

State Medical Board of Ohio
Formal Action Report – November 2014

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Please find below a summary of actions taken or initiated by the State Medical Board of Ohio in November 2014 and an update of Board matters pending or decided in courts as of November 5, 2014.

PRE-HEARING SUSPENSIONS

ERICKSON, Mary Jo-Ellen, M.D. (#35.073493) – Dayton, 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 is in violation of Section 4731.22(B)(10), Ohio Revised Code and Section 4731.22(B)(26), Ohio Revised Code, and that her continued practice presents a danger of immediate and serious harm to the public. Order effective November 5, 2014. (*See also: Citations/Proposed Denials below.*)

CITATIONS/PROPOSED DENIALS

CAPUTO, Jacquelyn Marie, M.T. (#33.017799) – Oregon, Ohio

Based on allegations that the massage therapist is impaired in her ability to practice according to acceptable and prevailing standards of care without appropriate treatment, monitoring, or supervision by reason of mental illness or physical illness. Notice of opportunity for hearing mailed November 6, 2014.

ERICKSON, Mary Jo-Ellen, M.D. (#35.073493) – Dayton, Ohio

Based on allegations that the doctor is impaired in her ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice and allegations that the doctor committed acts constituting a felony in obtaining prescription medication. Notice of opportunity for hearing mailed November 6, 2014.

NIXON, Heather Nicole, M.T. (#33.017267) – Columbus, Ohio

Based on the MT's alleged violations of the limitations placed on her license pursuant to 9/12/13 consent agreement due to the MT's alleged failure to submit quarterly declarations; to appear for probationary conferences; to enter into a contract with a Board-approved drug testing facility; and to provide acceptable documentary evidence of participation in an alcohol and drug rehabilitation program. Notice of opportunity for hearing mailed 11/6/14.

RODEBAUGH, Justin Matthew M.D. (#57.015418) – Strongsville, Ohio

Based on allegations that the doctor 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; that the doctor made a false, fraudulent, deceptive or misleading statement in his application for a medical license; and that the doctor has failed to furnish satisfactory proof of good moral character in his application for a medical license. Notice of opportunity for hearing mailed November 6, 2014.

ROSS, John Allen, M.D. (#35.064459) – Fostoria, Ohio

Based on allegations that doctor committed acts constituting a felony based on the doctor's providing office staff with pre-signed prescriptions to be completed at a later date by office staff and based on allegations that the doctor committed acts constituting a felony and misdemeanors and failed to conform to minimal standards of care for allowing non-physician employees to use a light based medical device to perform i-Lipo laser treatments on 6 patients in 2012 and 2013. Notice of opportunity for hearing mailed November 6, 2014.

FINAL ORDERS

CORNELL, Clinton James, P.A. (#50.003493 – Cincinnati, Ohio

Physician assistant license subject to 30 day stayed suspension and probationary terms, conditions and limitations for at least two years. Based on physician assistant's conviction in the United States District Court, Western District of Michigan, on one felony count of Payment and Receipt of Health Care Kickbacks. Order effective November 6, 2014.

DEMINT, Franklin Donald, D.O. (#34.005493) – Kingston, Ohio

Osteopathic medical license suspended for at least 90 days with interim monitoring conditions and conditions for reinstatement or restoration of license established; suspension to take effect on the thirty-first day following the effective date of the order. Upon reinstatement or restoration of license, doctor's license to be subject to

probationary terms, conditions and limitations for at least three years. Further, upon reinstatement or restoration of license he is permanently limited and restricted from prescribing, administering, dispensing or otherwise providing any narcotic analgesics including but not limited to single entity or combination products containing oxycodone, hydrocodone, hydromorphone, oxymorphone or codeine. The limitation shall not apply to buprenorphine-containing products or any other products that are approved to treat drug addiction, provided that they are prescribed, administered, dispensed or otherwise provided in accordance with FDA-approved labeling and other federal and state requirements. Based on the Board's finding that the doctor failed, with respect to 14 specified patients, to maintain minimal standards of care applicable to the selection or administration of drugs, or failed to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease; departed from or failed to conform to minimal standards of care; violated the conditions of limitation placed by the Board upon doctor's certificate pursuant to a 3/10/10 consent agreement; and violated or attempted to violate the laws and rules governing the practice of medicine in the state of Ohio, specifically the Board's rules governing the treatment of intractable pain. Order effective November 19, 2014.

MILLS, Kyle Finnian, M.D. (#35.065391) – Wapakoneta, Ohio

Medical license suspended for at least 180 days with interim monitoring conditions and conditions for reinstatement or restoration of license established. Upon reinstatement or restoration of license, doctor's license to be subject to probationary terms, conditions, and limitations for at least five years. Based on the Board's finding that the doctor 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 and that the doctor made false, fraudulent, deceptive or misleading statements on his applications for renewal of his license in 1996, 1998, 2004, 2006, 2008, and 2012. Order effective November 6, 2014.

NGENGWE, Raphael Ngengwe, M.D. (#35.088468) – New York, New York

Medical license suspended for an indefinite time with conditions for reinstatement or restoration. Based on prior action by the Iowa Board of Medicine, which issued a warning to the doctor and fined him for his violation of the terms of a Physician Health Contract and on the doctor's failure to cooperate in an investigation conducted by the State Medical Board of Ohio. Order effective November 6, 2014.

POLISETTY, Sudhir Sitaram, M.D. (#35.098455) – Lexington, Kentucky

Medical license permanently revoked. Based on the Board's finding that the doctor provided false, fraudulent, deceptive, or misleading statements relating to a letter of recommendation purportedly written by the doctor's former Residency Program Director on his behalf and a third year evaluation form that was purportedly signed by the doctor's former Residency Program Director and his statements to an investigator for the Board; his failure to cooperate in an investigation conducted by the Board in relation to the letter

of recommendation and third year evaluation form; his obtaining or attempting to obtain a thing of value by fraudulent misrepresentations in the course of practice; his violation of the conditions placed on his license by a 1/9/13 Consent Agreement; his commission of an act constituting a felony in that he forged the letter of recommendation and third year evaluation form; and his commission of an act constituting a misdemeanor of Falsification relating to the same documents. Order effective November 6, 2014.

SRESTHADATTA, Paul, D.O. (#34.007180) – Powell, Ohio

Osteopathic medical license suspended for at least ninety days with conditions for interim monitoring and conditions for reinstatement or restoration. Upon reinstatement or restoration, subject to probationary terms, conditions and limitations for a period of at least five years. Based on the doctor's violation of limitations placed on his license pursuant to 4/13/11 consent agreement due to a urine sample which tested positive for the presence of alcohol; his failure to call in to a Board-approved drug testing facility; and his 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. Order effective November 6, 2014.

CONSENT AGREEMENTS

AMBROSE, Martin Palmer, M.D. (35.060025) – Dayton, Ohio

Medical license suspended for an indefinite period of time with interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into a subsequent consent agreement incorporating probationary terms, conditions and limitations as determined by the Board. Based on doctor's admission that he 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. Order effective November 5, 2014.

BONNER, Courtney Deselm, D.O. (#34.006885) – Cambridge, Ohio

Osteopathic medical license reinstated subject to probationary terms and conditions for at least five years. Based on doctor having completed all requirements for reinstatement of license pursuant to the terms of a 8/13/14 consent agreement. Agreement effective November 5, 2014. Reinstatement effective November 12, 2014.

MYERS, Carla Melinda, D.O. (#34.003506) – Waynesville, Ohio

Osteopathic medical license reinstated subject to probationary terms and conditions for at least five years. Based on doctor having completed all requirements for reinstatement of license pursuant to the terms of an October 9, 2013 consent agreement. Agreement effective November 5, 2014.

O'CONNELL, David, M.D. (#35.082498) – Cincinnati, Ohio

Medical license suspended for at least 90 days with interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into a subsequent consent agreement incorporating probationary terms, conditions and limitations as determined by the Board. Based on doctor's admission that he 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 November 5, 2014.

SPERO, Bruce A., M.D. (#35.068304) – Carson City, Nevada

Medical license reprimanded and subjected to probationary terms, conditions and limitations if doctor commences practice in Ohio. Based on doctor's March 7, 2014 settlement agreement with and public reprimand by the Nevada State Board of Medical Examiners. Agreement to remain in effect for at least five years prior to any request for termination. Agreement effective November 5, 2014.

LICENSE REINSTATED

VARGO, Bradley Joseph, D.O. (#34.004864) – Kirtland, Ohio

Doctor's request for reinstatement of license granted by vote of the Board on 11/5/14 subject to probationary terms and conditions established by 5/30/14 Board Order. Effective 11/28/14.

MANSOUR, Waleed N., M.D. (#35.078230)-Youngstown, Ohio

Child Support Default suspension lifted on 11/4/14 pursuant to Notice to Reinstatement/Reissue Professional License from Mahoning County Child Support Enforcement Agency.

VOLUNTARY SURRENDERS/RETIREMENTS/WITHDRAWALS

LEFKOVITZ, Norman Wayne, M.D. (#35.049231) – Fairlawn, Ohio

Permanent revocation of license to practice medicine and surgery authorized by doctor in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(6), (18), (19) and (20), Ohio Revised Code. Effective November 5, 2014.

SEPATE, Joseph David, MT applicant – Cincinnati, Ohio

Permanent withdrawal of application for license to practice massage therapy accepted by the Board in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(13), Ohio Revised Code. Effective November 5, 2014.

TRUBIANO, Douglas Scott, D.O. (#34.007831) – St. Clairsville, Ohio

Permanent revocation of license to practice osteopathic medicine and surgery authorized by doctor in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(10), (20), (24) and (34), Ohio Revised Code. Effective November 5, 2014.

PROBATIONARY REQUESTS AND MODIFICATIONS

ATANASOFF, Nicholas Anthony, D.O. (#34.007837) – Struthers, Ohio

Doctor's request to reduce alcohol and drug rehabilitation meetings to two per week with a minimum of ten per month and to reduce psychotherapy sessions to every three weeks granted by vote of the Board on November 5, 2014.

BANGERT, Michael Theodore, M.D. (#35.123521) – Troy, Ohio

Doctor's request to reduce personal appearances from every three months to every six months and approval of monitoring physician granted by vote of the Board on November 5, 2014. Frequency and number of charts to be reviewed by monitoring physician established.

BORRUSO, Courtney Dean, D.O. (#34.011500) – Chardon, Ohio

Doctor's request for approval of treating psychiatrist and treating mental health professional granted by vote of the Board on November 5, 2014.

DOUGLAS, Janice Electa Green, M.D. (#35.039559) – Bratenahl, Ohio

Doctor's request to reduce the frequency of drug screens to twice per month and to reduce personal appearances to every six months granted by vote of the Board on November 5, 2014.

EATON, Lynne Antoinette, M.D. (#35.060149) – Delaware, Ohio

Doctor's request to discontinue the requirement that she take Naltrexone granted by vote of the Board on November 5, 2014.

FLANIGAN, Jackson L.J., M.D. (#35.061527) – Cambridge, Ohio

Doctor's request to discontinue controlled substance log requirement granted by vote of the Board on November 5, 2014.

GRIFFIN, III, George D.J., M.D. (#35.038479) – Cincinnati, Ohio

Doctor's request for approval of pharmacology course granted by vote of the Board on November 5, 2014.

GRUENTHER, Raymond Carl, M.D. (#35.058309) – Gahanna, Ohio

Doctor's request for approval of monitoring physician granted by vote of the Board on November 5, 2014.

HOWELL, II, Harry F., M.T. (#33.009620) – Canal Fulton, Ohio

Massage therapist's request for approval of an ethics course granted by vote of the Board on November 5, 2014.

LYDON, Jr., Joseph Francis, M.D. (#35.057047) – Solon, Ohio

Doctor's request to reduce personal appearances to every six months granted by vote of the Board on November 5, 2014.

MARCINOW, Anna, M.D. (#35.124085) – Columbus, Ohio

Doctor's request to reduce drug and alcohol rehabilitation meetings to two per week with a minimum of ten per month and to discontinue the requirements for controlled substance logs and chart reviews granted by vote of the Board on November 5, 2014.

RIESEN, Matthew Christopher (#35.099958) – St. Marys, Ohio

Doctor's request to discontinue requirements for chart reviews and controlled substance logs granted by vote of the Board on November 5, 2014.

SKIBICKI, Rick, M.D. (#35.047024) – Findlay, Ohio

Doctor's request for approval for monitoring physician granted by vote of the Board on November 5, 2014.

SUMMERS, Christina Louise, M.T. (#33.021723) – Toledo, Ohio

Massage therapist's request for approval of ethics course granted by vote of the Board on November 5, 2014.

PROBATION TERMINATED

CLARK (BALL), Erin Kaye, M.T. (#33.017873) – Cincinnati, Ohio

Massage therapist's request for release from terms of the March 12, 2009 Consent Agreement granted by vote of the Board on November 5, 2014. Effective November 19, 2014

DRAKE, Samuel Lee, M.D. (#35.032937) – Vista, California

Doctor's request for release from terms of the May 11, 2011 Consent Agreement granted by vote of the Board on November 5, 2014 Effective November 5, 2014.

EVENHOUSE, Matthew Henry, M.D. (#35.082452) – Bay Village, Ohio

Doctor's request for release from terms of the November 12, 2009 Consent Agreement granted by vote of the Board on November 5, 2014. Effective November 12, 2014.

McVETY, Randi Johanna, M.T. (#33.009482) – Anna, Ohio

Massage therapist's request for release from terms of the September 12, 2012 Consent Agreement granted by vote of the Board on November 5, 2014. Effective November 12, 2014

PALAZZO, Kurt J., M.D. (#35.067200) – Portsmouth, Ohio

Doctor's request for release from terms of the August 12, 2009 Consent Agreement granted by vote of the Board on November 5, 2014. Effective November 11, 2014.

WEIL, Richard Mark, M.D. (#35.057757) – Akron, Ohio

Doctor's request for release from terms of the November 12, 2009 Consent Agreement granted by vote of the Board on November 5, 2014. Effective November 12, 2014.

COURT ACTIONS

KINSER, Tammy Lynn, M.T. (#33.013939)-North Ridgeville, Ohio

Appeal of Board's August 13, 2014 order to the Franklin County Court of Common Pleas dismissed without prejudice on October 28, 2014.

MANSOUR, Waleed N., M.D. (#35.078230)-Youngstown, Ohio

Notice of appeal of Board's 12/11/13 order of reprimand and probation to the Court of Appeals of Ohio, Tenth Appellate District on October 17, 2014.

REDDY, Srinivas P., M.D. training certificate (#57.022580)-Holland, Ohio

By Decision and Entry filed on 10/9/14, Franklin County Court of Common Pleas affirmed the 3/12/14 Order issued by the Board.

TEMPONERAS, Margy, M.D. (#35.072571)-Portsmouth, Ohio

By Decision and Entry filed on 10/24/14, Franklin County Court of Common Pleas affirmed the 7/10/13 Order issued by the Board.

WILLIAMS, James A., D.O. (#34.005346)-Sylvania, Ohio

By Decision and Entry filed on 10/20/14, Franklin County Common Pleas denied doctor's stay of enforcement of the Board's July 9, 2014 order.

Appeal of Board's July 9, 2014 order voluntarily dismissed with prejudice by doctor on November 3, 2014.

NON-DISCIPLINARY ORDERS

BYRNE, Therese Kateri, M.T. Applicant – Westerville, Ohio

Application for certificate to practice massage therapy was denied based upon the finding that she did not hold a diploma or certificate from a school, college or institution in good standing as determined by the Board, because her completed massage therapy program does not meet the Board's curriculum requirements and because she has not been licensed as a massage therapist in another state or jurisdiction during the five years preceding the date of her application. Order effective November 6, 2014.

CHICKLETTS, Jaime Allison, M.T. (#33.010919) – Mogadore, 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 massage therapy for more than two years. Order effective November 6, 2014. (Journal Entry – No hearing requested.)

PAK, Michael, M.D. (#35.078837) – San Francisco, California

Application for license to practice medicine and surgery granted, pending passage of the radiation oncology specialty board recertification examination based on doctor's having not engaged in the active practice of medicine for more than two years. Order effective November 6, 2014. (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.