by surreptitiously audiotaping or videotaping various erotic incidents involving adult females; and that assessment by the Center for Marital and Sexual Health determined that doctor had never crossed the boundaries of socialization with patients, that he has an adequate conscience to keep his conduct appropriate in the professional setting with patients, and that his mild, multifaceted form of voyeurism and moderately severe social anxiety disorder are amenable to treatment. Agreement effective 4/13/05.

GREER, Steven Franklin (MD Training Certificate #57-007242) Cleveland, OH
Consent Agreement: Additional probationary terms imposed beyond those set forth in the January 2005 Board Order, including certain treatment requirements, based on doctor's psychiatric diagnosis and failure to comply with monitoring requirements of the January 2005 Board Order. Agreement effective 3/08/06; agreement to remain in effect for at least two years prior to any request for termination.

HABERBERGER, Tammy Marie (DO training certificate #58-000626) Massillon, OH
Consent Agreement: Probationary terms, conditions and limitations imposed based on doctor's admissions that she was diagnosed, following a Board-ordered evaluation, with Attention Deficit Disorder, Mild, and Impulse Control Disorder, Mild, for which ongoing treatment with a psychiatrist and mental health counselor was recommended; that she was released from her residency training program related to her conduct of issuing an Ambien prescription intended for self-use in the name of a neighbor; and that she was convicted of Disorderly Conduct related to an incident during which she kicked a police officer in the torso after being

advised that she was going to be taken into custody for her own safety in response to comments indicating that she might harm herself. Agreement effective 6/8/05. Agreement to remain in effect for at least two years; all subsequent training certificates and/or any other certificate granted by the Board shall be subject to the same probationary terms, conditions and limitations, unless otherwise determined by the Board, until at least 7/1/07.

HALL, Adam Patrick (DO #34-008707) Columbus, OH

Board Order: Application for medical licensure granted subject to suspension for 30 days; subsequent probationary terms, conditions, and limitations for a period of at least two years established. Based on applicant having made fraudulent statements to the Acting Director of Medical Education for his residency program pertaining to his failure to appear or respond to pages when he was on-call. Order mailed 12/16/05; Order effective 1/17/06.

HANYAK, John Paul (MD #35-053965) Westerville, OH

Board Order: Medical license revoked based on impairment of doctor's ability to practice according to acceptable and prevailing standards of care for the reason that a Board-ordered psychiatric evaluation indicated that he suffers from Cognitive Disorder Not Otherwise Specified due to the residual effects of a brain tumor. Order mailed 9/16/05; Order effective 9/16/05.

HASSINK, George V. (MD #35-045682) Van Buren, OH

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 11/10/05; agreement to remain in effect for at least five years prior to any request for termination.

HETMAN, Ronald C. (DPM #36-001421) Centerville, OH

Consent Agreement: License to practice podiatric medicine suspended for at least 150 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on impairment of doctor's ability to practice according to acceptable and prevailing standards of care due to substance abuse for which he has sought treatment through a Board-approved provider. Agreement effective as of 2/8/06.

HEYD, Timothy John (MD #35-063863) Kettering, OH

Board Order: Permanent revocation of medical license stayed subject to indefinite suspension for at least sixty days; subsequent probationary terms, conditions, and limitations for at least one year established. Based on doctor's failure to conform to minimal standards of care and violation of Code of Professional Ethics due to his having repeatedly engaged in sexual contact with a patient despite the existence of an ongoing physician-patient relationship. Order mailed 6/7/05; Order effective 7/8/05.

HOLZHAUSER, Ruth Ann (MD #35-045292) Columbus, OH

Board Order: Medical license permanently revoked based on doctor's violation of Medical Board rules requiring that doctor personally examine patients prior to prescribing controlled substances to them, and pertaining to treatment of patients for weight reduction with controlled substance anorectics. Order effective 2/10/06. Order mailed 2/10/06. **Court Action:** Notice of appeal of Board's 2/08/06 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on 2/24/06. By Entry filed on or about 4/05/06, Franklin County Court of Common Pleas granted doctor's motion for stay of Board's 2/08/06 permanent revocation Order.

HOWARD, Kyle (MD #35-063354) Lebanon, OH

Board Order: Permanent revocation of medical license stayed, subject to suspension for at least one year; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions and limitations for at least three years established. Based on doctor's plea of guilty to Medicaid Fraud, a fourth degree felony, for which he was ordered to pay restitution of more than \$215,000 and forfeitures of \$400,000. Order mailed 8/30/05; Order effective 8/30/05.

HUANG, David Ta-Wei (MD #35-074718) Miami, FL

Board Order: Doctor reprimanded based on prior action against the doctor's license by Florida's medical board which imposed a fine of \$10,000 and required the doctor to perform 100 hours of community service and to complete five hours of continuing medical education in risk management. Order effective 3/09/06. Order mailed 3/09/06.

HUGUNIN, Ralph Arden (MD #35-078316) North Ridgeville, OH

Board Order: Medical license suspended for one year, all but 60 days stayed; subsequent probationary terms, conditions and limitations for at least three years established. Based on doctor's inappropriate prescribing of controlled substances in other names for intended use by a family member and failure to keep medical records related to such prescribing, in violation of Medical Board rules. Order effective 9/1/05; suspension effective 9/1/05 through 10/30/05.

JAIN, Vikas Kumar (MD #35-076297) Granville, OH

Board Order: Medical license permanently revoked based on doctor's failure to conform to minimal standards of care in the course of his treatment of 22 specified patients. Order mailed 11/14/05; Order effective 11/14/05.

JELKOVAC, Sharon Jane (PA Applicant) Cleveland, OH

Consent Agreement: Application for registration to practice as a physician assistant granted following receipt of appropriate and necessary documentation. Once issued, indefinite suspension of the certificate is stayed, subject to probationary terms, limitations and conditions. Based upon the applicant's admissions that, in the course of her employment from approximately 4/97 to the present, applicant performed duties for which she was not properly registered. Agreement effective 11/14/05; agreement to remain in effect for at least three years.

KEGLER, James L. (MD #35-039513) Cincinnati, OH

Board Order: Medical license permanently revoked based on doctor's failure to provide complete and accurate information on Kentucky licensure application pertaining to a past felony conviction in Ohio, and his failure to provide complete and accurate information on Ohio licensure renewal application pertaining to action taken by Kentucky's board against his license in that state. Order mailed 12/16/05; Order effective 12/16/05. **Court Action:** Notice of appeal of Board's 12/14/05 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on 12/29/05. By Entry filed on 2/8/06, Franklin County Court of Common Pleas granted doctor's motion for stay of the Board's 12/14/05 permanent revocation Order.

KHAN, Mohammad Ibrahim (MD #35-036857) Beverly Hills, CA

Board Order: Medical license revoked based on prior action against doctor's license by California's medical board following legal conclusions that included that doctor had engaged in gross negligence and repeated negligent acts. (Journal Entry - no hearing requested) Order mailed 5/19/05; Order effective 5/19/05.

LEAK, Byron Christopher (MD #35-085467) University Heights, OH

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 history of chemical dependency; relapse on alcohol, Fentanyl, and marijuana; and failure to advise the Board on 2003 training certificate application of illegal use of marijuana and on 2004 medical license application of illegal use of marijuana and Fentanyl. Agreement effective 4/12/06.

LEU, Melanie L. (MD #35-073229) Twinsburg, OH

Consent Agreement: Probationary terms, conditions and limitations established to monitor practice based on determination, following a Board-ordered examination, that doctor has Dysthemia and Major Depressive Disorder, Recurrent, now in full remission, and that she 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 2/8/06; agreement to remain in effect for at least five years prior to request for termination.

LEVITT, Stephen Barry (MD #35-041936) Dayton, OH

Consent Agreement: Doctor reprimanded; probationary terms, conditions and limitations for at least three years established. Based on doctor's admissions that, although he was not a notary, he purported to notarize a financial worksheet submitted to a domestic relations court, which worksheet contained an incorrect statement that understated a party's monies available for child support; and that such conduct resulted in a misdemeanor conviction that has since been expunged. Agreement effective 6/8/05.

LEWIS, Carol Elaine (MD #35-061461) Cleveland, OH

Summary 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 by 7/9/03 consent agreement and that her ability to practice is impaired; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 9/15/05; suspension effective 9/15/05. **Board Order:** Medical license revoked based on doctor's impairment of ability to practice according to acceptable and prevailing standards of care and violation of conditions of limitation imposed on her license by 7/9/03 consent agreement due to positive urine screen. (Review and Journal Entry - no hearing requested) Order mailed 12/15/05; Order effective 12/15/05. **Court Action:** Notice of Appeal of the Board's 12/15/05 revocation Order filed by doctor with Franklin County Court of Common Pleas on 12/29/05. Notice of dismissal of appeal filed by doctor with Franklin County Court of Common Pleas on April 14, 2006.

LONERGAN, John Michael (MD #35-041091) Parma, OH

Board Order: Medical license permanently revoked based on doctor having been found guilty of eight felony counts involving tax evasion, mail fraud and health care fraud. Order mailed 12/16/05; Order effective 12/16/05. **Court Action:** Notice of Appeal of the Board's 12/16/05 revocation Order filed by doctor with Franklin County Court of Common Pleas on 1/3/06.

LOOMIS, Kelly Renee (LMT #33-007796) Delta, OH

Board Order: License to practice massage therapy indefinitely suspended; conditions for reinstatement established, including requirement that massage therapist enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Order entered due to massage therapist's failure to submit to a Board-ordered examination, which by law constitutes an admission that she is unable to practice according to acceptable and prevailing standards of care by reason of mental or physical illness; and that her ability to practice according to acceptable and prevailing standards of care is impaired due to habitual or excessive use of or abuse of drugs, alcohol, or other substances that impair ability to practice. (Journal Entry - no hearing requested). Order mailed 4/14/05; Order effective 4/14/05.

MAHAJAN, Mahendra Kumar (MD #35-043538) Dayton, OH

Consent Agreement: Doctor reprimanded; probationary terms, conditions and limitations imposed based on doctor's admissions that, in and prior to 2003, and in accordance with the practice of the mental health clinics at which he was working, he signed otherwise blank prescriptions that were to be kept in a double-locked system and used only to obtain patient medications in specified situations, including patient emergencies. Agreement effective 9/14/05; agreement to remain in effect for at least three years prior to any request for termination.

MANN, Donald C. (MD #35-071870) Decatur, IL

Consent Agreement: License to practice medicine 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 due to substance abuse for which he has sought treatment at a Board-approved provider. Agreement effective 3/08/06.

MARRERO, Miguel Angel (MD #35-078103) Bridgeville, PA

Board Order: Permanent revocation of medical license stayed subject to indefinite suspension of at least one year; conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least two years established. Based on action against doctor's license by Pennsylvania's medical board following that board's conclusions that doctor was guilty of immoral and unprofessional conduct in his relationships with two specified patients. Order effective 2/9/06. Order mailed 2/9/06. **Court Action:** Notice of appeal of Board's 1/11/06 indefinite suspension Order filed by doctor with Franklin County Court of Common Pleas on 2/14/06. By Agreed Order filed 3/28/06, Franklin County Court of Common Pleas, upon doctor's agreement not to seek reinstatement of license to practice medicine and surgery in Ohio during the pendency of appeal, granted doctor's motion for stay of the Board's 1/11/06 indefinite suspension Order.

MARTINEZ, Jorge Arturo (MD #35-050822) Akron, OH

Immediate Suspension: Pursuant to Ohio Revised Code §3719.121(C), medical license immediately suspended based on licensee having been found guilty of eight felony counts of Distribution of a Controlled Substance. Suspension effective 2/9/06; Notice mailed 2/9/06.

MARTINEZ, Jose O. (MD #35-040795) Cincinnati, OH

Consent Agreement: Doctor reprimanded; required to successfully complete specified controlled substance management course within one year. Based on doctor's admission that he failed to comply with Medical Board rules relating to controlled substances by prescribing Adipex-P to an employee and that employee's sister for purposes of weight reduction without maintaining medical records or meeting face-to-face with the employee's sister every thirty days as required. Agreement effective 6/8/05.

MASIMORE, Gregory Scott (MD # 35-066335) Toledo, OH

Consent Agreement: Medical license reinstated subject to probationary, terms, conditions and limitations 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 10/12/05; agreement to remain in effect for at least five years prior to any request for termination.

MASTERS, William Edward (MD #35-023024) Warren, OH
Voluntary Surrender: Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings for the reason that, due to physical illness and cognitive deficits, doctor is no longer able to practice medical and surgery according to acceptable and prevailing standards of care.; and in lieu of further investigation related to matters alleged in a criminal indictment filed against doctor in Trumbull County (Ohio) Court of Common Pleas on or about 3/11/04. Effective 5/19/05.

MCALLISTER, Mark Stephen (MD #35-072741) North Olmsted, OH
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, subject to certain monitoring and conditions. Agreement effective 6/8/05; agreement to remain in effect for at least five years prior to any request for termination.
Consent Agreement: Suspension of medical license imposed by 6/8/05 Consent Agreement terminated. Medical license suspended for 90 days from 11/9/05, interim monitoring conditions established; specified probationary terms, conditions and limitations to monitor practice effective upon reinstatement of his license. Based upon doctor's admission that he engaged in the practice of medicine and surgery while his license was suspended. Agreement effective 11/9/05; agreement to remain in effect for a minimum of five years prior to any request for termination.

MCKEE, Kevin D. (DO #34-006668) Centerville, OH
Consent Agreement: Revocation of medical license stayed. License suspended for 90 days; interim monitoring conditions established; specified probationary terms, conditions and limitations to monitor practice effective upon reinstatement of license. Based on doctor having been found guilty of Public Indecency; and his initial failure to advise the Board that the behavior underlying that conviction involved a pattern of exposing himself to unknowing individuals. Agreement effective 11/10/05; agreement to remain in effect for a minimum of five years prior to any request for termination.

MEJIA, Juan Carlos (MD #35-077484) Cincinnati, OH
Consent Agreement: Medical license subject to probationary terms, conditions and limitations to monitor practice. Action taken in resolution of allegations issued by Ohio Board on 3/12/03 and pursuant to terms of 6/11/03 consent agreement, following issuance of an Order by Kentucky's medical board in 3/05 that placed doctor's Kentucky medical license on probation until 2/7/08. Agreement effective 6/8/05; agreement to remain in effect until 2/7/08 or the date on which Kentucky's medical board restores doctor's Kentucky license to a full and unrestricted status, whichever is later.

MENON, Venu Gopal (MD #35-054426) Dayton, OH
Board Order: Medical license permanently revoked based on doctor's violation of conditions imposed on license by 5/14/03 Board Order; and action against doctor's license by Nebraska's medical board following doctor's admission to factual allegations enumerating substandard care and treatment practices. (Review and Journal Entry - no hearing requested) Order mailed 12/15/05; Order effective 12/15/05. **Court Action:** Notice of Appeal of the Board's 12/15/05 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on 1/10/06.

MERKIN, Bruce Jeffrey (MD #35-086596) Cleveland, OH
Consent Agreement: Medical license granted subject to probationary terms, conditions and limitations to monitor practice. Based on doctor's history of chemical dependency, relapse and treatment; action against his licenses by medical boards in West Virginia and Pennsylvania relative to his impairment; and his on-going, documented maintenance of

sobriety and compliance with monitoring since 9/01. Agreement effective 7/13/05; agreement to remain in effect for at least five years prior to any request for termination.

MEYER, Jeffrey V. (MD training certificate # 57-010102) Columbus, OH

Consent Agreement: Medical training certificate 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 evaluators at a Board-approved treatment provider diagnosed him with Cannabis Abuse, determined that he was impaired in his ability to practice according to acceptable and prevailing standards of care, and concluded that he needed residential or inpatient treatment; and doctor's admission that he failed to provide complete and accurate information on his training certificate application form regarding his use of marijuana. Agreement effective 10/12/05.

MILLER, Gale W. (MD #35-029683) Cincinnati, OH
Child Support Suspension: Pursuant to determination by Hamilton County Child Support Enforcement Agency that doctor is in default under a child support order, medical license immediately suspended until such time as Board receives notice from Hamilton County Child Support Enforcement Agency that doctor is no longer determined to be in default. Notice mailed 8/15/05; suspension effective 8/15/05.

MULLIN, Vildan (MD #35-063869) Ann Arbor, MI
Board Order: Medical license revoked based on prior action against doctor's license by Florida medical board which included a reprimand, imposed a fine of \$15,000, required the doctor to perform 100 hours of community service, required five hours of continuing medical education in risk management and a medical records course, and required the doctor to present a one hour lecture/seminar on Wrong Site Surgeries. (Journal Entry) Order effective 4/12/06. Order mailed 4/13/06.

MYERS, Carla Melinda (DO #34-003506) Beavercreek, OH
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 dependency (alcohol) and relapse, for which she has sought treatment through a Board-approved provider. Agreement effective 9/14/05.
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 1/12/06; agreement to remain in effect for at least five years prior to any request for termination

MYERS, Philip F. Jr. (MD #35-039262) Kent, OH
Board Order: Permanent revocation of medical license stayed subject to indefinite suspension for at least 180 days; conditions for reinstatement and subsequent probationary terms, conditions, and limitations for at least three years established. Based on doctor having prescribed controlled substances to a family member and failing to maintain medical records to document such prescribing, in violation of Board rules. Order mailed 10/11/05; Order effective 30 days from date of mailing.

NGUYEN, Thomas Anh (MD #35-077860) New Cumberland, PA
Consent Agreement: Doctor reprimanded. Terms, conditions and limitations imposed by 9/03 Board Order remain in effect. Based upon his plea of guilt in the Circuit Court of St. Louis County, Missouri on or about 1/27/03 to three misdemeanor counts of attempt to fraudulently obtain a

controlled substance; and prior actions taken against his medical license by the Arkansas medical board. Agreement effective 12/14/05.

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

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 requirements are in place. Agreement effective 6/9/05; agreement to remain in effect for at least five years prior to any request for termination.

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

Pre-hearing Suspension: Pursuant to Ohio Revised Code §3719.121(C), medical license immediately suspended based on licensee having been found guilty of ten felony counts of Trafficking in Drugs and ten felony counts of Illegal Processing of Drug Documents. Suspension effective 3/9/06. Notice mailed 3/09/06.

OGDEN, John Russell (MD training certificate #57-004758) Columbus, OH

Consent Agreement: Medical training certificate suspended for 180 days; interim conditions and subsequent probationary terms, conditions and limitations established. Based on doctor's admissions that he prescribed controlled substances and other dangerous drugs to two persons who were not patients affiliated with his residency training program; that he failed to examine or evaluate those individuals or complete and maintain medical records reflecting the diagnosis and purpose for which the controlled substances were being utilized; and that on approximately four occasions, he personally utilized some of the medication he had prescribed to treat severe headaches. Agreement effective 7/13/05; all subsequent training certificates or other certificates issued by Board to be subject to probationary terms, conditions and limitations of consent agreement until doctor has completed at least a two year probationary period.

OLSEN, Thomas George (MD #35-046058) Dayton, OH

Consent Agreement: Doctor reprimanded; probationary terms, conditions and limitations for at least three years established. Based on doctor's admissions that he submitted a false statement that understated his income to a domestic relations court, which conduct resulted in a misdemeanor conviction that has since been expunged; and that he failed to advise the Board on a license renewal application submitted in 10/03 that he had pled guilty to and been found guilty of Driving Under the Influence of Alcohol or Drugs. Agreement effective 6/8/05.

OTTNEY, James Brand Jr. (MD applicant) Sierra Vista, AZ

Board Order: Application for medical license denied. Order entered due to applicant's failure to comply with Board-ordered examination, resulting in Board's findings, pursuant to §4731.22(B)(19) and (B)(26), O.R.C., that applicant is unable to practice according to acceptable and prevailing standards of care by reason of mental or physical illness, and that his ability to practice is impaired because of habitual or excessive use or abuse of drugs, alcohol, other substances that impair ability to practice. (Journal Entry - no hearing requested) Notice mailed 9/15/05; Order effective 9/15/05.

PANGALANGAN Augusto L. (MD #35-030512) Westerville, OH

Consent Agreement: Medical license permanently limited and restricted to review of files, charts, and medical records, with no actual patient contact; doctor permanently prohibited from prescribing, administering, personally furnishing, ordering, writing orders for, or giving verbal orders for any drugs, including controlled substances, prescription medications, and over-the-counter medications. Based on doctor's admission that, in three specific cases, while he was employed at the Ohio State University Student Health Center, he engaged in behavior involving patients under his care that constituted inappropriate boundary

crossings and created ethical conflicts of interest. Agreement effective 4/13/05.

PAYNE, John Bruce (DO applicant) Colleyville, TX

Board Order: Application for medical license permanently denied based upon (1) applicant's failure to conform to minimal standards of care with respect to treatment of two specified patients and due to failure to maintain adequate medical records; (2) his failure to provide complete and accurate information on applications for licensure and reappointment of staff privileges pertaining to investigations and actions against his staff privileges; and (3) prior action against applicant's licenses by medical boards in Texas, Pennsylvania and New Jersey. Order effective 2/10/06. Order mailed 2/10/06.

PHILLIPS, Charles David (LMT applicant) Covington, KY

Application Withdrawn: Request to permanently withdraw application for massage therapy certificate accepted by the Board in lieu of formal disciplinary proceedings based on applicant's having pled no contest to and been found guilty of one count of Public Indecency. Effective 10/12/05.

PIDHORODECKYJ, Nykolai Vasil (MD #35-079642) Akron, OH

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 7/13/05; agreement to remain in effect for at least five years prior to any request for termination.

POLITI, Barry J. (MD applicant) Jackson, MS

Board Order: Application for medical licensure permanently denied based on applicant's failure to provide complete and accurate information pertaining to his having been placed on probation in his residency training program on an Ohio licensure application. Order mailed 11/23/05; Order effective 11/23/05. **Court Action:** Notice of Appeal of Board's 11/9/05 Order permanently denying licensure filed by doctor with Franklin County Court of Common Pleas on or about 12/7/05.

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

Board Order: Medical license revoked based on impairment of ability to practice according to acceptable and prevailing standards of care and doctor's violation of conditions of limitation imposed on his license by 9/10/03 consent agreement due to relapse on alcohol. (Review and Journal Entry - no hearing requested by doctor) Order mailed 4/14/05; Order effective 4/14/05. **Court Action:** Notice of appeal of Board's 4/13/05 revocation Order filed by doctor with Franklin County Court of Common Pleas on 4/28/05. By Decision and Judgment Entry of the Franklin County Court of Common Pleas filed on 11/21/05, Appeal of the Board's 4/13/05 revocation Order dismissed and matter remanded to the Medical Board for further proceedings. Notice of Appeal of the 11/21/05 Decision and Judgment Entry of the Franklin County Court of Common Pleas filed with the 10th District Court of Appeals on or about 12/20/05. By Decision and Entry filed on 1/30/06, Franklin County Court of Common Pleas granted a stay of the doctor's Motion for Attorney's Fees, pending outcome of cross-appeals to the 10th District Court of Appeals.

POWELL, John Clark (MD #35-087363) Owensboro, KY

Consent Agreement: Application for medical licensure granted, subject to probationary terms, conditions, and limitations to monitor practice. Based on his 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 1/12/06; agreement to remain in effect for at least three years prior to any request for termination.

POWELL, William E. II (MD #35-025499) Houston, TX
Voluntary Surrender: Permanent surrender of medical license authorized by doctor in lieu of formal disciplinary action based upon prior action taken against his license by the Texas medical board where he was found to have failed to meet the standard of care in the treatment of two patients in his practice of obstetrics and gynecology. Effective 12/14/05.

PRASAD, Kolli Mohan (MD #35- 041939) Boardman, OH
Board Order: Medical license suspended for thirty days; all terms and conditions of 2/98 Board Order shall remain in effect. Based on doctor's violation of conditions of limitation imposed on his medical license by the 2/98 Order. Order mailed 6/7/05; Order effective 6/7/05. Suspension effective from 6/7/05 through 7/7/05.

PRICE, Richard Daniel (MD #35-068829) Birmingham, AL
Board Order: Application for restoration of medical license permanently denied based on doctor's plea of guilty to a felony charge of Carrying a Weapon on an Aircraft; prior action against doctor's Alabama and Georgia medical licenses based on that conviction; and inability to practice according to acceptable and prevailing standards of care by reason of mental illness. Order mailed 12/16/05; Order effective 12/16/05.

PROCHOROFF, Andre (MD applicant) Cleveland, OH
Consent Agreement: Medical license granted and immediately suspended for three months, such time to be calculated from 7/1/05, the date immediately following the expiration of doctor's medical training certificate; upon reinstatement on 10/1/05, doctor subject to probationary terms, conditions and limitations for at least two years. Based on doctor's admission that he failed to provide complete and accurate information on application for full licensure pertaining to performance issues during his neurology residency at the Cleveland Clinic. Agreement effective 9/14/05; agreement to remain in effect for at least two years prior to any request for termination.

RATH, David A. (MD #35-057898) Westerville, OH
Summary 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 is impaired and that his continued practice presents a danger of immediate and serious harm to the public. Notice mailed 9/15/05; suspension effective 9/15/05. **Board Order:** Medical license suspended 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 impairment of doctor's ability to practice according to acceptable and prevailing standards of care due to chemical dependency. Order effective 4/14/06. Order mailed 4/14/06.

REGAILA, Adel Hassan (MD #35-085274) Macclenny, FL
Board Order: Permanent revocation of doctor's license to practice medicine based on prior Florida order suspending doctor's license for repeated sexual conduct with a patient in the examination room. (Review and Journal Entry - no hearing requested). Order effective 3/09/06. Order mailed 3/09/06.

RENZ, Mark Allan (MD #35-087699) Columbus, OH
Consent Agreement: Medical license granted upon receipt and appropriateness of necessary documentation, with permanent limitation and restriction against doctor practicing anesthesiology; 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 and practice restrictions are in place. Agreement effective 4/12/06; agreement to remain in effect until doctor has completed at least a five year probationary period prior to any request for termination.

RICH, Craig Louis (MD #35-064127) Massillon, OH
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, as evidenced by positive urine screens, and violation of conditions of limitation imposed on license by 10/99 consent agreement. Order mailed 12/16/05; Order effective 12/16/05.

RICHARDSON, Calvin T. (DO #34-000431) Bellefontaine, OH
Voluntary Retirement: Doctor's voluntary retirement accepted by Board effective 11/9/05; doctor ineligible for licensure in the future. Retirement in lieu of further investigation by the Board related to controlled substance management.

RICKEY, Charles Christian (PA #50-002408) Haverhill, OH
Board Order: Application for registration to practice as a physician assistant granted subject to probationary terms, conditions, and limitations for a period of at least three years. Based on applicant having been convicted of Bank Fraud, a felony; and prior action against applicant's physician assistant certificate by Kentucky's medical board based on that conviction. Order mailed 12/28/05; Order effective 12/28/05.

RIDGEWAY, Joseph A. IV (MD #35-062021) Columbus, OH
Summary Suspension: Pursuant to Ohio Revised Code §4731.22(G), medical license summarily suspended based on Board's determination that there is clear and convincing evidence that the doctor's ability to practice is impaired because of habitual or excessive use or abuse of alcohol; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 11/09/05; Notice mailed 11/10/05. **Board Order:** Medical license indefinitely suspended 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 the doctor's impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of alcohol. Order effective 3/3/06. Order mailed 3/3/06. **Court Action:** Notice of appeal of Board's 2/8/06 Order, which was mailed on 3/3/06, filed by doctor with Franklin County Court of Common Pleas on 3/20/06.

RISE, Leroy P. (MD training certificate #57-008684) Columbus, OH
Consent Agreement: Medical training certificate indefinitely suspended; interim monitoring conditions and conditions for reinstatement/issuance of any other certificate established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's failure to advise the Ohio Board on his 2004 training certificate application that he had engaged in the illegal use of marijuana within the two years prior to the date upon which he submitted such application; and on his admissions that he was diagnosed with and sought treatment for chemical dependency, that his drug of choice is marijuana, and that, in the past, he has engaged in the cultivation of marijuana exclusively for personal use. Agreement effective 4/13/05. **Consent Agreement:** Medical training certificate 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 12/14/05; agreement to remain in effect for at least five years prior to any request for termination.

ROBINSON, Kent (MD #35-051764) Cincinnati, OH
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 7/13/05; agreement to remain in effect for at least five years prior to any request for termination.

ROBERTS, Handel Jay (MD #35-076944) Windber, PA

Board Order: Medical license revoked based on doctor's violation of conditions of limitation imposed on license by 12/13/00 consent agreement due to non-compliance with interim monitoring conditions. Order effective 3/23/06. Order mailed 3/23/06.

ROCKWOOD, John House (PA #50-001240) Westerville, OH

Consent Agreement: Certificate of registration to practice as a Physician Assistant (PA) suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that P.A. enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on P.A.'s admissions that he has a history of alcohol dependence, relapse, and treatment; that, after receiving a prescription for Fioricet from a physician for back pain, he forged a prescription for himself in that physician's name, without his knowledge or consent; and that he subsequently sought treatment through a Board-approved provider. Agreement effective 8/10/05. **Consent Agreement:** Certificate of registration to practice as a Physician Assistant reinstated subject to probationary terms, conditions and limitations based on licensee 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 2/8/06; agreement to remain in effect for at least five years prior to any request for termination.

RUFFIN, Julia (DPM #36-002249) Cincinnati, OH

Consent Agreement: License to practice podiatric medicine 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 5/19/05; agreement to remain in effect for at least five years prior to any request for termination.

SCHNEIDER, Andrew (MD #35-053843) Dublin, OH

Consent Agreement: Medical license reinstated subject to probationary terms, conditions and limitations 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; and doctor's admission that, while his license was summarily suspended, he obtained samples of a medication that had been prescribed for him by his treating physician from his supervising physician's office supply for his own use, but that he has since been advised to obtain medications only from his treating physician. Agreement effective 8/10/05; agreement to remain in effect for at least five years prior to any request for termination. **Summary 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 8/10/05 consent agreement and (2) doctor's ability to practice according to acceptable and prevailing standards of care is impaired, as evidenced by doctor's submission of two urine screens that tested positive for cocaine; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 3/28/06. Notice mailed 3/29/06. **By Order and Entry** on behalf of Medical Board on 4/28/06, the 3/28/06 and 4/12/06 citations dismissed as moot due to doctor's demise.

SCHULTE, Gregory Todd (MD # 35-063923) Columbus, OH

Voluntary Surrender: Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based upon doctor having been found guilty of two felony counts of robbery; two felony counts of practicing medicine without a license; two felony counts of felonious assault; two felony counts of theft; and two felony counts of tampering with drugs. The criminal prosecution resulted from the doctor's withdrawing pain medications from the implanted pain pumps in former patients during the time his medical license was suspended pursuant to a Consent Agreement with the Board. Effective 10/12/05.

SCHWACHTER, Marc H. (MD #35-080114) Dayton, OH

Consent Agreement: Medical license reinstated subject to requirement that doctor limit his practice to obstetrics and gynecology, to exclude deliveries and major ob-gyn procedures, pending neurological reevaluation of his ulnar neuropathy; and 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, including that doctor continue medication management and psychotherapy. Agreement effective 5/19/05; agreement to remain in effect for at least five years prior to any request for termination. **Summary 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 by 5/19/05 consent agreement and that his ability to practice is impaired due to relapse on cocaine and alcohol; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 7/14/05; suspension effective 7/14/05. **Board Order:** Medical license permanently revoked based on doctor's impairment of ability to practice according to acceptable and prevailing standards of care and violation of conditions of limitation imposed on doctor's license by 5/19/05 consent agreement due to relapse on cocaine and alcohol. Order effective 3/09/06. Order mailed 3/09/06. **Court Action:** Notice of appeal of Board's 3/8/06 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on or about 3/16/06.

SCHWARTZ, Bradley Allen (LMT applicant) Mansfield, OH

Application Withdrawn: Request to withdraw application for massage therapy certificate accepted by Board in lieu of formal disciplinary proceedings based on applicant's admissions (1) that he pled no contest to a charge of Theft for having taken Darvon and Xanax for his own use from the shelves of a pharmacy at which he was employed as a pharmacist; and (2) that his request for admission into the Richland County Drug Abuse Treatment Court constitutes independent proof of impairment. Applicant agrees not to apply for a massage therapy license or any other certificate issued by the Board for at least one year. Effective 4/14/05.

SEMKO, Daniel David (DPM #36-001978) Richmond, IN

Board Order: License to practice podiatric medicine permanently revoked based on (1) doctor having been found guilty of one felony count of Fraud; (2) action against doctor's license by Indiana's medical board following findings by that board that the aforementioned conviction was based on a scheme by doctor to defraud the U.S. Veterans Administration while he was employed at a VA medical center and simultaneously carrying on a private podiatric practice; and (3) subsequent action by Indiana's medical board following findings that doctor performed a surgical procedure on a specified patient in Indiana after his license in that state had been suspended. (Journal Entry - no hearing requested) Order mailed 6/9/05; Order effective 6/9/05.

SHAFFER, David James (MD #35-068595) Cadiz, OH

Consent Agreement: Medical license permanently limited and restricted such that, with the exception of minor surgery as specifically

defined, doctor prohibited from engaging in the practice of surgery, including but not limited to performing or assisting in any vascular, general, or major surgical procedures; doctor's practice limited to employment as an emergency room physician at Harrison Community Hospital unless otherwise authorized by Board. Based on doctor's admissions that between 4/97 and 8/98 he performed surgical procedures on patients in West Virginia that subsequently resulted in at least six malpractice settlements against him; that his staff privileges at two hospitals in West Virginia were revoked; that he suffered a permanent hand injury that rendered him unable to practice his medical specialty, surgery, in accordance with acceptable and prevailing standards of care; and that his license has been limited by West Virginia's medical board such that he may not engage in solo practice or perform any general surgery. Agreement effective 4/13/05.

SHARP, Frank Ray (MD #35-078246) Sacramento, CA

Voluntary Agreement: Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on his admission that he violated conditions of limitation imposed on his license by 7/14/00 consent agreement by committed acts that would constitute the felony offenses of Telecommunications Harassment and/or Pandering Obscenity. Effective 4/14/05.

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

Consent Agreement: October 2004 Consent Agreement and the January 2005 Addendum terminated effective 12/14/05. Medical training certificate suspended for at least one year from the date of completion of residential treatment for chemical dependency. Based on violation of conditions of limitation imposed by the 10/04 consent agreement and impairment of the doctor's ability to practice according to acceptable and prevailing standards of care due to his relapse on cocaine. Agreement effective 12/14/05.

SHAW, John Wesley (MD #35-068596) Defiance, OH

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 admissions that he sought treatment for chemical dependency through a Board-approved provider after being confronted by representatives of the State Pharmacy Board and State Medical Board for issuing suspicious prescriptions for mood-altering drugs and controlled substances in the name of a family member; that he issued prescriptions for his own use in the names of other family members; and that his drugs of choice are hydrocodone, oxycodone, and tramadol. Agreement effective 5/19/05.

SHOR, Steven John (MD #35-060259) Amherst, OH

Board Order: Medical license revoked based on doctor's violation of conditions of limitation imposed on his license by 3/21/03 consent agreement due to his failure to comply. Order mailed 12/16/05; Order effective 12/16/05.

SNYDER, Matthew A. (LMT #33-014161) Luckey, OH

Consent Agreement: License to practice massage therapy indefinitely suspended; interim monitoring conditions and conditions for reinstatement established, including requirement that licensee enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on impairment of licensee's ability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of alcohol for which he sought treatment through a Board-approved treatment provider. Agreement effective 12/14/05.

STANG, Robert Martin (DO #34-006233) Flat Rock, MI

Board Order: Medical license permanently revoked based on doctor having been found guilty of two misdemeanor counts of Fourth Degree Criminal Sexual Conduct; and on prior actions against doctor's license by Michigan's osteopathic medical board based on that criminal offense and underlying acts. Order mailed 12/16/05; Order effective 12/16/05.
Court Action: Complaint seeking reversal of Board's 12/14/05 permanent revocation Order filed by doctor in Franklin County Common Pleas Court on or about 3/29/06.

STEVENS, William Cage (MD #35-046537) West Allis, WI

Consent Agreement: Medical license suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that licensee enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on impairment of licensee's ability to practice according to acceptable and prevailing standards of care due to habitual or excessive use of methylphenidate for which he sought treatment through a Board-approved treatment provider. Agreement effective 12/14/05.

STURMI, James E. (MD #35-060676) Mount Vernon, OH

Consent Agreement: Doctor reprimanded; probationary terms, conditions and limitations to monitor practice established. Based on doctor's failure to comply with specified conditions of limitation imposed on his license by the August 2002 consent agreement. Agreement effective 11/10/05; agreement to remain in effect until at least August 2008.

SWANINGER, Nancy (LMT #33-004723) Dayton, OH

Voluntary Surrender: Permanent revocation of license to practice massage therapy authorized by licensee in lieu of formal disciplinary action based upon her having pleaded guilty to theft of drugs, a felony, and that the criminal prosecution resulted from theft of Vicodin from a hospital's automated medical management system during the period from on or about October 2001 through May 2002, while working as a registered nurse pursuant to an Ohio nursing license. Effective 12/14/05.

TAYLOR, Deborah Lynn (MD #35-051038) Columbus, OH

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 4/15/05; agreement to remain in effect for at least five years prior to any request for termination.

VAN KIRK, Robert J. Jr. (MD #35-086613) Euclid, OH

Consent Agreement: Medical license granted subject to probationary terms, conditions and limitations based on doctor's admissions that, on his applications for a medical training certificate and a for full medical license in Ohio, he failed to disclose that, in or about 1990, he had been convicted by special court martial while serving in the U.S. Navy and that his service had been terminated by Other Than Honorable Discharge Conditions; and that while serving in the U.S. Navy, he had taken an unauthorized absence and as a result had been placed in the brig for approximately 36 days. Agreement effective 7/13/05; agreement to remain in effect for at least two years prior to any request for termination.

VARMA, Devendra K. (MD #35-066392) Poplar Bluff, MO

Voluntary Surrender: Doctor's permanent surrender of medical license accepted by Board in lieu of hearing on the allegations in the Notice of

Opportunity for Hearing issued on 10/12/05, based on doctor's admission that prior Missouri medical board action related to doctor's conduct that violated, or attempted to violate, Missouri drug laws, rules and regulations and constituted unprofessional conduct. Effective 4/12/06.

VASQUEZ, Ernesto (MD #35-038924) Westerville, OH

Voluntary Surrender: Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on his admission that he engaged in behaviors involving inappropriate boundary crossings or otherwise unethical conduct in violation of the AMA's Principles of Medical Ethics by engaging in a romantic relationship with a female patient of his psychiatric practice. Effective 5/19/05.

VJECHA, Michael J (MD #35-049553) Washington, DC

Summary Suspension: Pursuant to Ohio Revised Code §4731.22(G), medical license summarily suspended based on Board's determination that there is clear and convincing evidence that doctor violated conditions of limitation imposed by 5/15/03 consent agreement and that his ability to practice is impaired; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 10/12/05; Notice mailed 10/13/05.

WALTZ, Gary W. (MD #35-044019) Chagrin Falls, OH

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 history of chemical dependency and relapse, for which he has sought treatment through a Board-approved provider, and chronic depression. Agreement effective 7/13/05.

WEISS, Richard Alan (MD #35-074955) Beachwood, OH

Board Order: Medical license revoked based on action against doctor's license by California's medical board following doctor's admission by way of stipulation that he suffers from physical illnesses that have caused cognitive and mental problems and that substantially impair his ability to practice competently and safely. (Journal Entry - no hearing requested) Order mailed 7/14/05; Order effective 7/14/05.

WHITMER, Richard Lee (MD #35-022868) Dayton, OH

Consent Agreement: Medical license permanently restricted to prohibit doctor from prescribing, administering, personally furnishing, ordering, writing orders for, or giving verbal orders for any controlled substance as defined by state or federal law. Based on doctor's admissions that, in treatment of patients presenting with complaints of intractable pain, he utilized controlled substances on a protracted basis, and/or in amounts or combination that may not be appropriate when treating other medical conditions; and that he failed to comply with Board rules pertaining to prescribing for intractable pain. Agreement effective 4/13/05.

WILLOWS, Barbara Jean (DO #34-002857) Columbus, OH

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 history of chemical dependency and relapse; and on her admission that she failed to advise the Board on a license renewal application submitted in 9/03 that she had been convicted of OMVI, a misdemeanor. Agreement effective 6/9/05.

Consent Agreement: Suspension of medical license imposed by 6/9/05 Consent Agreement terminated. Medical license suspended for at least one year from June 2005; 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; her admission that she failed to advise the Board on a license renewal application submitted in 9/03 that she had been convicted of OMVI, a misdemeanor; and her admission that she improperly prescribed and/or dispensed controlled substances to patients in violation of the Board's weight loss rules, intractable pain rules and/or rules regarding utilizing controlled substances for self and family members. Agreement effective 10/12/05.

WILSON, Lee Adam (LMT #33-009895) Centerville, OH

Voluntary Surrender: Permanent revocation of license to practice massage therapy authorized by licensee in lieu of formal disciplinary action based on his having been found guilty of Sexual Imposition based upon sexual contact with a client during a massage therapy session. Effective 12/14/05.

YANG, Paul Po-Tsang (MD #35-071034) Wilmington, OH

Board Order: Medical license suspended for thirty days; subsequent probationary terms, conditions and limitations for at least two years established. Based on doctor's failure to provide complete and accurate information on license restoration application pertaining to actions taken against his privileges by the Colorado Permanente Medical Group, Westminster, CO. Order mailed 4/14/05; Order effective 5/15/05.

YOUNG, Allen B. (MD #35-061738) Ft. Mitchell, KY

Immediate Suspension: Pursuant to Ohio Revised Code §3719.121(C), medical license immediately suspended based upon conviction of one felony count of Possession of Controlled Substance in the First Degree. Suspension effective 1/12/06; Notice mailed 1/12/06.
Board Order: Medical license permanently revoked based on (1) doctor's conviction of one felony count of Possession of Controlled Substance, one misdemeanor count of Possession of Marijuana, and one misdemeanor count of Possession of Drug Paraphernalia; and (2) prior action against doctor's license by Kentucky medical board prohibiting doctor from prescribing, dispensing or otherwise professionally utilizing controlled substances for himself or family members; and (3) Kentucky board's acceptance of doctor's surrender of Kentucky medical license. Order effective 4/12/06. Order mailed 4/13/06.

ZIMMERMAN, James F. (DPM #36-002579) Barberton, OH

Consent Agreement: License to practice podiatric medicine and surgery suspended for at least 270 days; interim monitoring conditions and conditions for reinstatement established, including requirement that licensee enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on impairment of licensee's ability to practice according to acceptable and prevailing standards of care due to drug and alcohol dependency and abuse for which he sought treatment through a Board-approved treatment provider. Agreement effective 12/15/05.

ZINNI, Richard A (DO #34-003785) Richmond Heights, OH

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 12/14/05; agreement to remain in effect for at least five years prior to any request for termination.

Continuing Education Actions

BROWN, James Robert Jr. (MD #35-041920) Cleveland Heights, OH

Consent Agreement: Doctor reprimanded and \$5000 fine imposed; doctor must document compliance with continuing medical education requirements for the 2001-2003 and 2003-2005 CME periods, doctor required to document compliance for two additional CME acquisition periods thereafter. Based on doctor's admission that he certified on license renewal application for the 7/1/03-6/30/05 renewal period that he had completed the requisite hours of CME for the prior biennium when, in fact, he had not done so. Agreement effective 6/8/05.

DOMER, Carol A. (CT #53-005942) Louisville, OH

Consent Agreement: Cosmetic therapist reprimanded; certificate to practice cosmetic therapy indefinitely suspended; conditions for reinstatement established; thereafter, cosmetic therapist required to document compliance with CCTE requirements for two additional CCTE registration periods. Based on cosmetic therapist's failure to comply with Continuing Cosmetic Therapy Education requirements. Agreement effective 7/13/05.

GALLO, Ugo Ernesto (MD #35-055461) Akron, OH

Board Order: Doctor reprimanded; subject to mandatory continuing medical education (CME) audits for three biennial registration periods. Based on doctor's failure to timely submit documentation of compliance with CME requirements, although CME hours had, in fact, been timely completed. Order mailed 4/14/05; Order effective 5/15/05.

ROIG, Santiago L. (MD #35-057475) Steubenville, OH

Consent Agreement: Doctor reprimanded and \$3000 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 2/10/06.

Court Action Update

Court Appeals and Decisions entered between April 2005 and April 2006
related to disciplinary actions taken prior to April 2005

ALBOM, Jerrold R (MD applicant) Dallas, TX

Court Action: Notice of Voluntary Dismissal of the Appeal of Medical Board's 10/13/04 Order denying medical licensure filed with Franklin County Court of Common Pleas on or about 10/13/05.

BRINDLE, Fred Andrew (MD #35-052438) Sandusky, OH

Court Action: 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. By Decision and Entry filed 9/9/05, Franklin County Court of Common Pleas affirmed Board's 11/10/04 suspension Order. Notice of appeal to Tenth District Court of Appeals filed by doctor on 10/5/05.

COLTON, Danny M (MD applicant) Newtown, OH

Court Action: Notice of Appeal of the Board's 9/10/03 Order denying licensure filed by doctor with Franklin County Court of Common Pleas on 12/15/05.

DAHLQUIST, Glenda (MD #35-061900) Dayton, OH

Court Action: By Opinion filed on 5/4/05 and documented by Judgment Entry filed on 5/10/05, Tenth District Court of Appeals affirmed Franklin County Court of Common Pleas' 7/19/04 decision, which had upheld Board's 1/14/04 permanent revocation Order. Notice of appeal filed by doctor with Ohio Supreme Court on 6/23/05. By Entry filed on 10/5/05, the Ohio Supreme Court declined to accept jurisdiction of doctor's appeal of Board's 1/14/04 permanent revocation Order.

DORIOTT, Elizabeth A. (DO #34-006593) Springboro, OH

Court Action: By Decision and Entry filed 9/12/05, Franklin County Court of Common Pleas affirmed Board's 2/9/05 indefinite suspension Order. Notice of Appeal of the 9/12/05 Decision and Entry of the Franklin County Court of Common Pleas filed with the 10th District Court of Appeals on or about 10/11/05.

EL BADEWI, Mounir Basheer (MD #35-071112) Canton, OH

Court Action: By Decision and Judgment Entry filed 7/25/05, Franklin County Court of Common Pleas adopted in part and modified in part 10/2/03 Magistrate's Decision, thereby affirming Board's 10/10/01 suspension Order.

GOEL, Mahesh Chand (MD #35-082727) Cleveland, OH

Court Action: By Decision and Entry filed 9/12/05, Franklin County Court of Common Pleas affirmed Board's 2/9/05 permanent revocation Order.

Court Action Update continued on page 23

Court Action Update continued

HAJ-HAMED, Ghassan (MD #35-069745) Cincinnati, OH

Court Action: By Decision and Entry filed on 5/25/05, Franklin County Court of Common Pleas denied doctor's motion for stay of Board's 1/12/05 permanent revocation Order. By Decision filed 3/17/06 and Entry filed 3/28/06, Franklin County Court of Common Pleas affirmed Board's 1/12/05 permanent revocation Order. Notice of appeal to Tenth District Court of Appeals filed by doctor on 4/14/06.

HOXIE, David A. (MD #35-071037) Waverly, OH

Court Action: Pursuant to Decision filed on 5/13/05 and Nunc Pro Tunc Entry filed on 5/20/05, Franklin County Court of Common Pleas affirmed Board's 7/14/04 permanent revocation Order. Entry filed 6/3/05. Notice of appeal to Tenth District Court of Appeals filed by doctor on 6/29/05. By Opinion and Entry filed on February 14, 2006, Tenth District Court of Appeals affirmed the judgment of the Franklin County Court of Common Pleas, which had affirmed Board's 7/14/04 permanent revocation Order.

JONES, Miles James (MD #35-079363) Lee's Summit, MO

Court Action: By Decision and Entry filed 6/27/05, Franklin County Court of Common Pleas granted State's motion for Judgment on the Record and affirmed Board's 2/11/04 permanent revocation Order.

JOSEY, Willie Leroy (MD #35-055467) South Shore, KY

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. By Decision and Entry filed on 2/21/06, Franklin County Court of Common Pleas affirmed Board's 2/9/05 permanent revocation Order. Notice of appeal to Tenth District Court of Appeals filed by doctor on or about 3/21/06. Notice of dismissal of appeal filed by doctor with Tenth District Court of Appeals on 4/21/06.

REED, Barbara Anne (MD #35-016377) Mansfield, OH

Court Action: By Decision and Entry filed 8/9/05, Tenth District Court of Appeals affirmed Franklin County Court of Common Pleas decision, which had affirmed Medical Board's 6/9/04 permanent revocation Order.

SLINGLUFF, Jack Edwin (DO #34-001265) Canton, OH

Court Action: By Decision filed 8/8/05 and documented by Entry filed on 8/18/05, Franklin County Court of Common Pleas affirmed Board's 11/10/04 suspension Order. Notice of appeal to Tenth District Court of Appeals filed by doctor on 9/1/05.

SNYDER, Geoffrey D. (MD #35-068971) Woodsfield, OH

Court Action: By Decision and Entry filed on 4/21/05, Franklin County Court of Common Pleas affirmed Board's 1/14/04 permanent revocation Order.

STANOS, Peter Steven (DO #34-006030) Grove City, OH

Court Action: By Decision filed on or about 2/21/06 and Entry filed on 3/29/06, Franklin County Court of Common Pleas affirmed Board's 11/10/04 indefinite suspension Order.

Licenses Regulated by the Medical Board

License Type	Active License Ohio Address	Active License Out of State Address	Total Licenses 12-30-05
Cosmetic Therapist	221	12	233
Massage Therapist	7,818	657	8,475
Osteopathic Doctor	3,325	1,184	4,509
Medical Doctor	25,617	8,725	34,342
Podiatrist	818	148	966
Physician Assistant	1,497	175	1,672
Training Certificates	4,680	8	4,688
Acupuncturist	81	23	104
Anesthesiology Assistant	102	11	113
Mechanotherapist	32	3	35
Naprapath	1	0	1
TOTAL	44,192	10,946	55,138

State Medical Board of Ohio
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