

State Medical Board of Ohio
Formal Action Report – January 2013

Prepared by: Barbara A. Jacobs, Senior Executive Staff Attorney

Date: January 18, 2013

Please find below a summary of actions taken or initiated by the State Medical Board of Ohio in January 2013 and an update of Board matters pending or decided in courts as of January 9, 2013.

PRE-HEARING SUSPENSIONS

BANKS, Brenda Louise, M.D. (#35-079787) – Columbus, Ohio

Pursuant to Sections 2929.42 and/or 3719.121(C), Ohio Revised Code, medical license immediately suspended based on doctor having been found guilty in the United States District Court, Southern District of Ohio, Western Division, of one felony count of Acquiring or Possessing a Controlled Substance by Deception. Order effective 1/9/13. (*See also: Citations/Proposed Denials below.*)

HOY, Emmart Yost, Jr., D.O. (#34-003267) – New Albany, Ohio

Pursuant to Section 4731.22(G), Ohio Revised Code, medical license summarily suspended and doctor notified of right to request a hearing on the question of whether his failure to submit to a Board-ordered examination was due to circumstances beyond his control. Based on the legal presumption that doctor's failure to submit to the Board-ordered examination constitutes an admission of the legal and factual allegations demonstrating that he is unable to practice according to acceptable and prevailing standards of care by reason of impairment of his ability to practice because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. Order effective 1/9/13. (*See also: Citations/Proposed Denials below.*)

STOREY, Anyse J., M.D. (#35-051590) – Maumee, Ohio

Pursuant to Section 4731.22(G), Ohio Revised Code, medical license summarily suspended based on Board's determination that there is clear and convincing evidence that doctor's ability to practice according to acceptable and prevailing standards of care is impaired because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice, and that her continued practice presents a danger of immediate and serious harm to the public. Order effective 1/9/13. (*See also: Citations/Proposed Denials below.*)

CITATIONS/PROPOSED DENIALS

BANKS, Brenda Louise, M.D. (#35-079787) – Columbus, Ohio

Based on doctor's conviction in the United States District Court, Southern District of Ohio, Western Division, of one felony count of Acquiring or Possessing a Controlled Substance by Deception, the underlying conduct involved the doctor's participation in a scheme at an Ohio pain clinic to acquire controlled substances for the purpose of illegal resale to others by employees of the clinic by using false identities to order the controlled substances and misrepresenting the purpose of the orders to distributors. Notice of opportunity for hearing mailed 1/10/13.

DAVIDSON, Margaret Anne (M.T. Applicant) – Lynchburg, Ohio

Based on applicant's conviction in the Court of Common Pleas of Clinton County, Ohio, on one felony count of Theft of Drug and one felony count of Illegal Processing of Documents; prior action of the Ohio Board of Nursing wherein the applicant's license to practice as a registered nurse was permanently revoked; and on the applicant's impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. Notice of opportunity for hearing mailed 1/10/13.

FREDE, James Richard, M.D. (#35-077188) – Kahului, Hawaii

Based on prior action by the Illinois Department of Financial and Professional Regulation wherein the doctor's license was indefinitely suspended based upon allegations that he prescribed and/or authorized prescriptions for various medications, including Tramadol, Carisoprodol, and Fioricet, to patients over the internet and on subsequent actions against his licenses in the states of Utah, Missouri, Maine, and Washington. Notice of opportunity for hearing mailed 1/10/13.

HOY, Emmart Yost, Jr., D.O. (#34-003267) – New Albany, Ohio

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, alcohol, or other substances that impair ability to practice. Notice of Opportunity for Hearing mailed 1/10/13.

STOREY, Anyse J., M.D. (#35-051590) – Maumee, Ohio

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, alcohol, or other substances that impair ability to practice. Notice of Opportunity for Hearing mailed 1/10/13.

FINAL ORDERS

FURIN, Jennifer Joan, M.D. (#35-097990) – Strongsville, Ohio

Medical license suspended for indefinite period of time with conditions for interim monitoring and reinstatement established. Upon reinstatement of license, doctor shall be placed on probation for a minimum term of five years. 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, alcohol, or other substances that impair the ability to practice due to her relapse on alcohol. Order effective 1/10/13.

MCRAE, Sharon Leilani, M.D. (#35-093580) – Brookline, Massachusetts

Medical license placed on probation for at least two years. Based on doctor's inability to practice according to acceptable and prevailing standards of care by reason of mental or physical illness. Order effective 1/11/13.

SHERIDAN, Kim Markl, M.D. (#35-052871) – Pensacola, Florida

Medical license revoked. Based on prior action by the Medical Board of California, which revoked the doctor's license, stayed that revocation, restricted his practice, and placed him on probation for at least four years, which was itself based on findings that the doctor engaged in an extreme departure from the standard of care in regards to one patient and engaged in repeated acts of negligence in his care of another patient. Order effective 1/10/13. (Journal Entry – no hearing requested.)

CONSENT AGREEMENTS

ATANASOFF, Nicholas Anthony, D.O. (#34-007837) – Boardman, Ohio

Doctor reprimanded and medical license suspended for at least 90 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's admission that his is impaired in his 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. Agreement effective 1/9/13.

GRIFFIN, Brian Frederic, M.D. (#35-044328) – Powell, Ohio

Medical license reinstated subject to probationary terms, conditions, and limitations based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as treatment and monitoring requirements are in place. Agreement effective 1/9/13; Agreement to remain in effect for at least five years prior to any request for termination.

MILLIS, Wendy A., M.D. (#35-073484) – Clyde, Ohio

Medical license suspended for indefinite period of time, with interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's admission that she has been diagnosed with Depression and that she is currently unable to practice medicine and surgery according to acceptable and prevailing standards of care. Agreement effective 1/9/13.

POLISETTY, Sudhir Sitaram, M.D. (#35-098455) – Germantown Hills, Illinois

Medical license reinstated subject to probationary terms, conditions, and limitations based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as treatment and monitoring requirements are in place. Agreement effective 1/9/13; Agreement to remain in effect for at least five years prior to any request for termination.

VOLUNTARY SURRENDERS/RETIREMENTS

HICKOX, Peter Graff, M.D. – (#35-049834) – Stockton, California

Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings pursuant to Section 4371.22(B)(22), Ohio Revised Code. Effective 1/9/13.

MILES, William Douglas, D.O. – (#34-004296) – Bellbrook, Ohio

Permanent revocation of medical license authorized by doctor in lieu of further formal disciplinary proceedings pursuant to Sections 4731.22(B)(3), (B)(5), (B)(10), (B)(24), and (B)(26), Ohio Revised Code. Effective 1/9/13.

PERLSTEIN, Paul H., M.D. (#35-027219) – Cincinnati, Ohio

Permanent revocation of medical license authorized by doctor in lieu of further investigation and/or formal disciplinary proceedings pursuant to Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-08, Ohio Administrative Code, Utilizing Controlled Substances for Self and Family Members. Effective 1/9/13.

PROBATIONARY REQUESTS AND MODIFICATIONS

ALLEN, Mark L., M.D. (#35-063078) – Parma Heights, Ohio

Doctor's request for approval of monitoring physician granted by vote of the Board on 1/10/13.

DYER, Jennifer Shine, M.D. (#35-088228) – Columbus, Ohio

Doctor's request for approval of monitoring physician granted by vote of the Board on 1/10/13. Frequency and number of charts to be reviewed by monitoring physician established.

HARRIS, Roy William, D.O. (#34-005746) – Bucyrus, Ohio

Doctor's request for approval of ethics and professional boundaries course approved by vote of the Board on 1/10/13.

KLEPPER, Sean Michael, M.D. (#35-097671) – Portsmouth, Ohio

Doctor's request for approval of treating psychiatrist granted by vote of the Board on 1/10/13.

POLISETTY, Sudhir Sitaram, M.D. (#35-098455) – Germantown Hills, Illinois

Doctor's request for approval to replace one Alcoholics Anonymous meeting per week with a Celebrate Recovery meeting and request for approval of professionalism course granted by vote of the Board on 1/9/13.

PURVIS, Jerry Gaines, Jr., M.D. (#35-080726) – Ashville, Ohio

Doctor's request for approval of monitoring physician granted by vote of the Board on 1/10/13. Frequency and number of charts to be reviewed by monitoring physician established.

RHODEBACK, Mark A., M.T. (#3-013112) – Dublin, Ohio

Massage therapist's request to attend one Alcoholic Anonymous meeting per week with an Al-Anon meeting, including a quarterly summary on the benefits of the meetings, granted by vote of the Board on 1/10/13.

SIGNS, Denise J., M.D. (#35-049278) – Wooster, Ohio

Doctor's request to reduce psychiatric treatment to every six months granted by vote of the Board on 1/10/13.

PROBATION TERMINATED

HAREWOOD, Sandra Kay, M.D. (#35-090989) – Kettering, Ohio

Doctor's request for release from terms of 1/9/08 Consent Agreement granted by vote of the Board on 1/9/13, effective immediately.

HUBLEY, Robert Leighton, D.O. (#34-009204) – Platte, South Dakota

Doctor's request for release from terms of 1/9/08 Consent Agreement granted by vote of the Board on 1/9/13, effective immediately.

SHAW, Christopher Scott, M.D. (#35-096616) – Lyndhurst, Ohio

Doctor's request for release from terms of 1/12/11 Consent Agreement granted by vote of the Board on 1/9/13, effective 1/12/13.

COURT ACTIONS

HECHMER, Carol Elizabeth (M.T. Applicant) – Columbus, Ohio

Notice of appeal of Board's 12/12/12 Order denying application for licensure filed by applicant with the Franklin County Court of Common Pleas on 1/4/13.

OYORTEY, Michele Armande, M.D. (#35-074233) – Westerville, Ohio

By decision and entry filed 12/31/12, the Tenth District Court of Appeals affirmed the judgment of the Franklin County Court of Common Pleas, which had upheld the Board's 11/9/11 order taking no further disciplinary action against the doctor.

TAN, Ernesto Compendio, M.D. (#35-047940) – Cincinnati, Ohio

By decision and entry dated 1/7/13, Franklin County Court of Common Pleas upheld Board's 9/12/12 order of permanent revocation.

NON-DISCIPLINARY ORDERS

BEVELHYMER, Cynthia M., M.T. (#33-007653) – Bradenton, Florida

Massage therapist's application for restoration of her license to practice massage therapy granted, pending passage of the Massage and Bodywork Licensing Examination. Based on massage therapist having not practiced in at least two years prior to application for restoration of license. Order effective 1/10/13. (Journal Entry – No hearing requested.)

CHASE, Matthew Wentworth, M.D. (#35-046752) – Westerville, Ohio

Doctor's application for restoration of his license to practice medicine and surgery in Ohio granted, pending passage of the Special Purpose Examination. Based on doctor having not practiced in at least two years prior to application for restoration of license. Order effective 1/10/13. (Journal Entry – No hearing requested.)

DESANTO, Jean L., M.T. (#33-005549) – New Albany, Ohio

Massage therapist's application for restoration of her license to practice massage therapy granted, pending passage of the Massage and Bodywork Licensing Examination. Based on massage therapist having not practiced in at least two years prior to application for restoration of license. Order effective 1/10/13. (Journal Entry – No hearing requested.)

FINNEGAN, Linda Lau, M.D. (M.D. Applicant) – Madison, Mississippi

Application for license to practice medicine and surgery in Ohio denied. Based on doctor's failure to pass all three Steps of the USMLE within then years without having failed any of the Steps more than three times. Order effective 1/10/13. (Journal Entry – No hearing requested.)

LIN, Yongjun (M.T. Applicant) – Miamisburg, Ohio

Application for license to practice massage therapy denied. Based on applicant's failure to provide documentation of minimum educational requirements for license. Order effective 1/10/13. (Journal Entry – No hearing requested.)

MAKARYK, Letisha Ann, M.T. (#33-007802) – Olmsted Falls, Ohio

Massage therapist's application for restoration of her license to practice massage therapy granted, pending passage of the Massage and Bodywork Licensing Examination. Based on massage therapist having not practiced in at least two years prior to application for restoration of license. Order effective 1/10/13. (Journal Entry – No hearing requested.)

MLODZIK, Maryann E., M.T. (#33-007823) – Akron, Ohio

Massage therapist's application for restoration of her license to practice massage therapy granted, pending passage of the Massage and Bodywork Licensing Examination. Based on massage therapist having not practiced in at least two years prior to application for restoration of license. Order effective 1/10/13. (Journal Entry – No hearing requested.)

RIZVI, Huma Shuja, M.D. (M.D. Applicant) – Canton, Ohio

Application for license to practice medicine and surgery in Ohio approved, pending doctor taking and passing the Special Purpose Examination (SPEX) or specialty board recertification examination within specified period of time. Based on doctor having not practiced in at least two years prior to application for license to practice medicine and surgery in Ohio. Order effective 1/10/13. (Journal Entry – No hearing requested.)

SHEN, Wen Feng (M.T. Applicant) – Mishawaka, Indiana

Application for license to practice massage therapy denied. Based on applicant's failure to provide documentation of minimum educational requirements for license. Order effective 1/10/13. (Journal Entry – No hearing requested.)

TIGYER, Nicole Marie, M.T. (#33-010308) – Columbus, Ohio

Massage therapist's application for restoration of her license to practice massage therapy granted, pending passage of the Massage and Bodywork Licensing Examination. Based on massage therapist having not practiced in at least two years prior to application for restoration of license. Order effective 1/10/13. (Journal Entry – No hearing requested.)

TIPTON, Lijun (M.T. Applicant) – Zanesville, Ohio

Application for license to practice massage therapy denied. Based on applicant's failure to provide documentation of minimum educational requirements for license. Order effective 1/10/13. (Journal Entry – No hearing requested.)

VITVITSKY, Jack Alexander, P.A. (#50-002904; Provisional Certificate to Prescribe Applicant) – Lake Placid, New York

Application for provisional Certificate to Prescribe denied. Based on physician assistant's failure to provide documentation that he holds a master's or higher degree from a program accredited by the appropriate accrediting agency. Order effective 1/10/13. (Journal Entry – No hearing requested.)

WANG, Jun (M.T. Applicant) – Miamisburg, Ohio

Application for license to practice massage therapy denied. Based on applicant's failure to provide documentation of minimum educational requirements for license. Order effective 1/10/13. (Journal Entry – No hearing requested.)

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

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

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