



YOUR REPORT

FROM THE STATE MEDICAL BOARD OF OHIO

SPRING 2007

The State Medical Board

President

Deepak Kumar, M.D.
Dayton

Vice President

Nandlal Varyani, M.D.
Middleburg Heights

Secretary

Lance Talmage, M.D.
Toledo

Supervising Member

Raymond J. Albert
Amanda

R. Gregory Browning, Ph.D.
Columbus

David S. Buchan, D.P.M.
Columbus

Patricia J. Davidson, M.D.
Columbus

Carol L. Egner, M.D.
Cincinnati

Dalsukh A. Madia, M.D.
Marion

Andrew F. Robbins, Jr., M.D.
Cincinnati

Anquetette Sloan
Columbus

Anita M. Steinbergh, D.O.
Westerville

Executive Director

Richard Whitehouse, J.D.

A Word from the President

As President of the State Medical Board in 2007, it is my distinct honor to recognize some of the Board's most recent activities which are featured in this issue of *Your Report*.

While the disciplinary actions listed in the newsletter are considered by many as the Board's main function and focus, the Board has many other activities which do not get much recognition. Several of these functions are exemplified by a nationally recognized Quality Intervention Program (QIP). This program is a proactive remedial educational intervention to improve the quality of care delivered by those who have developed poor practice patterns or have failed to keep up with current practice standards. The names of the licensees who go through QIP to correct identified practice deficiencies are kept totally confidential and do not appear on any list. Additional staffing was allocated to this unit last year to further support the Board's efforts to remediate at-risk licensees. The *QIP Activity Report* summarizes the results of QIP case review over the past few years.

New rules addressing Termination of the Physician-Patient Relationship and Sexual Misconduct were recently implemented. Dr. Lance Talmage's article, *From the Secretary's Desk*, explains the key features of the new rules.

During my presidential year, the Board will implement rules addressing prescriptive authority for Physician Assistants; develop an operating budget for FY08-FY09; and move the Board's offices to the Rhodes Tower in downtown Columbus. We also plan to begin review of the Standards for Surgery rules in OAC Chapter 4731-18 which address co-management and the use of light-based medical devices, and the Intractable Pain rules in OAC Chapter 4731-21. We'll report our progress on these and other projects in future editions of *Your Report*.

Deepak Kumar, MD
President

Inside **YOUR REPORT**

From the Secretary's Desk	2
On-line Licensure Application Goes Live	3
OARxRS Program Launched	4
Recent Changes to Medical Board Rules	4
Quality Intervention Program Activity Report	5
OAC Chapter 4731-26, Sexual Misconduct Rules	6
OAC Chapter 4731-27-01, Termination of Physician-Patient Relationship Rule	8
Disciplinary Action Listing - May to December 2006	9

From the Secretary's Desk

Rules Define Sexual Misconduct; Set Standards for Ending the Physician-Patient Relationship

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

Accountability and respect of patients, two of the characteristics of professionalism, are the focus of rules adopted by the State Medical Board of Ohio to set standards for the termination of the physician-patient relationship, and to clarify behavior that constitutes sexual misconduct by physicians, physician assistants, and anesthesiology assistants.

OAC Chapter 4731-26, Sexual Misconduct

The Board codified in Chapter 4731-26, Ohio Administrative Code, the “best practices” to prevent exploitation of the physician’s intimate specialized knowledge of patients.

Rule 4731-26-01, Ohio Administrative Code, defines sexual misconduct as “behavior that exploits the physician-patient relationship in a sexual way, whether verbal or physical, and may include the expression of thoughts, feelings, or gestures that are sexual or that reasonably may be construed by a patient as sexual.” Examples of subject behavior include:

- Failing to offer the opportunity to have a chaperone in the examining room during an intimate examination or to provide a chaperone when the patient requests;
- Soliciting a date or romantic relationship;
- Making comments that are not clinically relevant to a patient, such as sexual comments about a patient’s body or underclothing; and
- Sexual contact between the licensee and a patient, whether or not initiated by, consented to, or participated in by a patient.

Rule 4731-26-02, Ohio Administrative Code, prohibits sexual misconduct with a patient, a former patient, or an individual, such as a spouse, parent,

guardian, or sibling, who is closely involved in the patient’s medical decision-making. The rule states that such behavior falling within the definition of sexual misconduct will automatically constitute sexual misconduct if it occurred during the physician-patient relationship or within 90 days after the physician-patient relationship was terminated. The rule also sets criteria for determining whether such behavior occurring more than 90 days after the termination of the physician-patient relationship constitutes sexual misconduct. Such criteria includes the following:

- The nature of the medical services provided;
- The lapse of time since the physician-patient relationship was terminated; and
- The extent to which the licensee used or exploited the trust, knowledge, emotions, or influence derived from the previous physician-patient relationship.

However, the Board recognizes that conformance with the standards outlined in the rule may be virtually impossible in an emergency situation. Accordingly, such requirements as respectful draping practices and offering a chaperone for an intimate examination do not apply in an emergency situation when the care delivered is medically necessary, the patient is unconscious or otherwise unable to consent, and immediate action is required to address the patient’s medical condition.

Rule 4731-26-03, Ohio Administrative Code, provides that sexual misconduct subjects the licensee to discipline, at a minimum, as a violation of the minimal standards of care.

OAC Rule 4731-27-01, Termination of the Physician-Patient Relationship

The Board codified in Rule 4731-27-01, Ohio Administrative Code, the “best practices” for termination of the physician-patient relationship. Highlights of the rule include the following:

- A physician who is terminating the relationship must send the patient, by certified and regular mail, a notice that the relationship is terminated. The letter must state that the physician will provide emergency treatment and service such as continued medication for 30 days and include an offer to transfer the patient’s records to another physician upon the patient’s signed request;

OAR_xRS Program Launched

Concerned that you may have a patient who is doctor shopping for controlled substances? A patient specific OAR_xRS report will show you if that patient is receiving controlled substances from other physicians.

The State Board of Pharmacy launched Ohio's Automated Rx Reporting System (OAR_xRS) in October 2006 as a tool to curb prescription drug abuse through active prescription monitoring. OAR_xRS is a computerized database that contains dispensing information for all controlled substances, as well as carisoprodol products, and tramadol products.

Since January 2006, retail and mail-order pharmacies that sell to Ohio patients have been required to electronically submit prescription information to OAR_xRS twice each month. The information is compiled in the database, and specific reports are available for registered users to review via a secure website on the Internet. The data is not public record and patient information must be purged every two years. The law creating the OAR_xRS program restricts access to the database reports to physicians, pharmacists, law enforcement and regulators, such as the Medical Board. Additionally, a Grand Jury may subpoena database records, and an individual may review their own record.

OAR_xRS reports contain information about the patient and the prescription. You provide the patient information: the patient's full name, full address, date of birth, gender and phone number. The OAR_xRS report shows prescription details including the date the prescription was issued by the prescriber, the date the prescription was dispensed, the name and strength of the drug, the quantity and the number of days supply. The prescription number, the prescriber's name and address (as registered with DEA) the pharmacy name, address, and phone number, as well as the source of payment are also included in the report.

Register for this free service by following the instructions posted on www.ohiopmp.gov. The application must be completed on the computer, and then printed so the application can be signed in front of a notary. Mail the signed application form and required supporting documents to the OAR_xRS Account Registration address provided in the registration instructions. Once the application has been received, processed, and approved by the Ohio Board of Pharmacy's Prescription Monitoring Program, the registrant's user name will be sent via e-mail and the password will be sent via US mail. Allow 10 business days for application processing. With a user name and password, registrants may query the OAR_xRS database through a secure web portal 24 hours a day. Turnaround time to view an online patient profile is approximately 15 minutes.

Prescriber Accounts are available to individuals authorized by Ohio law to write prescriptions. Prescriber Delegate accounts are available for nurses and physician assistants employed by a prescriber. Unlicensed staff are not eligible for an account and should not be given the prescriber's user name and password.

Questions regarding the OAR_xRS program should be e-mailed to info@ohiopmp.gov.

Recent Changes to State Medical Board Rules

OAC Chapter 4731-11 Controlled Substances

Rule 4731-11-09 Prescribing to persons not seen by the physician:

This rule was amended to allow a physician who is a medical director or a hospice physician of a hospice program licensed pursuant to Chapter 3712, Ohio Revised Code, to provide controlled substances or dangerous drugs to a patient enrolled in that hospice program without having first seen the patient.

OAC Chapter 4731-22 EmeritusStatus

Rule 4731-22-01 Definitions:

Two new terms were added to the definitions section: "**active**" which means an individual may perform acts that would constitute the practice of medicine; and "**retired**" which means an individual has no active license in another state, or agrees in the emeritus application that he or she will not apply for renewal or reinstatement of any license held in another state.

Emeritus (cont.)

Rule 4731-22-02 Application:

This rule includes technical changes in relation to the application for an emeritus registration.

Rule 4731-22-05 Documentation of status:

This rule was rescinded since the Board does not charge for emeritus registration.

Rule 4731-22-07 Change to active status:

This rule had language added to clarify that if a physician changes from emeritus to active practice the physician has to pay any applicable monetary penalties and if the physician is returning to active practice later than two years from the effective date of emeritus certification the Board may require an applicant to demonstrate fitness to resume practice.

Rule 4731-22-08 Cancellation of or refusal to issue an emeritus registration:

This rule was changed to allow the Board's Secretary and Supervising member, rather than requiring the Board, to refuse to issue or cancel an emeritus registration for acts or conduct deemed to be a violation of Chapter 4731, Ohio Revised Code.

QIP ACTIVITY REPORT
Disposition of Quality Intervention Program (QIP) Cases
2000 through 2006

Disposition of cases following QIP panel review	Number of cases reviewed
Case closed – no quality of care concerns identified by QIP panel; no further action needed	369
Physician referred for remedial education – panel identified remediable practice deficiencies; licensee is notified of outcome of panel review and directed to appropriate educational program	111
Confidential caution letter sent to licensee – licensee advised of practice concerns but remedial education not necessary and no other action needed by the Board	132
Referred to the Medical Board's Secretary and Supervising Member for further action as panels found practice deficiencies that did not appear to be remediable. Cases may involve a number of patients or practice deficiencies viewed by the panelists as particularly egregious.	50
Total number of cases reviewed by QIP between 2000 and 2006	662

Ohio Administrative Code, Chapter 4731-26

Sexual Misconduct

4731-26-01 Definitions.

For purposes of Chapter 4731-26 of the Administrative Code:

- (A) "Licensee" means an individual holding a certificate to practice as a physician assistant under Chapter 4730. of the Revised Code, a certificate to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery under Chapter 4731. of the Revised Code, or a certificate of registration as an anesthesiologist assistant under Chapter 4760. of the Revised Code.
- (B) "Patient" means a person for whom the licensee has provided services to address medical needs, whether the service was provided by mutual consent or implied consent, or was provided without consent pursuant to a court order. Patient includes any of the following:
- (1) A person who is receiving health care or treatment from the licensee or has received health care or treatment from the licensee without the termination of the physician-patient relationship pursuant to rule 4731-27-01 of the Administrative Code; or
 - (2) A person who meets the criteria of a key third party, as that term is defined in paragraph (C) of this rule.
- (C) "Key third party" means an individual closely involved in the patient's medical decision-making and care, including but not limited to, the patient's spouse or partner, parents, child, sibling, or guardian. For purposes of this chapter, an individual's status as a key third party ceases upon the termination of the physician-patient relationship or upon termination of the individual's relationship with the patient.
- (D) "Chaperone" means a third person who, with the patient's consent, is present during a medical examination.
- (E) "Former patient" means one of the following:
- (1) A person for whom the licensee has not rendered medical service since the physician-patient relationship was terminated in accordance with rule 4731-27-01 of the Administrative Code; or
 - (2) A person who has otherwise been admitted, discharged, or referred to another physician for care following receipt of services by a licensee in an emergency setting or on an episodic basis, and such action has been recorded in the person's medical record or chart.
- (F) "Intimate examination" means an examination of the pelvic area, genitals, rectum, or, if the person is a female, a breast, or, if the person is a male, the prostate.
- (G) "Sexual misconduct" means behavior that exploits the physician-patient relationship in a sexual way, whether verbal or physical, and may include the expression of thoughts, feelings, or gestures that are sexual or that reasonably may be construed by a patient as sexual. Sexual misconduct includes the following:
- (1) Sexual impropriety by the licensee, such as behaviors, gestures, or expressions that are seductive, sexually suggestive, disrespectful of patient privacy, or sexually demeaning to a patient, including but not limited to, the following:
 - (a) Neglecting to employ disrobing or draping practices respecting the person's privacy;
 - (b) Subjecting a patient to an intimate examination in the presence of a third party, other than a chaperone, without the patient's consent or in the event such consent has been withdrawn;
 - (c) Making comments that are not clinically relevant about or to the patient, including but not limited to, making sexual comments about a patient's body or underclothing, making sexualized or sexually demeaning comments to a patient, criticizing the patient's sexual orientation, or making comments about potential sexual performance;
 - (d) Soliciting a date or romantic relationship;
 - (e) Initiation by the licensee of conversation regarding the sexual problems, preferences, or fantasies of the licensee;
 - (f) Requesting details of sexual history or sexual likes or dislikes when not clinically indicated for the type of examination or consultation; and
 - (g) Failing to offer the patient the opportunity to have a third person or chaperone in the examining room during an intimate examination and/or failing to provide a third person or chaperone in the examining room during an intimate examination upon the request of the patient.

- (2) Sexual contact by a licensee, including but not limited to, the following:
- (a) Touching a breast or any body part that has sexual connotation for the licensee or patient, for any purpose other than appropriate examination or treatment, or where the patient has refused or has withdrawn consent; and
 - (b) Examining or touching of the patient's genitals without the use of gloves.
- (3) Sexual conduct between a licensee and patient whether or not initiated by, consented to, or participated in by a patient, and any conduct with a patient that is sexual or may be reasonably interpreted as sexual, including but not limited to, the following:
- (a) Sexual intercourse, genital to genital contact;
 - (b) Oral to genital contact;
 - (c) Oral to anal contact, genital to anal contact;
 - (d) Kissing in a romantic or sexual manner;
 - (e) Encouraging the patient to masturbate in the presence of the licensee or masturbation by the licensee while the patient is present;
 - (f) Offering to provide practice-related services, such as drugs, in exchange for sexual favors; and
 - (g) Performing an intimate examination or consultation without clinical justification.
- (4) Conduct described in paragraphs (G)(1)(a), (G)(1)(b), (G)(1)(g), and (G)(2)(b) of this rule does not constitute sexual misconduct when all of the following criteria are met:
- (a) The conduct occurred during the rendering of medical care in an emergency setting;
 - (b) The care rendered was medically necessary; and
 - (c) Both of the following conditions are met:
 - (i) The patient was unconscious or otherwise unable to consent to treatment; and
 - (ii) The patient's medical condition required immediate action and the licensee could not comply with the provisions of paragraph (G)(1)(a), (G)(1)(b), (G)(1)(g), or (G)(2)(b) of this rule, as applicable, due to circumstances not within the licensee's control.

- (H) "Emergency setting" means an emergency department or an urgent care center.
- (I) "Board" means the state medical board of Ohio.

**SEXUAL BEHAVIOR
BETWEEN A LICENSEE
AND A PATIENT IS
NEVER DIAGNOSTIC
OR THERAPEUTIC**

4731-26-02 Prohibitions.

Sexual behavior between a licensee and a patient is never diagnostic or therapeutic.

- (A) A licensee shall not engage in sexual misconduct with a patient, key third party, or chaperone.
- (B) Conduct included within the definition of sexual misconduct occurring between a licensee and a former patient constitutes sexual misconduct and is prohibited if it meets any of the following criteria:
- (1) The conduct occurred within ninety days after the physician-patient relationship was terminated;
 - (2) The conduct occurred between a psychiatrist and a person to whom the physician formerly provided psychiatric or mental health services, in violation of the code of ethics of the American Psychiatric Association; or
 - (3) The board determines that the conduct constitutes sexual misconduct upon consideration of the following factors:
 - (a) The duration of the physician-patient relationship;
 - (b) The nature of the medical services provided;
 - (c) The lapse of time since the physician-patient relationship ended;
 - (d) The extent to which the patient confided personal or private information to the licensee;
 - (e) The degree of emotional dependence that the former patient has on the licensee; and
 - (f) The extent to which the licensee used or exploited the trust, knowledge, emotions, or influence derived from the previous physician-patient relationship.

4731-26-03 Violations. Miscellaneous.

(A) Except as provided in paragraph (C) of this rule, a violation of rule 4731-26-02 of the Administrative Code, as determined by the board, shall constitute the following:

- (1) For a physician, "a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established," as that clause is used in division (B)(6) of section 4731.22 of the Revised Code.
- (2) For a physician assistant, "a departure from, or failure to conform to, minimal standards of care of similar physician assistants under the same or similar circumstances, regardless of whether

actual injury to a patient is established, as that clause is used in division (B)(19) of section 4730.25 of the Revised Code.

(3) For an anesthesiologist assistant, "a departure from, or failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances whether or not actual injury to the patient is established," as that clause is used in division (B)(4) of section 4760.13 of the Revised Code.

(B) Where the alleged behavior does not in itself constitute sexual misconduct, the board may consider expert testimony or other evidence in making its determination.

(C) Nothing in this rule shall limit the board's authority to investigate and take action under sections 4730.25, 4731.22, or 4760.13 of the Revised Code.

Ohio Administrative Code, 4731-27-01 Termination of the Physician-Patient Relationship

4731-27-01 Termination of the Physician-Patient Relationship.

A physician-patient relationship is established when the physician provides service to a person to address medical needs, whether the service was provided by mutual consent or implied consent, or was provided without consent pursuant to a court order. Once a physician-patient relationship is established, a person remains a patient until the relationship is terminated.

(A) Except as provided in paragraph (B) of this rule, in order to terminate a physician-patient relationship, a physician shall comply with the following requirements:

- (1) Mail to the patient via regular mail and certified mail, return receipt requested, a letter containing the following information:
 - (a) A statement that the physician-patient relationship is terminated;
 - (b) A statement that the physician will continue to provide emergency treatment and access to services for up to thirty days from the date the letter was mailed, to allow the patient to secure care from another licensee; and
 - (c) An offer to transfer records to the new physician upon the patient's signed authorization to do so.
- (2) For each letter sent in accordance with paragraph (A)(1) of this rule, the physician maintains in the patient record a copy of the letter, the original certified mail receipt, and the original certified mail return receipt.

(B) The requirements of paragraph (A) of this rule do not apply in the following circumstances:

- (1) The physician rendered medical service to the person on an episodic basis or in an emergency setting and the physician should not reasonably expect that related medical service will be rendered to the patient in the future;
- (2) The physician has formally transferred the patient's care to another health care provider who is not in the same practice group; or
- (3) The physician who is leaving a practice, selling a practice, or retiring from practice, with retirement evidenced by the relinquishment of all clinical privileges and either termination of or conversion of medical liability insurance to extended reporting period coverage only, has provided notice of retirement, leaving the practice, or the sale of the practice no later than thirty days prior to the last date the physician will see patients, via the following methods:

OAC 4731-27-01 (continued)

- (a) Mailing a notice, sent by regular mail addressed to the last known address, to all patients seen by the physician within the immediately preceding three years;
 - (b) Publishing a notice in the newspaper of greatest circulation in each county in which the physician has practiced and in a local newspaper that serves the immediate practice area; and
 - (c) Posting a sign in a conspicuous location in or on the façade of the physician's office. The required notices and sign shall advise the patients of their opportunity to transfer or receive their records and, for patient records remaining in the physician's possession once the physician is no longer seeing patients, the contact information for obtaining the records.
- (C) A physician-patient relationship shall be considered terminated by the patient if both of the following requirements are met:
- (1) The patient terminated the relationship, either verbally or in writing, or has transferred care to another physician for the same or a related condition.
 - (2) The physician maintains documentation in the patient record of the patient's action terminating the relationship.
- (D) A physician assistant or anesthesiologist assistant may not independently terminate the physician-patient relationship.
- (E) A physician's termination of a physician-patient relationship other than in accordance with the provisions of this rule, as determined by the state medical board of Ohio, shall constitute "a departure from, or failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established," as that clause is used in division (B)(6) of section 4731.22 of the Revised Code.
- (F) For purposes of this rule, "emergency setting" means an emergency department or urgent care center.
- (G) Nothing in this rule shall limit the board's authority to investigate and take action under section 4731.22 of the Revised Code.

STATE MEDICAL BOARD OF OHIO DISCIPLINARY ACTIONS

May through December 2006

Disciplinary actions taken by the Medical Board between May and December 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.**

**ADAMS, Michael Todd (MD #35-088444)
Cleveland, OH**

Consent Agreement: Medical license granted subject to probationary terms, conditions, and limitations imposed, including work hour 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 8/9/06; agreement to remain in effect for at least five years prior to any request for termination.

**APPLEGATE, Gerald Brian (MD #35-065717)
Miami, FL**

Board Order: Medical license suspended for one year; subsequent probationary terms, conditions and limitations for at least one year established. Based on doctor's failure to provide complete and accurate information on applications for issuance and renewal of Ohio medical license pertaining to involvement in a professional liability action and action taken against doctor's clinical privileges by a Pittsburgh, PA, hospital; prior action against doctor's medical license by Pennsylvania's medical board based on doctor's prescribing controlled substances to doctor's spouse on eighty-six occasions without maintaining medical records; and prior action against doctor's medical license by New York's medical board based on the Pennsylvania board's action. Order effective 6/16/06.

Court Action: Notice of Appeal of Board's 6/14/06 suspension Order filed by doctor with the Franklin County Court of Common Pleas on 6/28/06. By Decision and Entry filed 7/10/06, the Franklin County Court of Common Pleas denied doctor's motion for stay of Board's 6/14/06 suspension Order pending the appeal in that court.

**ASHWATH, Ravi Chandra (MD #35-084551)
Cleveland, OH**

Board Order: Doctor reprimanded based on prior action by Georgia's medical board, which prior action was based on doctor's departure from the minimum standard in regards to care rendered to one patient. Order effective 12/15/06.

AVNER, Ellis David (MD #35-068850) Cleveland, OH
Voluntary Surrender: By Order effective on 11/8/06, Board permanently revoked doctor's medical license as authorized by doctor in lieu of formal disciplinary proceedings and doctor's admission of having written prescriptions for controlled substances for a co-worker without maintaining accurate medical records reflecting the examination and treatment and the utilization of controlled substances in treatment. Effective 11/9/06.

AXELSON, David Brian (MD #35-064318) Chillicothe, OH
Consent Agreement: Medical license suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admitted relapse on alcohol, for which doctor has sought treatment through a Board-approved provider. Agreement effective 8/9/06.

BACLAWSKI, Scott Joseph (LMT #33-011761) North Royalton, OH
Voluntary Surrender: Permanent surrender of massage therapy license accepted by Board in lieu of formal investigation by the Board related to alleged violation of the code of ethics. Effective 10/12/06.

BANKS, Mark Andrew (MD #35-071099) Lancaster, 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 5/10/06; agreement to remain in effect for at least five years prior to any request for termination.

BELLUSO, Robert Louis (DO training certificate #58-001972) Akron, OH
Consent Agreement: Osteopathic training certificate subject to probationary terms, conditions and limitations to monitor practice. Based on doctor's admissions that a Board-ordered evaluation (1) determined the doctor to have a history of severe mood disorder, possibly Bipolar II Disorder, currently in full remission, but no psychiatric conditions that prevent him from being able to complete training and practice medicine within the confines of training; and (2) recommended that the doctor continue treatment with a psychologist for depression and anxiety. Agreement effective 6/14/06; agreement to remain in effect for at least two years prior to any request for termination.

BLOCKER, David C. (MD #35-061188) Centerville, OH
Consent Agreement: Medical license placed on probation; monitoring conditions and practice limitations and restrictions imposed. Based on prior action by the U.S. Department of the Air Force to suspend and/or restrict doctor's clinical privileges. Agreement effective 9/13/06; agreement to remain in effect for at least five years.

BOSACK, Douglas Paul (MD 35-048959 Canton, OH
Board Order: Medical license permanently revoked. Based on doctor's violation of conditions of limitation imposed on medical license by 10/14/05 consent agreement and impairment of ability to practice according to acceptable and prevailing standards of care due to relapse on alcohol. Order effective 8/8/06.

BOWERS, Kevin Wayne (DO #34-007885) Columbus, OH
Consent Agreement: Medical license suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admitted chemical dependency and relapse, for which doctor has sought treatment through a Board-approved provider, and illegal possession of Dilaudid and Fentanyl. Agreement effective 5/10/06.

BRANDT, Robert L., Jr. (MD #35-046724) Dayton, 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 5/10/06; agreement to remain in effect for at least five years prior to any request for termination.

BRIDGES, Mercer Truett, Jr. (MD #35-080900) Atlanta, GA
Board Order: Medical license revoked based on prior actions by Georgia's medical board, which had placed doctor on probation related to doctor's chemical dependency and, in 2005, had accepted doctor's voluntary surrender of Georgia medical license. (Journal Entry - no hearing requested) Order effective 11/8/06.

BRONER, Cynthia W. (MD #35-058575) Columbus, OH (A.K.A. Cynthia Wester-Broner and Cynthia Dianne Wester-Broner)
Board Order: Application for restoration of medical license denied. Based on doctor's inability to practice according to acceptable and prevailing standards of care by reason of mental illness or physical illness; and doctor's failure to fulfill the condition set forth in the Board's 2001 Finding, Order and Journal Entry requiring the doctor to submit two written reports indicating that based on psychiatric evaluation the doctor has been found capable of practicing medicine according to acceptable and prevailing standards of care. Order effective 6/16/06. Order mailed 6/16/06.

BROWNLEE, John David (MD #35-074364) East Cleveland, OH
Consent Agreement: Medical license suspended for at least 270 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admitted relapse on Percocet, for which doctor has sought treatment through a Board-approved provider, and of inability to practice according to acceptable and prevailing standards of care due to habitual and excessive use or abuse of drugs. Agreement effective 10/12/06.

CARPENTER, James Daniel (DO #34-006772)
Henderson, NV

Board Order: Medical license revoked based on prior action against doctor's license by the Nevada osteopathic medical board due to unethical and unprofessional conduct. (Journal Entry – no hearing requested) Order effective 5/10/06.

CARRAN, Todd S. (MD #35-070896) Cincinnati, OH

Consent Agreement: Medical license indefinitely suspended, in any event at least until pending felony criminal charges are resolved or until doctor cooperates in the Board's investigation of doctor's alleged criminal conduct; 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 diagnoses of major depression and opiate dependence, for which doctor has sought treatment through a Board-approved provider, and doctor's admission of inability to practice medicine and surgery according to acceptable and prevailing standards of care due to habitual or excessive use of or abuse of drugs. Agreement effective 9/13/06.

CHUGHTAI, Sajid Q. (MD #35-036689) Canton, OH

Voluntary Surrender: Board Order permanently revoking doctor's medical license entered as authorized by doctor in lieu of formal disciplinary proceedings based on doctor's care rendered to two specified patients. Effective 10/11/06.

CLAASSEN, Paul (DO #34-002889) Fairborn, 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 7/12/06; agreement to remain in effect for at least five years prior to any request for termination.

CLEARY, Kevin James (LMT applicant) Avon Lake, OH

Board Order: Application for licensure permanently denied based on applicant's failure to meet licensure requirements, and on applicant having been convicted of sexual imposition, a third degree misdemeanor, for acts occurring with a minor while applicant was performing a massage. (Journal Entry – no hearing requested) Order effective 5/10/06.

CONDOLEON, Harry Michael (DO #34-008159)

Atlantic, IA

Board Order: Doctor reprimanded; medical license placed on probationary terms, conditions, and limitations for a period of at least three years based on prior action by Iowa's medical board, the underlying basis being the Iowa medical board's determination that the doctor failed to conform to minimal standards in relation to care rendered to several patients. Order effective 1/8/07.

CONIGLIO, Gerald Anthony (MD #35-047981)

Mt. Morris, NY

Board Order: Doctor's license permanently limited and restricted to require that doctor receive Board's approval prior to commencement of practice in Ohio, which upon approval

will be subject to probationary terms, conditions, and limitations imposed to monitor doctor's practice for at least three years. Based on prior action of Nevada medical board denying doctor's application for licensure due to an excessive number of malpractice claims settled on behalf of the doctor and doctor's continued pattern of receiving adverse reports related, in part, to concerns about interpersonal relationship and/or standard of care issues. Order effective 10/11/06. Order mailed 10/11/06. **Court Action:** Notice of appeal of the Board's 9/12/06 Order, which permanently limited and restricted doctor's license, filed by doctor with the Franklin County Court of Common Pleas on 10/25/06.

COOPER, L. Jean (MD #35-069638) 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 6/14/06; agreement to remain in effect for at least five years prior to any request for termination.

DEFRANCO, Richard Joseph (MD Training Certificate #57-011103) Cleveland, OH

Consent Agreement: Probationary terms, conditions, and limitations imposed to monitor practice based on doctor's 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. Based on doctor's admission of a history of opioid and alcohol dependence; 1999 plea of guilty in New York to Criminal Trespass; 2000 placement into the Probation Without Verdict Program in Pennsylvania, the underlying basis being doctor's obtaining Vicodin for self-use by prescribing such in a family member's name; prior actions by Pennsylvania's medical board based on doctor's hydrocodone dependence, relapse, and failure to provide complete and accurate information concerning New York criminal conviction; and prior action of New York's medical board based on doctor's professional misconduct, the underlying basis being doctor's habitual use of alcohol and/or other drugs of abuse. Agreement effective 12/13/06; agreement to remain in effect for at least five years prior to any request for termination.

DENNISON, Patrick Robert (DO #34-003779) Cleveland, OH

Consent Agreement: Revocation of medical license stayed, with license suspended for at least one year; conditions for reinstatement established. Based on doctor's admission of making false, fraudulent, deceptive, or misleading statements to a Board investigator; engaging in sexual contact with two specified patients; departing from the minimal standards of care with respect to treatment rendered to two specified patients; and violating the American Osteopathic Association Code of Ethics. Agreement effective 10/12/06; agreement to remain in effect for at least one year prior to any request for termination.

DILDAY, James Curtis (MD training certificate #57-010949) Cincinnati, OH

Board Order: Training certificate permanently revoked. Based on prior action of Arkansas medical board revoking doctor's Arkansas medical license due to doctor's prescriptive

practices and doctor's persistent and flagrant overcharging for medical services. Order effective 10/12/06.

DILSAVER, Steven C. (MD #35-056641) Merced, CA
Voluntary Surrender: Doctor's permanent surrender of medical license accepted by Board in lieu of further formal disciplinary proceedings based on doctor's admission of prior action by California's medical board to issue a probationary medical license based, in part, on doctor's past impairment of ability to practice medicine due to Bipolar Disorder. Surrender effective 6/14/06.

DONAHUE, Michael Erin (LMT applicant) Amelia, OH
Consent Agreement: Massage therapy license granted with probationary terms, conditions, and limitations based on applicant's conviction for Trafficking in Drugs by Possession of LSD and diagnosis of alcohol and cannabis dependence, for which applicant has sought treatment, and on applicant 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 7/12/06; agreement to remain in effect for at least five years prior to any request for termination.

DOOLEY, Dixie A. (DPM #36-001778) Centerville, 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 9/13/06; agreement to remain in effect for at least five years prior to any request for termination.

DOUGLAS, Janice Electa Green (MD #35-039559) Bratenahl, OH (A.K.A. Janice Douglas Baltimore)
Board Order: Permanent revocation of medical license stayed subject to suspension for at least three years; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on doctor having pled guilty to and being found guilty of two felony counts of Mail Fraud. Order effective 7/6/06. **Court Action:** Notice of Appeal of Board's 6/14/06 Order suspending medical license for at least three years filed by doctor with the Franklin County Court of Common Pleas on 7/19/06.

DRAKE, Miles Edward, Jr. (MD #35-047457) 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 conditions are in place. Agreement effective 6/14/06; agreement to remain in effect for at least five years prior to any request for termination.

ECKLUND, Dan Leonard (MD #35-069080) Irving, TX
Board Order: Medical license permanently revoked based on prior action against doctor's license by Alabama medical board due to doctor's admission that he had sexual relations with a patient; prescribed controlled substances to one patient with whom he was having sex; prescribed controlled substances to one patient he knew was a drug addict; paid for prescriptions for controlled substances for one patient with whom he was having sex, knowing that the patient was a drug addict; had past sexual experiences with young female children, including a family member, and animals; and that he had touched females without their consent in order to gain sexual gratification. (Journal Entry – no hearing requested) Order effective 5/10/06.

EL-ASFURI, Souhail (MD #35-074262) - Austin, TX
Board Order: Allegations set forth in the 11/9/05 notice of opportunity for hearing dismissed following Board's determination that doctor presented sufficient evidence in mitigation of prior action by New Hampshire's medical board. Order effective 10/11/06.

FADEL, Jeffrey Nagy (MD #35-042885) Louisville, KY
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 of diagnosis of opioid dependence; prior action by Kentucky's medical board indefinitely restricting doctor's Kentucky medical license; diagnosis of substance related mood disorder; and indictment in Jefferson County, Kentucky, for sixteen counts of Obtaining or Attempting to Obtain a Controlled Substance by Fraud or Deceit, the underlying acts being doctor's use of another physician's name and DEA number to issue prescriptions in the name of doctor's family members and friends, when the prescriptions were intended for the doctor's own use. Agreement effective 6/14/06.

FOX, Dawn Elizabeth (LMT applicant) Bremen, OH
Board Order: Application for massage therapy license denied based on applicant having been convicted of one felony count of theft, and applicant having made false, fraudulent, or misleading statements in the licensure application. (Review and Journal Entry – no hearing requested.) Order effective 6/15/06.

FRYMAN, Ryan Steven (DO #34-008473) 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 conditions are in place. Agreement effective 6/14/06; agreement to remain in effect for at least five years prior to any request for termination.

GAMERO, Donna M. (PA #50-000737) Cleveland, OH
Voluntary Surrender: Board Order permanently revoking physician assistant's license as authorized by physician assistant in lieu of formal disciplinary proceedings related to the physician assistant's admitted relapse on Xanax and writing of prescriptions for Xanax, using the name of a physician, when the Xanax was for the physician assistant's own use. Effective 12/13/06.

GANZHORN, Dann William (MD #35-048491) Cleveland, 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 10/12/06; agreement to remain in effect for at least five years prior to any request for termination.

GONZALEZ, Christopher Lewis (MD applicant) Carmel, CA
Consent Agreement: Medical license granted, subject to terms, conditions, and limitations. Based on doctor's vision limitations. Agreement effective 9/13/06; agreement to remain in effect for at least two years.

GOTTSCHLING, Carl Floyd (MD #35-068886) Cleveland, OH
Board Order: Application for restoration of medical license denied based on doctor's failure to provide complete and accurate information on restoration application and failure to furnish satisfactory proof of good moral character. Order effective 5/12/06.

GRAY, Anthony (MD Training Certificate #57-009128) Cleveland, OH
Consent Agreement: Medical license suspended for at least 270 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admitted chemical dependence and relapse on Ketamine and Propofol, for which doctor has sought treatment through a Board-approved treatment provider, and which doctor obtained by deception and theft of hospital stock. Agreement effective 9/13/06.

GREER, Steven Franklin (MD Training Certificate #57-007242) Cleveland, OH
Summary Suspension: Pursuant to Section 4731.22(G), O.R.C., medical license summarily suspended based on Board's determination that there is clear and convincing evidence that (1) doctor's ability to practice is impaired due to use and/or abuse of drugs, alcohol, or other substances; (2) doctor violated conditions of limitation imposed on doctor's license by 1/12/05 Board Order and 3/8/06 consent agreement; and (3) doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 11/8/06.

GRIFFIN, Matthew Richard (LMT applicant) Hilliard, OH
Application Withdrawn: Request for withdrawal of application for massage therapy licensure accepted by Board in lieu of formal disciplinary proceedings based on applicant's admission of impairment of current ability to practice massage therapy according to acceptable and prevailing standards of care due to chemical dependency. Conditions established for any future application. Effective 5/10/06.

GUSTILO-ASHBY, Arlan Marcus (MD #35-084685) Cleveland, OH
Consent Agreement: Medical license suspended for at least 180 days, interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions and limitations established. Based on doctor's admission of conduct that violated the American Medical Association Code of Medical Ethics and departed from or fails to conform to the minimal standards of care, the underlying basis being an inappropriate relationship with a patient, and on doctor's diagnoses of Sexual Disorder NOS, Psychosexual Disorder NOS, and Adjustment Disorder with depressed mood. Agreement effective 12/13/06.

HALL, Adam Patrick (DO #34-008707) Columbus, 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 diagnoses of substance abuse and Bipolar Disorder with Mixed Anxiety, for which doctor has sought treatment through a Board-approved provider, and on doctor's admission of inability to practice medicine and surgery according to acceptable and prevailing standards of care due to substance abuse and physical condition. Agreement effective 9/13/06.

HAMED, Husam Eddin (MD #35-079659) Florence, KY
Consent Agreement: Medical license subject to probationary terms, conditions and limitations based on doctor's admission of prior action by Kentucky medical board that placed doctor's Kentucky license under probationary terms and conditions concerning doctor's ability to prescribe, dispense, or otherwise utilize controlled substances. Agreement effective 10/12/06; agreement to remain in effect for at least five years prior to any request for termination.

HARITATOS, Suzanne A. (DPM #36-002190) Richmond, IN
Board Order: Podiatric medical license permanently revoked based on doctor's having been found guilty of one misdemeanor count of Theft, the underlying basis being doctor's participation in a medical practice scheme to defraud the U.S. Veteran's Administration, and prior actions against doctor's license to practice podiatry by Indiana and New York licensing boards. Order effective 9/15/06.

HARRIS, Lawrence Jeffrey (DPM #36-002422) Shaker Hts, OH
Board Order: Podiatric medical license permanently revoked based on doctor's having been found guilty in US District Court of one felony count of Conspiracy to Defraud the U.S., nine felony counts of Health Care Fraud, and two felony counts of



False Statements. (Journal Entry - no hearing requested)
Order effective 11/8/06.

HARRISON, Joy G. (MD #35-073650) Oyster Bay, NY

Consent Agreement: Doctor reprimanded and required to comply with terms, conditions, and limitations for up to two years, based on doctor's admission that Massachusetts medical board imposed a reprimand and other discipline on doctor's Massachusetts license based on doctor's prescribing controlled substances without performing a physical examination, without making entries into the medical record, and without indicating that no refills were permitted, and doctor's admission that North Carolina and New York medical boards imposed disciplinary action based on Massachusetts action. Agreement effective 11/9/06.

HENSON, Mark Owen (MD #35-076766) Greenfield, 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 of relapse on alcohol and impairment in ability to practice medicine according to acceptable and prevailing standards of care due to the habitual or excessive use or abuse of alcohol. Agreement effective 12/13/06.

HILL, Daniel Terrence (MD applicant) Omaha, NE

Application Withdrawn: Request for permanent withdrawal of application for medical licensure accepted by Board in lieu of further investigation related to Section 4731.22(B)(5), O.R.C., concerning doctor's application for Ohio licensure. Effective 6/14/06.

HOPPE, William L. (MD #35-028452) – Canton, 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 and relapse on alcohol, for which doctor has sought treatment through a Board-approved provider. Agreement effective 5/10/06. **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 admission of relapse on alcohol and failure to comply with conditions of limitation imposed by 5/10/06 Consent Agreement. Agreement effective 9/13/06; agreement replaces 5/10/06 Consent Agreement.

HUBLEY, Robert L. (DO Training Certificate #58-001014) Warrensville Heights, 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 admitted history of chemical dependency and determination by a Board-approved treatment provider that doctor is impaired in the practice of medicine and surgery due to opiate dependence, for which doctor has sought treatment through a Board-approved provider. Agreement effective 9/13/06.

HUMES, Katherine Alicia (MD #35-068502) Somerset, OH

Board Order: Medical license revoked based on doctor's violation of conditions of limitation imposed on medical license by 9/9/04 consent agreement, and impairment of ability to practice according to acceptable and prevailing standards of care. (Journal Entry – no hearing requested) Order effective 5/11/06.

HUNNICUTT, Christopher Thomas (MD Training Certificate #57-008656) Cincinnati, OH

Voluntary Surrender: By Order effective on 11/8/06, Board permanently revoked doctor's medical training certificate as authorized by doctor in lieu of formal disciplinary proceedings and doctor's admission that he is impaired in the ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. Effective 11/9/06.

JAWADI, M. Husain (MD #35-073824) Springfield, OH

Consent Agreement: Doctor reprimanded and terms and conditions imposed. Based on doctor's admission that he provided inaccurate information to the Ohio Department of Health concerning the status and operation of regulated medical equipment. Agreement effective 9/13/06.

KALENCKI, Wanda Beth (DO #34-004465) Kohler, WI
Consent Agreement: Medical license restored subject to terms, conditions, and limitations, including that doctor's practice of medicine in Ohio shall be limited to participation in a post-graduate training program. Based on doctor's admission of not having practiced medicine since 1987. Agreement effective 12/13/06; agreement to remain in effect until such time as doctor is able to demonstrate capability to independently practice medicine and surgery according to acceptable and prevailing standards of care.

KARASIK, Gregory (MD #35-068821) Bellevue, OH
Consent Agreement: Medical license suspended for at least 90 days; conditions for reinstatement established; and probationary terms, conditions and limitations established, effective upon reinstatement of license. Based on doctor's admission of failing to conform to minimal standards of care and violation of professional code of ethics due to having engaged in an inappropriate relationship with one patient. Agreement effective 10/12/06; agreement to remain in effect for at least one year prior to any request for termination.

KAZI, Shaji Jaffrey (MD #35-082122) Scottsdale, AZ
Board Order: No further action taken by the Board in relation to the allegations in the 4/12/06 Notice of Opportunity for Hearing, the underlying basis for the allegations having been prior disciplinary action by the Illinois medical board. Order mailed 12/15/06. Order effective 12/15/06.

KING, John Anderson, N.K.A. Christopher Wallace Martin (DO #34-004277) Orlando, FL
Voluntary Surrender: Doctor's permanent surrender of medical license accepted by Board in lieu of further formal proceedings based on doctor's admission to failure to provide full and accurate information on application for licensure in Ohio and to prior disciplinary action by Alabama, Michigan, Virginia and Texas medical licensing boards. Effective 8/9/06.

LAMET, Mark (MD #35-048422) Hollywood, FL
Consent Agreement: Probationary terms, conditions, and limitations imposed on doctor's medical license in lieu of further formal proceedings based on doctor's admission of prior action by Florida's board imposing a \$10,000 fine and requiring completion of community service and certain coursework. Agreement effective 8/9/06; certain conditions to remain in effect for at least four years.

LANCE, Darold R., Jr. (DO #34-004630) Jackson, 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 diagnosis of alcohol and cannabis abuse. Agreement effective 9/13/06.

LEE, Kimberly Ann (LMT #33-006677) Cleveland, OH
Board Order: Massage license permanently revoked based on massage therapist having been found guilty of

one felony count of aiding and abetting bank robbery. Order effective 11/9/06.

LEN, Michael John (MD Training Certificate applicant) Rochester Hills, MI

Application Withdrawn: Request for withdrawal of application for training certificate accepted by Board in lieu of formal disciplinary proceedings based on doctor's stipulation to prior action by Michigan's medical board to summarily suspend applicant's Michigan medical license, then reinstate such license with probationary terms and conditions, the underlying basis being doctor's guilty plea to Unlawful Distribution of Hydrocodone. Effective 8/9/06.

LIPSCOMB, James W. (MD #35-042471) Columbus, OH
Voluntary Surrender: By Order effective 11/8/06, Board permanently revoked doctor's medical license as authorized by doctor in lieu of further investigation and/or disciplinary proceedings, based on doctor's admission of no longer being able to practice medicine and surgery according to acceptable and prevailing standards of care due to hearing loss. Effective 11/9/06.

LUTZ, Gary Ray (DO #34-003249) Las Vegas, NV
Board Order: Medical license permanently revoked based on (1) doctor's violation of conditions of limitation imposed on doctor's license by 4/14/04 Board Order and (2) prior action against doctor's license by Nevada medical board for care and treatment of specified patients that fell below the standard of care and continuing to prescribe medications during licensure suspension. Order effective 5/12/06.

LEUVOY, Randall Don (DO #34-004367) Lancaster, OH
Board Order: Medical license revoked based on doctor's failure to conform to minimal standards of care, the underlying basis being doctor's signing of not fewer than 38 blank prescription forms for use by office staff in issuing controlled substance prescriptions while doctor was incarcerated and doctor's failure to perform proper work-ups and prescribe controlled substances in an appropriate manner with respect to the treatment of 12 specified patients. Order effective 9/15/06. **Court Action:** Notice of Appeal of Board's 9/13/06 revocation Order filed by doctor with the Franklin County Court of Common Pleas on 9/25/06. By Journal Entry filed 10/10/06, the Franklin County Court of Common Pleas denied doctor's motion to stay the Board's 9/13/06 Order revoking doctor's medical license.

MANNO, Salvatore Angelo (PA applicant) Petoskey, MI
Application Withdrawn: Request for withdrawal of application for physician assistant license accepted by the Board in lieu of further investigation related to applicant's history of depressive episodes and being subject to a monitoring agreement with Michigan's medical board. Effective 12/13/06.

MARAZON, Daniel Jon (DO #34-002544) Athens, OH
Voluntary Surrender: Board permanently revoked doctor's medical license as authorized by doctor in lieu of formal disciplinary proceedings based on allegations related to doctor's management and prescribing of controlled substances to multiple patients. Effective 11/9/06.

MARTIN, Tera Jean (LMT #33-014290) Clarksville, OH
Board Order: Allegations that the massage therapist is impaired in the ability to practice massage therapy, set forth in the 5/10/06 Notice of Opportunity for Hearing were dismissed upon the Board's determination that there is insufficient evidence to support a finding of impairment. Order effective 1/8/07.

MARTINEZ, Jorge Arturo (MD #35-050822) Boardman, OH
Board Order: Medical license permanently revoked. Based on doctor's conviction in U.S. District Court of eight felony counts of distribution of a controlled substance, 10 felony counts of wire fraud, 15 felony counts of mail fraud, 23 felony counts of health care fraud, and two felony counts of health care fraud resulting in death. Order effective 8/11/06. **Court Action:** Notice of Appeal of Board's 8/9/06 permanent revocation Order filed by doctor with the Franklin County Court of Common Pleas on or about 9/18/06.

MAUCH, James Carl (MD #35-076608) St. Petersburg, FL
Consent Agreement: Doctor reprimanded and required to submit documentation of compliance with 6/05 Florida Board Final Order. Based on doctor's admission of prior disciplinary action by Florida medical board. Agreement effective 5/10/06.

MCDERMOTT, Janet L. (MD #35-059934) Silver Lake, OH
Voluntary Surrender: Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of further disciplinary proceedings pursuant to Section 4731.22(B)(26), Ohio Revised Code. Order effective 5/10/06.

MEYER, Jeffrey Vaughn (MD #35-088466) Columbus, OH
Consent Agreement: Medical licensed granted 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 8/9/06; agreement to remain in effect for at least five years prior to any request for termination. **Summary Suspension:** Pursuant to Section 4731.22(G), O.R.C., medical license summarily suspended based on Board's determination that there is clear and convincing evidence that (1) doctor's ability to practice is impaired due to use or abuse of drugs, alcohol, or other substances; (2) doctor violated conditions of limitation imposed on doctor's license by 8/9/06 consent agreement; and (3) doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 11/8/06.

MOMAH, Charles M. (MD #35-064306) Massena, NY
Automatic Suspension: Pursuant to Section 4731.22(I), O.R.C., medical license automatically suspended as of 11/16/05 based on doctor's having been found guilty in Washington of one felony count of Rape in the second degree and one felony count of Rape in the third degree, which are criminal offenses substantially equivalent to either Rape, Section 2907.02, O.R.C., or Sexual Battery, Section 2907.03, O.R.C. Notice mailed 5/11/06. **Board Order:** Medical license permanently revoked based on doctor's having been found guilty in Washington of one felony count of Rape in the second degree, one felony count of Rape in the third degree, and two felony counts of Indecent Liberties. Order effective 11/9/06.

MOSHIRI, Bahram Tafreshi (MD applicant) Vienna, VA
Application Withdrawn: Request for permanent withdrawal of application for medical licensure accepted by Board in lieu of formal disciplinary proceedings based on applicant's alleged violation of Sections 4731.22(B)(5), 4731.29, and 4731.08, Ohio Revised Code. Effective 7/12/06.

MOSS, Fred Robert (MD #35-059484) Cincinnati, OH
Consent Agreement: Medical license subject to probationary terms, conditions, and limitations imposed to monitor practice based on prior action by Indiana's board, which issued doctor a probationary license, and on doctor's admission of diagnosis of alcohol dependence, in remission since at least 2002, and cannabis abuse, in remission since at least 2000. Agreement effective 11/9/06; agreement to remain in effect for at least two years prior to any request for termination.

MUKHERJEE, Mukunda Dev (MD #35-042887) Flint, MI
Voluntary Surrender: Doctor's voluntary permanent surrender of medical license accepted by the Board in lieu of further formal disciplinary proceedings, with doctor's admission that the Michigan medical board's prior actions summarily suspending, then imposing concurrent suspensions on the doctor's medical license constitute violations of Section 4731.22(B)(22), O.R.C. Effective 5/10/06.

NORTH, Phillip Thiele (MD #35-057152) Columbus, OH
Consent Agreement: Medical license suspended for at least 60 days, commencing 11/1/06; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admission of failure to comply with conditions of limitation imposed by 6/9/05 Consent Agreement. Agreement effective 10/12/06.

OKORO, Chijioke Victor (MD #35-047675) Houston, TX
A.K.A. Victor Okoro; A.K.A. Chiji V. Okoro
Board Order: Medical license permanently revoked. Based on doctor's conviction of 15 felony counts of mail fraud, three felony counts of filing false income tax returns, and seven felony counts of health care fraud; prior action by the Texas medical board revoking doctor's Texas medical license due to felony convictions; and action by U.S. Department of Health & Human Services excluding doctor from participating in federal health care programs for at least 25 years based on doctor's obtaining money by fraudulent misrepresentation in the course of practice. Order effective 8/11/06.

O'NEILL, James A. (MD #35-023297) Clarkston, MI
Consent Agreement: Doctor reprimanded based upon prior action by Michigan's medical board imposing a reprimand and monetary fine due to doctor's failure to exercise due care in treatment rendered to one patient. Agreement effective 7/12/06.

ONINKU, Seth A. (MD #35-060246) Trotwood, OH
Board Order: Medical license permanently revoked based on doctor's having been found guilty of one felony count of Sale of Dangerous Drugs and one felony count of Possession for

Sale of Dangerous Drugs. (Journal Entry - no hearing requested) Order effective 9/13/06.

PATTON, John E. (PA #50-000437) West Mansfield, OH
Consent Agreement: Revocation of physician assistant's certificate stayed, with certificate suspended for at least one year; interim monitoring conditions for reinstatement established; probationary terms, conditions, and limitations upon reinstatement established. Based on physician assistant's admission of providing, on two renewal applications, false, fraudulent, deceptive, or misleading statements concerning NCCPA certification status. Agreement effective 9/13/06; agreement to remain in effect for at least one year prior to any request for termination.

PENNEY, Nathan Thomas (DPM training certificate #59-000166) Columbus, OH
Consent Agreement: Podiatric training certificate suspended for an indefinite period of time; 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 alcohol dependence, for which doctor has sought treatment through a Board-approved provider; and doctor's diagnosis of chemical depression. Agreement effective 6/14/06. **Consent Agreement:** Podiatric medicine training certificate reinstated contingent upon doctor's compliance with conditions, including appointment to residency program, 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 10/12/06; agreement to remain in effect for at least five years prior to any request for termination.

PLOUFFE, Joseph Frances (MD #35-040743) Sarasota, FL
Voluntary Agreement: Doctor's permanent voluntary retirement of medical license accepted by Board in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(26), Ohio Revised Code. Effective 9/13/06.

PRADA, German Virgilio (MD #35-039814) Dayton, OH
Board Order: (1) Application for reinstatement of medical license denied and (2) permanent revocation of medical license stayed, with medical licensed suspended for at least one year; conditions for reinstatement established; and subsequent probationary terms, conditions, and limitations for practice for at least three years established. Based on doctor's violation of limitations imposed by Board Order issued 3/10/04 and effective 3/31/04, practice of medicine during license suspension, and failure to conform to minimal standards of care with respect to the treatment of one specified patient. Order supersedes the terms and conditions set forth in the Board Order issued 3/10/04 and effective 3/31/04. Order effective 11/7/06.

PRASAD, Kollu Mohan (MD #35-041939) Boardman, OH
Board Order: Permanent revocation of medical license stayed, with license suspended for 30 days; probationary terms, conditions and limitations established for at least two years. Based on doctor's violation of conditions of limitation imposed on doctor's license by 2/11/98 Board Order due to doctor's failure to timely submit required reports. Order effective 12/11/06.

QUINTANA, Jose Raul (MD applicant) Lake City, FL
Board Order: Application for medical license granted, with doctor reprimanded based on prior action by Florida's medical board imposing a fine and other discipline upon doctor's Florida medical license. Order effective 8/11/06.

RANGA, Puttagunta (MD #35-045040) New Bremen, OH
Consent Agreement: Medical license placed on probation in lieu of formal proceedings, with probationary terms, conditions and limitations established for at least two years based upon psychiatric diagnosis and opinion from psychiatrist that doctor is capable of practicing subject to certain conditions. Agreement effective 7/12/06; agreement to remain in effect for at least two years prior to any request for termination.

RIDGEWAY, Joseph Aloysius, IV (MD #35-062021) Columbus, OH
License Reinstated: Doctor's request for reinstatement approved by Board vote on 6/15/06, subject to probationary terms, conditions and limitations established by 2/8/06 Board Order. **Summary Suspension:** Pursuant to Section 4731.22(G), O.R.C., medical license summarily suspended based on Board's determination that there is clear and convincing evidence that (1) doctor violated conditions of limitation imposed on medical license by 2/8/06 Board Order and (2) doctor's ability to practice according to acceptable and prevailing standards of care is impaired due to relapse on cocaine, and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 7/20/06. **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 admission of inability to practice according to acceptable and prevailing standards of care due to relapse on cocaine and of failure to comply with conditions of limitation imposed by 2/8/06 Board Order. Agreement effective 10/12/06. **Court Action:** By Decision and Entry filed on 11/1/06, Franklin County Court of Common Pleas granted Board's motion to dismiss doctor's 10/19/05 Complaint for Declaratory Judgment and Injunctive Relief and 11/16/05 appeal of the Board's 11/9/05 Summary Suspension Order. Notice of appeal of the 11/1/06 Decision and Entry of the Franklin County Court of Common Pleas, which dismissed doctor's 10/19/05 Complaint for Declaratory Judgment and Injunctive Relief and 11/16/05 appeal of the Board's 11/9/05 Summary Suspension Order, filed with the 10th District Court of Appeals on 11/28/06.

ROHIRA, Lalsingh P. (MD #35-042898) Strongsville, OH
Board Order: Doctor's license permanently revoked based on doctor's plea of guilty in U.S. District Court to one felony count of Conspiracy, three felony counts of Aiding and Abetting Wire Fraud, and one felony count of Aiding and Abetting Health Care Fraud. Order effective 12/15/06.

ROSENBERG, Mark Robert (MD #35-065727) Elisville, MO
Board Order: Permanent revocation of medical license stayed, with license suspended for at least one year; conditions for reinstatement and subsequent probationary terms, conditions, and limitations for at least five years established. Based on doctor's having been found guilty of two federal misdemeanor counts of receiving stolen property related to improper billing and on doctor's former business having been found guilty of one federal felony count of receiving stolen property. Order effective 12/1/06.

RUSSELL, John Michael (MD #35-065141)
Palm Coast, FL

Consent Agreement: Doctor reprimanded based upon doctor's admission of prior action by Florida's medical board imposing a fine and other discipline, including issuance of a Letter of Concern, the underlying basis being the allegation that doctor performed a surgical procedure on the wrong site. Agreement effective 7/12/06.

RYAN, Jon Patrick (DO #34-008006) Dayton, OH
Consent Agreement: Medical license suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admitted addiction to Tramadol, for which doctor has sought treatment through a Board-approved provider. Agreement effective 7/12/06.

SAVAGE, Terri Lynne (MD #35-075415) Dayton, OH
Summary Suspension: Pursuant to Section 4731.22(G), O.R.C., medical license summarily suspended based on Board's determination that there is clear and convincing evidence that (1) doctor's ability to practice is impaired due to use and/or abuse of drugs, for which impairment doctor has not entered treatment; (2) doctor committed acts that constitute felonies, to wit: violations of Section 2925.22, O.R.C., Deception to Obtain a Dangerous Drug, and/or Section 2925.23, O.R.C., Illegal Processing of Drug Documents; and (3) doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 5/24/06. **Interim Agreement:** By Interim Agreement effective 8/10/06, doctor agreed that doctor's medical license shall remain summarily suspended until the Board issues an Order in resolution of the charges contained in the 5/24/06 Notice of Summary Suspension and Opportunity for Hearing, and that doctor will not practice medicine and surgery in Ohio in any form during the pendency of the interim agreement. **Board Order:** Medical license revoked based on doctor's impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, and doctor's acts constituting felonies, to wit:

violations of Section 2925.22, O.R.C., Deception to Obtain a Dangerous Drug, and/or Section 2925.23, O.R.C., Illegal Processing of Drug Documents. Order effective 9/15/06.

SHAH, Sonia Shetal (MD applicant) Broadview Hts., OH
Application Withdrawn: Doctor's request to withdraw application for licensure granted. Effective 6/20/06.

SHAW, John Wesley (MD #35-068596) Defiance, OH
Consent Agreement: Doctor reprimanded, with medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice. Based on doctor's admissions of failing to provide complete and accurate information to the Board prior to entering into 5/10/2005 consent agreement and diagnosis of opiate dependence, for which doctor sought treatment through a Board-approved provider; and on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 6/14/06; agreement to remain in effect for at least five years prior to any request for termination.

SHIRIF, Khalid Mahmoud (MD training certificate applicant) Buffalo, NY

Board Order: Medical training certificate granted, subject to conditions, and suspended for not less than one year; conditions for reinstatement or restoration, and subsequent probationary terms, conditions, and limitations for at least two years established. Based on doctor's failure to provide complete and accurate information on application for Ohio medical training certificate, applications and correspondence to residency training programs, and application to the Plastic Surgery Central Application Service. Order effective 7/6/06.

SHORT, Jody Lee Nelson (DO training certificate #58-001948) Dayton, OH

Consent Agreement: Training certificate suspended indefinitely; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's diagnosis, pursuant to a Board-ordered evaluation, of opiate dependence and alcohol abuse with probable alcohol dependence, for which doctor has sought treatment through a Board-approved provider. Agreement effective 5/10/06. **Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based

The top three reasons for disciplinary action:

1. Impairment
2. Actions taken by licensing boards in other states
3. Criminal actions/convictions

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 11/9/06; agreement to remain in effect for at least five years prior to any request for termination.

SHORT, Robert Franklin (MD training certificate #57-010592) Columbus, OH

Board Order: Probationary, terms, conditions, and limitations established for a period of at least five years, with additional terms, conditions, or limitations to be imposed should doctor be granted a subsequent Ohio training certificate or commence practice in Ohio. Order effective 12/15/06.

SHOUP, Donald Eugene (DO #34-001352) Wellsville, MO

Voluntary Surrender: Doctor's permanent surrender of medical license accepted by Board vote on 11/8/06 in lieu of formal disciplinary proceedings related to prior action against doctor's Missouri license by Missouri's medical board. Surrender of medical license effective 11/9/06.

SIMONE, Joseph Cooper (DO #34-002296) Columbus, OH

Consent Agreement: Medical license suspended for an indefinite period of time; 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 impairment in ability to practice medicine and surgery according to acceptable and prevailing standards of care due to the habitual or excessive use or abuse of controlled substances. Agreement effective 12/13/06.

SIMONS, Mitchell Edward (MD #35-050545) Cincinnati, OH

Board Order: Medical license permanently limited and restricted with practice requirements imposed, including that doctor have a chaperone present throughout any personal contact with female patients, and that doctor obtain approval from the Board prior to Ohio practice. Based on prior action against doctor's license by Kentucky's medical board, the underlying basis being allegations by two patients of inappropriate conduct/contact by the doctor. Order effective 8/8/06. **Court Action:** Notice of Appeal of Board's 7/12/06 Order permanently restricting and limiting doctor's medical license filed with the Franklin County Court of Common Pleas on 8/18/06. By Decision and Entry filed 9/18/06, the Franklin County Court of Common Pleas denied doctor's request for a stay of the Board's 7/12/06 Order permanently restricting and limiting doctor's medical license. Notice of Appeal of the 9/18/06 Decision and Entry of the Franklin County Court of Common Pleas, which denied doctor's request for a stay of the Board's 7/12/06 Order permanently restricting and limiting doctor's medical license, filed with the 10th District Court of Appeals on or about 10/4/06. By Journal Entry filed 10/19/06, the 10th District Court of Appeals denied doctor's motion for stay of the Board's 7/12/06 Order, which permanently restricts and limits doctor's medical license. By notice filed in Franklin County Court of Common Pleas on 12/28/06, doctor dismissed appeal of Board's 7/12/06 Order which had permanently limited and restricted doctor's practice.

SKOBLAR, Richard S. (MD #35-038099) 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 5/10/06; agreement to remain in effect for at least five years prior to any request for termination.

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

Consent Agreement: Massage therapy license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on massage therapist 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 12/13/06; agreement to remain in effect for at least five years prior to any request for termination.

STEIN, Sarah Ann (LMT #33-015532)

Upper Arlington, OH

Consent Agreement: Massage therapy license granted and immediately suspended for 90 days; interim terms and conditions established; probationary terms established, effective upon reinstatement of license. Based on massage therapist's admission of failing to provide full and accurate information to the Board on licensure application. Agreement effective 10/12/06; agreement to remain in effect for at least five years prior to any request for termination.

STEPHENS, Gretel Case (MD #35-086714)

Alexandria, KY

Board Order: No further action taken by the Board in relation to allegations in the 4/12/06 Notice of Opportunity for Hearing, the underlying basis for the allegations having been prior disciplinary action by Tennessee's medical board. Order effective 12/15/06.

STERN, Jordan Ben (MD #35-063665)

Cleveland Heights, OH

Voluntary Surrender: Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(15) and 4731.22(B)(26), Ohio Revised Code. Effective 9/13/06.

STEVENSON, William C. (MD #35-046537) West Allis, WI

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 6/15/06; agreement to remain in effect for at least five years prior to any request for termination.

STORROW, Alan B. (MD #35-060445) Nashville, TN

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 5/10/06; agreement to remain in effect for at least five years prior to any request for termination.

STRASEK, Frank Murray (DPM #36-001720)
Rocky River, OH

Board Order: Permanent revocation of medical license stayed subject to suspension for at least 6 months; conditions for reinstatement and subsequent probationary terms, conditions, and limitations for at least three years established. Based on doctor having been found guilty of eleven felony counts of Mail Fraud and nine felony counts of Health Care Fraud. Order effective 8/8/06.

SWEDA, Susan Gail (MD #35-058466) – Margate, FL

Consent Agreement: Medical license suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admission of addiction to alcohol and use of Fentanyl, Versed, and Benadryl, for which doctor has sought treatment through a Board-approved provider. Agreement effective 10/12/06.

THAKER, Reuben Indravadan (MD training certificate #57-008318) Bratenahl, OH

Voluntary Surrender: Board Order permanently revoking doctor's training certificate as authorized by doctor in lieu of further formal disciplinary proceedings, with doctor's admission of failure to provide to the Board and training programs full and accurate information concerning termination from an Arizona residency program, and of prior action by Arizona medical board denying licensure. Order effective 5/10/06.

TRIPATHY, Anil Kumar (MD applicant) Amherst, NY

Board Order: Application for medical license permanently denied based on doctor's failure to provide complete and accurate information on licensure, FCVS, and training program applications. (Journal Entry – no hearing requested) Order effective 5/11/06.

VJECHA, Michael Joseph (MD #35-049553)
Washington, D.C.

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 admission of inability to practice according to acceptable and prevailing standard of care due to relapse on crack cocaine and marijuana, and failure to comply with conditions of limitation imposed by 5/15/03 Consent Agreement. Agreement effective 9/13/06.

WAGMAN, Philip Gary (MD #35-074129) New Castle, PA

Board Order: Medical license permanently revoked. Based on doctor having been found guilty in Court of Common Pleas

of Lawrence County, PA, of 19 felony counts of violation of the Controlled Substance, Drug, Device and Cosmetic Act, one felony count of Conspiracy to Violate the Controlled Substance, Drug, Device, and Cosmetic Act, and one felony county of Flight to Avoid Apprehension, and on prior action by Pennsylvania's medical board to automatically suspend doctor's license due to the felony convictions. (Journal Entry - no hearing requested) Order effective 10/11/06.

WAITE, Stephen David (MD #35-069323) Cleveland, OH

Board Order: Medical license revoked based on doctor's failure to conform to minimal standards of care with respect to treatment of eight specified patients. Order effective 6/7/06.

WALTZ, Gary W. (MD #35-044019) Lyndhurst, 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 5/10/06; agreement to remain in effect for at least five years prior to any request for termination.

WERNER, Joseph Gregory (MD Training Certificate #57-008700) 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 diagnoses of cannabis abuse and alcohol abuse, determination that doctor is impaired in the ability to practice according to acceptable and prevailing standards of care, and on doctor's failure to provide complete and accurate information on an application submitted to the Board. Agreement effective 9/13/06.

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

Voluntary Surrender: Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of formal disciplinary proceedings based on violation of conditions of limitations placed on doctor's license by 10/12/05 consent agreement and in lieu of continued monitoring under the terms, limitations, and conditions of the 10/12/05 consent agreement, which is terminated. Order effective 5/10/06.

YUN, Mary Mei-Ling (MD #35-072128) Carlsbad, CA

Board Order: Medical license revoked based on doctor's violation of conditions of limitations imposed on doctor's license by 10/13/04 Board Order. Order effective 11/9/06.

YUNKER, Maria Lynn (LMT #33-012301) Cincinnati, OH

Voluntary Surrender: Board Order permanently revoking massage therapy license as authorized by massage therapist in lieu of formal disciplinary proceedings based on determination of impairment following Board-ordered evaluation and history of pleading guilty to two drug-related misdemeanors. Effective 8/9/06.

ZAGURSKY, Joyce Ann (MD applicant) Dayton, OH
Application Withdrawn: Request for permanent withdrawal of application for medical license accepted by the Board in lieu of formal disciplinary proceedings based on applicant's admission of prescribing medications, including controlled substances, and treating patients in Ohio without an Ohio medical license. Effective 5/10/06.

ZAK, John F. III (MD #35-073277) Middleburg Heights, OH

Voluntary Retirement: Doctor's retirement from medical practice accepted by Board in lieu of doctor's continued compliance with the terms of the 9/1/04 Consent Agreement. Effective 10/12/06.

ZAMBRANO, Severino Perez (MD #35-032403) Toledo, OH

Board Order: Medical license permanently revoked based on doctor's dispensing controlled substances to self and a family member in violation of Board rules, failing to maintain patient records to document dispensing of controlled substances, failing to cooperate in a Board investigation, and committing acts that constitute a felony, to wit: Perjury under Section 2921.11, O.R.C. (Journal Entry - No hearing requested) Order effective 9/14/06.

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

Consent Agreement: Podiatric 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 10/12/06; agreement to remain in effect for at least five years prior to any request for termination.

Continuing Medical Education

MURPHY, Richard Joseph (MD #35-040123) Portsmouth, OH

Consent Agreement: Doctor reprimanded, fined \$2,500, required to document compliance with required CME for 4/2/04-4/1/06 CME period, and required to document compliance for two additional CME acquisition periods thereafter. Based on doctor's admission of certifying on license renewal application that requisite CME had been completed, when, in fact, it was not completed. Agreement effective 5/10/06.

ARUL SELVAM, Damodaran (MD #35-070620) Gainesville, FL

Probation terminated upon verification of doctor's compliance with CME audit terms for three biennial registration periods. Probation completed effective 4/25/06.

MANUEL, Timothy Scott (MD #35-065764) Hillsboro, OH

Probation terminated upon verification of doctor's compliance with CME audit terms for three biennial registration periods. Probation completed effective 7/19/06.

License Reinstatements Following Suspension

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

Doctor's request for reinstatement approved by Board subject to probationary terms and conditions established in 11/9/05 consent agreement. Reinstatement effective 5/9/06.

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

Cosmetic Therapist's request for reinstatement approved by Board subject to probationary terms and conditions established in 7/13/05 consent agreement. Reinstatement effective 7/13/06.

NGUYEN, Thomas Anh (MD #35-077860) New Cumberland, PA

Doctor's request for reinstatement approved by Board subject to probationary terms and conditions established by 9/10/03 Board Order. Reinstatement effective 9/13/06.

Probation Completed

CLEMENCY, Karen Alice (MD #35-053771) Columbus, OH

Doctor's request for release from the terms of the 4/11/01 consent agreement granted by vote of the Board on 5/10/06. Release from probation effective 5/11/06.

DAIBER, Robert Raymond (MD #35-064194) Toledo, OH

Doctor's request for release from the terms of the 6/13/01 consent agreement granted by vote of the Board on 6/14/06. Release from probation effective 6/13/06.

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

Doctor's request for release from the terms of the 10/10/01 Board Order granted by vote of the Board on 11/8/06. Release from probation effective 11/8/06.

FLEMING, Mark S. (MD #35-058145) Lancaster, OH

Doctor's request for release from the terms of the 9/12/01 Consent Agreement granted by vote of the Board on 9/13/06. Release from probation effective 9/13/06.

GAINEY, Michael Shane (MD #35-048972) Park Hills, KY

Doctor's request for release from the terms of the 4/14/04 Board Order granted by vote of the Board on 12/13/06. Release from probation effective 12/13/06.

HANES, David Corey (DO #34-008237) Oshkosh, WI

Doctor's request for release from the terms of the 10/1/01 consent agreement granted by Board vote on 10/11/06. Release from probation effective 10/11/06.

Probation Completed (continued)

**HATFIELD, Susan Merkel (PA #50-001572)
Cincinnati, OH**

Physician assistant's request for release from the terms of the 12/13/00 consent agreement granted by Board vote on 10/12/06. Release from probation effective 10/12/06.

TORE, Joseph Anthony (MD Training Certificate #57-002244) Toledo, OH

Doctor's request for release from the terms of the 8/8/01 Board Order granted by vote of the Board on 9/13/06. Release from probation effective 9/13/06.

Court Action Update

Court Appeals and Decisions entered between
May and December 2006 related to
Medical Board disciplinary actions taken
prior to May 2006

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

Court Action: By Judgment Entry and Opinion filed on 8/24/06, 10th District Court of Appeals affirmed the judgment of the Franklin County Court of Common Pleas, which upheld the Board's 11/10/04 Order suspending doctor's medical license.

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

Court Action: By Decision and Entry filed on or about 11/7/06, the Franklin County Court of Common Pleas affirmed the Board's 1/11/06 Order suspending doctor's medical license. By Entry filed 12/18/06, the Court of Common Pleas of Franklin County vacated the 11/7/06 Entry; entered judgment affirming the Board's 1/11/06 Order, which Order had suspended the doctor's medical license for at least 180 days; and continued the stay of the Board's 1/11/06 Order pending further proceedings on appeal. Notice of Appeal of the 12/18/06 Judgment ntry of the Franklin County Court of Common Pleas, which had affirmed the Board's 1/11/06 Order suspending doctor's license, filed with the 10th District Court of Appeals on 12/29/06.

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

Court Action: By decision rendered on or about 5/2/06 and Agreed Final Judgment Entry filed 5/18/06. Franklin County Court of Common Pleas dismissed doctor's appeal.

**DORIOTT, Elizabeth Ann (DO #34-006593)
Springboro, OH**

Court Action: By opinion rendered on or about 5/2/06, 10th District Court of Appeals reversed the judgment of the Franklin County Court of Common Pleas, which had upheld the Board's 2/9/05 Order, and remanded the matter to the Board. By Entry filed 12/18/06, the Court of Common Pleas

of Franklin County remanded the case to the Board with orders to issue the doctor a notice of opportunity for hearing on the allegations for which the doctor's medical license remains indefinitely suspended.

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

Court Action: By Decision and Judgment Entry filed on 10/3/06, the Franklin County Court of Common Pleas affirmed the Board's 2/8/06 Order permanently revoking doctor's medical license. By Decision and Judgment Entry filed on 10/5/06, the Franklin County Court of Common Pleas affirmed the Board's 2/8/06 Order permanently revoking doctor's medical license. Notice of Appeal of the 10/3/06 Judgment Entry of the Franklin County Court of Common Pleas, which affirmed the Board's 2/8/06 Order permanently revoking doctor's medical license, filed with the 10th District Court of Appeals on 10/13/06. The stay of the Board's 2/8/06 Order permanently revoking doctor's medical license remains in effect.

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

Court Action: By Decision and Entry filed 7/6/06, the Franklin County Court of Common Pleas affirmed the Board's 12/16/05 permanent revocation Order. Notice of Appeal of the 7/6/06 Entry and Decision of the Franklin County Court of Common Pleas, which affirmed the Board's 12/14/05 Order permanently revoking doctor's medical license, filed with the 10th District Court of Appeals on 8/3/06. By opinion and Entry filed 12/21/06, the Tenth Distric Court of Appeals affirmed the Franklin County Court of Common Pleas decision, which had affirmed the Board's 12/14/05 Order permanently revoking doctor's medical license.

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

Court Action: By Decision and Entry filed 7/13/06, the Franklin County Court of Common Pleas affirmed the Board's 1/11/06 Order staying a permanent revocation of doctor's medical license and suspending the medical license for at least one year.

MENON, Venu Gopal (MD #35-054426) Dayton, OH

Court Action: By Decision and Entry and Order of Remand filed 8/11/06, Franklin County Court of Common Pleas reversed the Board's 12/14/05 Order permanently revoking doctor's medical license and remanded the case to the Board for further proceedings consistent with the Court's finding that doctor did not receive notice advising of the right to request a hearing on the allegations in the 8/10/05 citation. By Decision and Entry filed 9/13/06, the Franklin County Court of Common Pleas granted stay of the 8/11/06 judgment reversing Board's 12/14/05 Order, which had permanently revoked doctor's medical license. By Agreed Judgment Entry filed on 10/10/06, the Franklin County Court of Common Pleas vacated the 8/11/06 Decision and Entry reversing the Board's 12/15/05 Order, vacated the 12/15/05 Board Order, and remanded the matter to the Board to institute the process by which the doctor may request and obtain a hearing on the allegations contained in the 8/10/05 notice of opportunity for hearing.

MOORE, John Pease, III (MD #35-069259) Dayton, Ohio

Court Action: By Entry filed 12/7/06, the Court of Common Pleas of Franklin County clarified that the Board's 5/14/03 Order, which suspended the doctor's license for at least

two years and established conditions for reinstatement and subsequent probationary terms, conditions, and limitations, is entitled to enforcement because the Court's 6/24/03 stay of the Order is expired.

POLITI, Barry Joseph (MD applicant) Jackson, MS
Court Action: By Decision and Judgment Entry filed 8/15/06, Franklin County Court of Common Pleas affirmed the Board's 11/9/05 Order permanently denying doctor's application for medical license. Notice of Appeal of the 8/15/06 Decision and Judgment of the Franklin County Court of Common Pleas, which affirmed the Board's 11/9/05 Order permanently denying doctor's application for medical license, filed with the 10th District Court of Appeals on 9/13/06.

PORTER, Stephen Randall (MD #35-069802) Harrison, OH
Court Action: By Opinion and Judgment Entry filed 10/10/06, the 10th District Court of Appeals affirmed the 11/21/05 judgment of the Franklin County Court of Common Pleas in so far as it found that certified mail notice to the doctor had not been achieved prior to the 4/13/05 Board Order, reversed the 11/21/05 judgment of the Court of

Common Pleas on another issue, and instructed the Court of Common Pleas to enter judgment ordering the Board to vacate the 4/13/05 Order, which had revoked the doctor's medical license.

SCHWACHTER, Marc H. (MD #35-080114) Dayton, OH
Court Order: By Order filed on 6/14/06, Franklin County Court of Common Pleas granted doctor's withdrawal of appeal.

SLINGLUFF, Jack Edwin (DO 34-001265) Canton, OH
Court Action: By Judgment Entry filed on 7/11/06 and Opinion filed 7/13/06, the 10th District Court of Appeals affirmed the judgment of the Franklin County Court of Common Pleas, which had upheld the Board's 11/10/04 suspension Order. Notice of Appeal of the 7/11/06 Entry of the 10th District Court of Appeals filed with the Ohio Supreme Court on 8/24/06. By Entry filed 12/13/06, the Ohio Supreme Court dismissed the doctor's appeal of the 10th District Court of Appeals decision upholding the Board's 11/10/04 suspension of the doctor's medical license.

STANG, Robert Martin (DO #34-006233) Flat Rock, MI
Court Action: By Decision and Entry filed on 7/21/06, the Franklin County Court of Common Pleas dismissed doctor's appeal of the Board's 12/14/05 permanent revocation Order.

WE'RE MOVING SOON!



The Medical Board's offices are scheduled to move in late June 2007.

Our new offices will be located on the third floor of the Rhodes Office Tower at 30 East Broad Street in downtown Columbus, Ohio.

Check the website for updates.

MED.OHIO.GOV

State Medical Board of Ohio
Vern Riffe Center for Government & the Arts
77 S. High St. 17th Floor
Columbus, OH 43215-6127

Office hours - Monday through Friday - 8 a.m. to 5 p.m.
closed on State & Federal holidays

Office phone: 614-466-3934
Office fax: 614-728-5946

Toll free complaint line: 800-554-7717 (for voice mail message)

Website: MED.OHIO.GOV

STATE OF OHIO
THE STATE MEDICAL BOARD
77 South High Street, 17th Floor
Columbus, Ohio 43215-6127