

April 11, 2012

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**MINUTES****THE STATE MEDICAL BOARD OF OHIO****April 11, 2012**

Darshan Mahajan, M.D., President, called the meeting to order at 1:00 p.m., in the Administrative Hearing Room, 3rd Floor, the James A. Rhodes State Office Tower, 30 E. Broad St., Columbus, Ohio 43215, with the following members present: Anita Steinbergh, D.O., Vice-President; J. Craig Strafford, M.D., Secretary; Lance A. Talmage, M.D., Acting Supervising Member; Dalsukh Madia, M.D.; W. Frank Hairston; Kris Ramprasad, M.D.; Laurie O. Elsass; Mark A. Bechtel, M.D.; and Donald R. Kenney, Sr. The following member did not attend the meeting: Marchelle L. Suppan, D.P.M.

Also present were: Richard A. Whitehouse, Executive Director; Kimberly C. Anderson, Assistant Executive Director; Sara Vollmer, Assistant Executive Director; Susan Loe, Assistant Executive Director, Program Management and Operations; Sallie J. Debolt, General Counsel; Rebecca J. Marshall, Chief Enforcement Attorney; David P. Katko, Marcie Pastrick, Karen Mortland, Mark Blackmer, Cheryl Pokorny, Daniel Zinsmaster, and Sheldon Safko, Enforcement Attorneys; Kyle Wilcox, Melinda Snyder, and Heidi Dorn, Assistant Attorneys General; Patricia Davidson, Chief Hearing Examiner; Gretchen Petrucci and Danielle Blue, Hearing Examiners; Danielle Bickers, Compliance Supervisor; Annette Jones, Compliance Officer; Kay Rieve, Administrative Officer; Barbara Jacobs, Senior Executive Staff Attorney; Jacqueline A. Moore, Public Information Assistant; and Benton Taylor, Executive Assistant to the Executive Director.

**MINUTES REVIEW**

**Dr. Madia moved to approve the draft minutes of the March 14-15, 2012, Board meeting, as written. Dr. Steinbergh seconded the motion.** All members voted aye. The motion carried.

**EXECUTIVE SESSION**

**Dr. Steinbergh moved that the Board declare Executive Session to confer with the Attorney General's representatives on matters of pending or imminent court action. Mr. Hairston seconded the motion.** A vote was taken:

ROLL CALL:	Dr. Strafford	- aye
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- aye
	Ms. Elsass	- aye
	Mr. Kenney	- aye

Dr. Ramprasad - aye

The motion carried.

Pursuant to Section 121.22(G)(3), Ohio Revised Code, the Board went into executive session, with Mr. Whitehouse, Ms. Anderson, Ms. Vollmer, Ms. Loe, Ms. Debolt, Ms. Marshall, the Enforcement Attorneys, the Assistant Attorneys General, Ms. Jacobs, Ms. Moore, and Mr. Taylor in attendance.

The Board returned to public session.

#### APPLICANTS FOR LICENSURE

**Mr. Hairston moved to approve for licensure, contingent upon all requested documents being received and approved in accordance with licensure protocols, the physician applicants listed in Exhibit "A" and handout, the physician assistant applicants listed in Exhibit "B," the limited practitioner applicants listed in Exhibit "C," the acupuncturist applicants listed in Exhibit "D," the anesthesiologist assistant applicants listed in Exhibit "E," and to grant Certificates of Good Standing to the limited branch schools listed in Exhibit "F." Ms. Elsass seconded the motion. A vote was taken:**

ROLL CALL:	Dr. Strafford	- aye
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- aye
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion carried.

#### REPORTS AND RECOMMENDATIONS

Dr. Mahajan announced that the Board would now consider the Reports and Recommendations, and the Proposed Findings and Proposed Orders appearing on its agenda.

Dr. Mahajan asked whether each member of the Board had received, read and considered the hearing records; the Findings of Fact, Conclusions of Law, Proposed Orders, and any objections filed in the matters of: Muhammad Saleem Choudhry, M.D.; William Clayton Doeblor, M.D.; Charles Chiedo Njoku, M.D.; Justin Matthew Rodebaugh, M.D.; and Siraj Ahmed Siddiqui, M.D. A roll call was taken:

ROLL CALL:	Dr. Strafford	- aye
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Mr. Hairston	- aye
Dr. Steinbergh	- aye
Dr. Mahajan	- aye
Dr. Madia	- aye
Dr. Bechtel	- aye
Dr. Talmage	- aye
Ms. Elsass	- aye
Mr. Kenney	- aye
Dr. Ramprasad	- aye

Dr. Mahajan asked whether each member of the Board understands that the disciplinary guidelines do not limit any sanction to be imposed, and that the range of sanctions available in each matter runs from dismissal to permanent revocation. A roll call was taken:

ROLL CALL:	Dr. Strafford	- aye
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- aye
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

Dr. Mahajan noted that, in accordance with the provision in section 4731.22(F)(2), Ohio Revised Code, specifying that no member of the Board who supervises the investigation of a case shall participate in further adjudication of the case, the Secretary and Supervising Member must abstain from further participation in the adjudication of these matters. In the matters before the Board today, Dr. Strafford and Dr. Talmage served as Secretary and Supervising Member.

Dr. Mahajan reminded all parties that no oral motions may be made during these proceedings.

The original Reports and Recommendations shall be maintained in the exhibits section of this Journal.

MUHAMMED SALEEM CHOUDHRY, M.D., Case No. 11-CRF-090

Dr. Mahajan directed the Board's attention to the matter of Muhammed Saleem Choudhry, M.D. He advised that no objections were filed. Ms. Blue was the Hearing Examiner.

Dr. Mahajan continued that a request to address the Board has been timely filed on behalf of Dr. Choudhry. Five minutes would be allowed for that address.

Dr. Choudhry was represented by his attorney, Robert Krapnec.

Mr. Krapnec stated that the Hearing Examiner, in producing her Report and Recommendation, placed great reliance on Dr. Choudhry's guilty plea to the charge of Bureau of Worker's Compensation (BWC) fraud and Dr. Choudhry's acknowledgement, as part of the plea, that he had knowledge and intent when he committed the crime. Mr. Krapnec stated that Dr. Choudhry entered a plea of guilty under an Alford plea, which allows Dr. Choudhry to maintain his innocence of the underlying allegations. Dr. Choudhry had been indicted on several felonies and accepted a reduction to a felony of the fifth degree and recommendation of probation. Mr. Krapnec stated that although Dr. Choudhry did not intend to defraud the state of Ohio, he chose to enter into plea negotiations purely to avoid the possible consequences of being found guilty of a higher offense. Additionally, Dr. Choudhry felt that although the overpayment by BWC was due to a bookkeeper's error, it was his responsibility.

Mr. Krapnec informed the Board that Dr. Choudhry has completed his term of probation and has paid restitution not only for the overpayment he received but also for investigative costs. Mr. Krapnec stated that Dr. Choudhry has been cooperative in every step of this process and is eligible to have his conviction expunged in three years.

Dr. Choudhry stated that he has always taken pride in being a physician and a psychiatrist. After practicing in Ohio, Dr. Choudhry moved to Chicago seven years ago because of his ill parents. However, Dr. Choudhry continued to travel to Columbus once a month because his Ohio patients depended on him. Dr. Choudhry stated that he was so busy providing services to his patients that he unfortunately neglected some of the financial aspects of his practice. Dr. Choudhry stated that he had trusted his medical coder.

Dr. Choudhry continued that although the services were provided, some of the things in the record appear to indicate fraud or overbilling. Dr. Choudhry stated that the services had in fact been provided, but his coder had used the wrong codes. Dr. Choudhry stated that as soon as he discovered this situation, he wanted to pay back the overpayments and he cooperated with authorities.

Dr. Choudhry stated that his patient care is not at issue and he has always provided good, quality care to his patients. Dr. Choudhry stated that he continues to practice in Chicago serving underserved areas. Dr. Choudhry asked the Board to allow him to continue as a physician.

Dr. Mahajan asked if the Assistant Attorney General would like to respond. Ms. Dorn stated that she would like to respond.

Ms. Dorn stated that even if it is true that Dr. Choudhry did not know about the billing errors in his office, he is ultimately responsible as the physician to ensure that actions taken at his practice are correct. Ms. Dorn stated that Dr. Choudhry entered a plea and was found guilty of violating the worker's compensation fraud statute for overbilling BWC, a fifth degree felony. Ms. Dorn also stated that since the statute specifies a purpose to defraud, Dr. Choudhry's plea of guilty acknowledges culpability.

Ms. Dorn noted that Dr. Choudhry has completed his community control, his probation, and has paid restitution. At his hearing, Dr. Choudhry presented mitigating evidence that he has cooperated with authorities and has taken responsibility by pleading guilty. However, Ms. Dorn reiterated that Dr.

Choudhry did plead guilty and is responsible regardless of what a bookkeeper did. Ms. Dorn recommended that the Board adopt the Hearing Examiner's Proposed Order of permanent revocation.

**Dr. Madia moved to approve and confirm Ms. Blue's Findings of Fact, Conclusions of Law, and Proposed Order in the matter of Muhammed Saleem Choudhry, M.D. Mr. Hairston seconded the motion.**

Dr. Mahajan stated that he would now entertain discussion in the above matter.

Dr. Madia briefly reviewed Dr. Choudhry's career and noted that his Ohio medical license is not currently active. In August 2010, Dr. Choudhry was indicted for fraudulent billing to BWC and was found guilty of BWC fraud in June 2011. Dr. Choudhry was sentenced to five years of community control and ordered to pay restitution of \$78,573.16, which has been paid.

Dr. Madia stated that between 2004 and 2006, Dr. Choudhry practiced in Chicago and traveled to Columbus once a month to see patients. According to Dr. Choudhry, his secretary billed for his services. Dr. Madia stated that while it may or may not be true that Dr. Choudhry was aware of his secretary's overbilling practices, it is the physician who is responsible for the bill. Dr. Madia opined that if Dr. Choudhry has been practicing since 1991, he should have known what kind of code and billing to submit. Dr. Madia supported the Proposed Order of permanent revocation.

Dr. Steinbergh questioned how Dr. Choudhry could see the amount of money he was receiving due to the overbilling and fail to recognize a problem. Dr. Steinbergh stated that physicians must make decisions about monetary reimbursement every day. Dr. Steinbergh stated that when the government is defrauded, all taxpayers are defrauded. Dr. Steinbergh agreed with Dr. Madia and supported the Proposed Order.

Dr. Madia stated that it is not unusual for a physician to receive an overpayment from a government or private insurance entity due to an error. The proper thing for a physician to do in such cases is to refund the money immediately. Dr. Madia did not accept that Dr. Choudhry's secretary was to blame for the overbilling while it was Dr. Choudhry who received the money.

A vote was taken on Dr. Madia's motion to approve:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to approve carried.

WILLIAM CLAYTON DOEBLER, M.D., Case No. 11-CRF-106

Dr. Mahajan directed the Board's attention to the matter of William Clayton Doebler, M.D. He advised that objections were filed to Ms. Blue's Report and Recommendation and have been previously distributed to Board members.

Dr. Mahajan continued that a request to address the Board has been timely filed on behalf of Dr. Doebler. Five minutes would be allowed for that address.

Dr. Doebler was represented by his attorney, John Izzo.

Mr. Izzo stated that Dr. Doebler apologizes that he is unable to attend today's meeting. Mr. Izzo explained that Dr. Doebler is a radiologist who works and lives in Florida.

Mr. Izzo stated that Dr. Doebler pled guilty to a Driving While Impaired (DWI) charge in Minnesota in April 2010. Dr. Doebler was and still is licensed to practice medicine in Minnesota. The Minnesota Board of Medical Practices (Minnesota Board), in conjunction with the Minnesota Physicians Health Program, had Dr. Doebler assessed by a board-approved program. The Minnesota Board took no disciplinary action against Dr. Doebler's license.

Mr. Izzo continued that Dr. Doebler reported his DWI to the 18 other states in which he holds a medical license. In Florida, where Dr. Doebler works and resides, no action was taken by the Florida Board of Medicine. The State Medical Board of Ohio also reviewed this matter and decided to take no action against Dr. Doebler. However, the New York State Board of Professional Medical Conduct (New York Board) decided to pursue disciplinary action. Mr. Izzo stated that Dr. Doebler signed the consent agreement the New York Board offered him because he was told that there would be no action unless Dr. Doebler returned to New York with the intent to practice. Dr. Doebler notified every Board with which he held a license of his consent agreement with the New York Board. Mr. Izzo stated that it is the New York consent agreement, and not the underlying facts of the case, which form the basis of the Ohio Board's proposed action.

Mr. Izzo noted that the State Medical Board of Ohio is a leader amongst state medical boards. However, in this case, the Ohio Board is following the lead of another state. Mr. Izzo reiterated that the Ohio Board had previously reviewed Dr. Doebler's actions and determined that taking no action was appropriate. In the current action, Dr. Doebler is not charged with violating the Ohio Medical Practices Act by virtue of his previous acts, nor is he charged with impairment or a failure to report the actions of the New York Board.

Mr. Izzo asked the Board to continue to be a leader and to affirm the initial decision that no disciplinary action is warranted. Mr. Izzo stated that the necessary remedial measures have been completed by Dr. Doebler, future monitoring is unnecessary, and a reprimand is not appropriate. Mr. Izzo asked the Board to amend the Proposed Order to No Further Action because a DWI by itself is not an action for which the

Board can initiate disciplinary action proceedings.

Dr. Mahajan asked if the Assistant Attorney General would like to respond. Ms. Dorn stated that she would like to respond.

Ms. Dorn stated that Dr. Doebler willingly and intentionally entered into a consent agreement with the New York Board based on his guilty plea to driving while impaired in Minnesota. Ms. Dorn stated that under Section 4731.22(B)(22), Ohio Revised Code, the Board has the authority to take action based on another jurisdiction's action for any reason other than nonpayment of fees. Ms. Dorn noted that Dr. Doebler's New York consent agreement specifies that if Dr. Doebler begins practice in New York, he will be placed on five years of probation which would include impairment terms.

Ms. Dorn stated that the decisions of the medical boards in Minnesota and Florida not to pursue disciplinary action are irrelevant in this case. Ms. Dorn also stated that Mr. Izzo is speculating when he states that the Ohio Board reviewed or didn't review anything when Dr. Doebler self-reported. Ms. Dorn stated that the proposed action being considered today is based on the action taken by the New York Board and that is what is important in this case. Ms. Dorn opined that the Hearing Examiner's Proposed Order of reprimand is appropriate.

**Dr. Bechtel moved to approve and confirm Ms. Blue's Findings of Fact, Conclusions of Law, and Proposed Order in the matter of William Clayton Doebler, M.D. Dr. Steinbergh seconded the motion.**

Dr. Mahajan stated that he would now entertain discussion in the above matter.

Dr. Steinbergh observed that there is no question that Dr. Doebler signed a consent agreement with the New York Board of his own free will. Dr. Steinbergh stated that the language of the New York consent agreement specifies that by signing the document, Dr. Doebler asks "the Board to adopt this Consent Agreement of my own free will and not under duress, compulsion or restraint." Steinbergh stated that this indicates that Dr. Doebler recognizes the appropriateness of the consent agreement. Dr. Steinbergh stated that Dr. Doebler has been evaluated twice for alcohol-related issues.

Dr. Talmage exited the meeting at this time.

Dr. Steinbergh agreed with the Proposed Order of reprimand, stating that an Order of No Further Action would not be appropriate in a case such as this.

A vote was taken on Dr. Bechtel's motion to approve:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye

Dr. Bechtel	- aye
Ms. Elsass	- aye
Mr. Kenney	- aye
Dr. Ramprasad	- aye

The motion to approve carried.

CHARLES CHIEDO NJOKU, M.D., Case No. 11-CRF-042

Dr. Mahajan directed the Board's attention to the matter of Charles Chiedo Njoku, M.D. He advised that objections were filed to Ms. Davidson's Report and Recommendation and have been previously distributed to Board members.

Dr. Mahajan continued that a request to address the Board has been timely filed on behalf of Dr. Njoku. Five minutes would be allowed for that address.

Dr. Njoku stated that in the fall of 1983, he received his license to practice medicine in Ohio and he has had a wonderful time serving the medical needs of his loyal patients. Dr. Njoku stated that he upholds the privilege of practicing medicine in Ohio to the utmost standards, and his practice has afforded him an opportunity to provide for his family and serve the community.

Dr. Njoku stated that due to circumstances beyond his immediate control and which he deeply regrets, he has been unable to exercise the privilege of practicing medicine. Dr. Njoku stated that he did not have the mental wherewithal, energy, or capacity to concoct the scheme of which he is accused. Nonetheless, Dr. Njoku stated that he has taken responsibility and has been duly punished. Dr. Njoku pleaded to the Board's judgment to allow him to resume the practice of medicine.

Dr. Njoku continued that the circumstances that led to the criminal action were not the result of a scheme, but rather were the result of an extremely unfortunate situation. Dr. Njoku explained that he had had to leave the country to attend to arrangements for his recently-deceased mother-in-law. Dr. Njoku stated that he tried to schedule coverage for his patients, but the covering physician did not show. Dr. Njoku stated that as a result, he wrongly asked his office to care for his patients that they were familiar with. Dr. Njoku instructed his office to direct anyone in need of immediate care to the emergency department and to fill the prescriptions for essential medications for conditions such as hypertension, diabetes, and breathing problems. Dr. Njoku stated that the bills generated during his absence were submitted and he accepted full responsibility for that error.

Dr. Njoku stated that if he was truly interested in defrauding the government, he would have included his Akron office in the scheme and not just his Columbus office. Dr. Njoku stated that there was no scheme, but only an unfortunate situation in which he made the wrong decision. Dr. Njoku stated that he has been scarred for life by his poor judgment, having gone through a period of incarceration, house arrest, community service, and ancillary effects on him and his family.

Dr. Njoku stated that he will turn 63 years old this summer. While his peers are considering retirement,

Dr. Njoku is looking for ways to forge an income stream to support his family. Dr. Njoku stated that during his sentencing, the judge gave him a chance by modifying the 37-month jail time to 12 months and one day. Dr. Njoku noted that the Medical Board had given another physician, Dr. Patel, another chance by allowing her to enter into an agreement and appointing an auditor to monitor her billing. Dr. Njoku was hopeful that the Medical Board would reconsider his case.

Dr. Mahajan asked if the Assistant Attorney General would like to respond. Ms. Snyder stated that she would like to respond.

Ms. Snyder stated that this is, at its heart, a felony conviction case. Dr. Njoku pled guilty to one felony count of healthcare fraud and one felony count of unlawful distribution of a controlled substance. Ms. Snyder noted that when Dr. Njoku pled guilty, he admitted that he knowingly and willfully executed a scheme to defraud a healthcare benefit program. Today, Dr. Njoku says that there was no scheme and is asking the Board to ignore the fact that he pled guilty to a scheme. Ms. Snyder stated that it is critical that intent is a part of both of Dr. Njoku's admissions.

Ms. Snyder stated that despite Dr. Njoku's statements to the contrary, it was not an isolated incident when he allowed an unlicensed person in his office to treat patients. Ms. Snyder observed that when Dr. Njoku returned from overseas, he had to decide how he was going to bill for the services performed in his absence. Dr. Njoku chose to bill as if he himself had given the patient proper treatment. Ms. Snyder stated that this action represents both greed and fraud, and this is what Dr. Njoku pled guilty to. Dr. Njoku was sentenced to concurrent terms of 12 months and one day of imprisonment for each count and was ordered to pay restitution of \$131,793.91.

Ms. Snyder stated that Dr. Njoku jeopardized the safety of the patients for whom he let his office manager treat and write prescriptions. Ms. Snyder noted that before he departed, Dr. Njoku pre-signed prescriptions and advised his office manager to use them in his absence. Ms. Snyder stated that the Hearing Examiner did a good job of explaining Dr. Njoku's demeanor during his hearing; the Hearing Examiner had opined that Dr. Njoku testified as if he has something to hide. Ms. Snyder stated that she supports the Proposed Order of permanent revocation.

**Dr. Steinbergh moved to approve and confirm Ms. Davidson's Findings of Fact, Conclusions of Law, and Proposed Order in the matter of Charles Chiedo Njoku, M.D. Mr. Hairston seconded the motion.**

Dr. Mahajan stated that he would now entertain discussion in the above matter.

Dr. Steinbergh expressed concerns that Dr. Njoku billed for services that he had not provided. Further, Dr. Njoku allowed an office assistant to practice medicine and to make medical decisions on Dr. Njoku's behalf. Dr. Steinbergh had no doubt the Dr. Njoku left the country for an appropriate reason, but he left no physician in charge of his practice and no options for patient care. Dr. Njoku also left pre-signed prescriptions, which was absolutely inappropriate.

Dr. Steinbergh stated that Dr. Njoku could not reach an agreement with a physician regarding payment to

cover his practice. Dr. Steinbergh stated that Dr. Njoku had the ability to reach an agreement and should have done so. Dr. Steinbergh stated that Dr. Njoku had the responsibility to provide for a licensed physician to cover his practice or to turn over the care of his patients to other physicians in the community. Regarding the pre-signing of prescriptions, Dr. Njoku testified that it was “a habit thing, you know, at that point in time” and that this was not unusual in primary care practices. Dr. Steinbergh hoped Dr. Njoku is incorrect, noting that the Board has disciplined physicians who have pre-signed prescriptions. Dr. Steinbergh noted that Dr. Njoku could have authorized the refill of needed medications for individual patients by telephone or by electronic means.

Dr. Steinbergh agreed with the Hearing Examiner’s Proposed Order of permanent revocation.

Dr. Madia stated that the foremost function of the State Medical Board is to assure the safety of patients in Ohio, which Dr. Njoku clearly violated. Dr. Madia found it unbelievable that a physician could leave pre-signed prescriptions for an office manager and allow the manager to treat patients and put them in jeopardy. In addition, Dr. Njoku billed for these services and collected the money. Dr. Madia agreed that permanent revocation is appropriate in this case.

Dr. Ramprasad noted that, in the court’s opinion, Dr. Njoku had manipulated his office manager into taking these actions. The court opined that Dr. Njoku “was in a superior position to her, a woman who had two or three children, who needed a job, and so he forced her to commit these acts.” Dr. Njoku’s defense did not dispute this. Dr. Ramprasad also supported the Proposed Order.

A vote was taken on Dr. Steinbergh’s motion to approve:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to approve carried.

JUSTIN MATTHEW RODEBAUGH, M.D., Case No. 11-CRF-086

Dr. Mahajan directed the Board’s attention to the matter of Justin Matthew Rodebaugh, M.D. He advised that no objections were filed. Ms. Blue was the Hearing Examiner.

Dr. Mahajan continued that a request to address the Board has been filed on behalf of Dr. Rodebaugh. Five minutes would be allowed for that address.

Dr. Rodebaugh stated that he entered into a Consent Agreement with the Board in 2010 and had had one indiscretion surrounding his father's unexpected death. However, Dr. Rodebaugh stated that he has been sober for one year, yesterday having been the anniversary. Dr. Rodebaugh stated that he has missed some urine screens due to financial issues. Dr. Rodebaugh stated that he has been out of work since 2010 and has been unsuccessful in finding new employment. Dr. Rodebaugh reiterated that he has maintained his sobriety, has been attending all required meetings including caduceus and aftercare, and has been seeing an addictionologist. Dr. Rodebaugh stated that he has been compliant with all terms of his Consent Agreement except for the urine screen requirements.

Dr. Rodebaugh asked that Board to continue his suspension under his current Consent Agreement. Dr. Rodebaugh stated that if he had the money, he would do all of the urine screens. Dr. Rodebaugh stated that all he wants is to get back to the hospital and see patients.

Dr. Mahajan asked if the Assistant Attorney General would like to respond. Ms. Dorn stated that she would like to respond.

Ms. Dorn hoped that Dr. Rodebaugh is sober and is able to get his life back on track. However, Dr. Rodebaugh's actions in recent years do not reflect that. Ms. Dorn stated that Dr. Rodebaugh has entered into three different consent agreements within six months due to three different relapses on alcohol. Ms. Dorn stated that Dr. Rodebaugh did not appear for his hearing, and therefore it is not known what meetings Dr. Rodebaugh has attended other than what he has turned in to the Board's Compliance Section.

Ms. Dorn opined that Dr. Rodebaugh needs a time-out in order to focus on himself and to take every possible step to ensure that he has a successful recovery. Ms. Dorn stated that life always has challenges, especially in the practice of medicine, and Dr. Rodebaugh must find mechanisms to cope with stress that do not involve alcohol. The Hearing Examiner's Proposed Order, which would revoke Dr. Rodebaugh's training certificate, will give him the opportunity to focus on his recovery and to reapply for licensure when he feels ready. Ms. Dorn opined that placing Dr. Rodebaugh into a Board Order would probably be fruitless since he has demonstrated an inability to follow his consent agreements at this time. Dr. Rodebaugh has admitted that he cannot pay for urine screens, which are an important part of the monitoring process.

Ms. Dorn asked the Board to adopt the Hearing Examiner's Proposed Order.

**Dr. Steinbergh moved to approve and confirm Ms. Blue's Findings of Fact, Conclusions of Law, and Proposed Order in the matter of Justin Matthew Rodebaugh, M.D. Mr. Hairston seconded the motion.**

Dr. Mahajan stated that he would now entertain discussion in the above matter.

Ms. Elsass stated that the proposed action is based on Dr. Rodebaugh's alleged violation of the terms of his Consent Agreement, which stayed the revocation of his training certificate, suspended the certificate for at least three years, and established monitoring conditions and conditions for reinstatement. Ms. Elsass stated that missing urine screens is uniquely important because that is the only physical documentation that a

probationer is truly sober. When Dr. Rodebaugh stated that he has had hundreds of urine screens, Ms. Elsass noted that there is a possibility of discrepancy with the screens that were missed.

Ms. Elsass continued that Dr. Rodebaugh has had difficulty complying with any of his three consent agreements and has relapsed three times. Ms. Elsass stated that Dr. Rodebaugh needs time out to focus on making a commitment to sobriety. Ms. Elsass agreed with the Proposed Order of revocation.

Dr. Steinbergh agreed that Dr. Rodebaugh needed time in order to heal. Dr. Steinbergh strongly encouraged Dr. Rodebaugh to remain and see the physicians who will appear later in the meeting to be released from their consent agreements and board orders. Dr. Steinbergh stated that each of the individuals who will be released were once in the same position as Dr. Rodebaugh. Dr. Steinbergh stated that Dr. Rodebaugh is not healthy and cannot be practicing medicine at this time.

A vote was taken on Dr. Steinbergh's motion to approve:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to approve carried.

Dr. Strafford exited the meeting at this time.

SIRAJ AHMED SIDDIQUI, M.D., Case No. 11-CRF-006

Dr. Mahajan directed the Board's attention to the matter of Siraj Ahmed Siddiqui, M.D. He advised that objections were filed to Hearing Examiner Petrucci's Report and Recommendation and were previously distributed to Board members.

Dr. Mahajan continued that a request to address the Board has been filed on behalf of Dr. Siddiqui. Five minutes would be allowed for that address.

Dr. Siddiqui was represented by his attorney, John Irwin.

Mr. Irwin commended the Hearing Examiner for an excellent summary of the evidence, but objected to the Examiner's recommendation of permanent revocation. Mr. Irwin opined that the evidence in the record undermines the Hearing Examiner's conclusion that Dr. Siddiqui was dishonest in his hearing and that permanent revocation is warranted. Mr. Irwin stated that evidence was presented from numerous

individuals, including patients, coworkers, physicians, and community leaders, attesting to Dr. Siddiqui's hard-working competency and his reputation for honesty and integrity.

Mr. Irwin stated that Dr. Siddiqui has acknowledged his errors in not knowing and fully following the Board's rules regarding the use of controlled substances for weight loss and other issues. Mr. Irwin did not contest these factual allegations, but stated that Dr. Siddiqui serves a significantly underserved population in his community and is highly respected by his peers. Mr. Irwin stated that there is no evidence that Dr. Siddiqui has engaged in a pattern of a pill mill practice.

Mr. Irwin stated that Dr. Siddiqui has made strenuous efforts to improve his practice and has already attended continuing medical education courses on prescribing and medical record-keeping. Dr. Siddiqui is also scheduled to take a course on ethics and boundaries. Mr. Irwin stated that Dr. Siddiqui wishes to comply and learn from his errors. Mr. Irwin noted that in closing arguments, the State's attorney did not ask or argue for permanent revocation.

Mr. Irwin stated that if the Board grants Dr. Siddiqui an opportunity to return to practice in the future, he will take this opportunity to improve and learn how to practice in compliance with the Board's rules. Mr. Irwin also asked that Dr. Siddiqui, a solo practitioner with an underserved population, be granted time to close down his practice and arrange for the further care of his patients.

Dr. Siddiqui expressed regret for what he has done and stated he will do everything he can to improve. Dr. Siddiqui stated that as a result of this process, he has learned that he had not been properly taking care of his patients. Dr. Siddiqui stated that he never intended to do anything wrong and hoped that the Board will give him a chance to show that he has truly learned his lesson.

Dr. Mahajan asked if the Assistant Attorney General would like to respond. Mr. Wilcox stated that he would like to respond.

Mr. Wilcox stated that there appears to be a disconnect with Dr. Siddiqui's ability to diagnose and treat patients with proper medications. Mr. Wilcox stated that Dr. Siddiqui routinely violated the Board's prescribing rules in regards to anorectic medications, and in some cases he violated those rules for many months. Mr. Wilcox stated that none of the records examined in his case showed a basis for the diagnoses of Attention Deficit Disorder (ADD) and Attention Deficit Hyperactivity Disorder (ADHD), aside from notations that several of the patients reported problems with focusing.

Mr. Wilcox stated that the record conclusively shows that Dr. Siddiqui has practiced at a level below the minimal standards of care for these patients. Mr. Wilcox stated that it would be very difficult to read the record and not conclude that Dr. Siddiqui's diagnoses of ADD and ADHD were made specifically to circumvent the Board's rules on prescribing anorectic medications. Mr. Wilcox stated that Dr. Siddiqui had been either ignorant of the Board's rules or willfully disregarded them.

Mr. Wilcox stated that Dr. Siddiqui inappropriately and routinely prescribed stimulant medications to patients who had contraindications or aggravating conditions. For example, the State's expert, Jennifer McCallister, M.D., testified that the continued prescribing of Didrex and Adipex to Patient 9 was

dangerous because of multiple indications of pulmonary hypertension. Mr. Wilcox continued that the Hearing Examiner found multiple examples of Dr. Siddiqui not being truthful. Further, the Hearing Examiner concluded that the basis on which many of the stimulants were prescribed was not founded on medical rationale, but rather was an effort to contravene the Board's rules.

Mr. Wilcox stated that during the hearing, he specifically asked Dr. Siddiqui on two occasions if he had spoken to his expert witness, Sushil Sethi, M.D., prior to the drafting of Dr. Sethi's report; Dr. Siddiqui had answered no. However, Dr. Sethi later contradicted that testimony. Mr. Wilcox stated that this shows that the Board may have difficulty working with Dr. Siddiqui under a Board Order due to issues of integrity and honesty. Mr. Wilcox supported the Hearing Examiner's Proposed Order of permanent revocation.

**Dr. Steinbergh moved to approve and confirm Ms. Petrucci's Findings of Fact, Conclusions of Law, and Proposed Order in the matter of Siraj Ahmed Siddiqui, M.D. Mr. Hairston seconded the motion.**

Dr. Mahajan stated that he would now entertain discussion in the above matter.

Dr. Ramprasad noted significant problems with Dr. Siddiqui's documentation in regards to weight-loss patients, including a lack of a current medication list and a lack of details regarding how a diagnosis was reached. Dr. Ramprasad also stated that Dr. Siddiqui used Adipex on a long-term basis, which should have required a gradual reduction in the dosage. Dr. Ramprasad stated that both the State's expert, Dr. McCallister, and Dr. Siddiqui's expert, Dr. Sethi, agreed that Dr. Siddiqui's documentation was poor. Dr. Siddiqui himself stated that his documentation was not adequate.

Dr. Ramprasad continued that there were multiple problems with Dr. Siddiqui's use of weight-loss medications. Dr. Ramprasad stated that Dr. Siddiqui used Adipex, which is meant for short-term use, for several years in at least three patients. In addition, Dr. Siddiqui continued to use these medications in spite of weight-gain in the patient. Dr. Siddiqui also failed to calculate anyone's Body Mass Index (BMI) or to assess side-effects. Dr. Ramprasad briefly reviewed problems with Dr. Siddiqui's care of several patients. Dr. Ramprasad noted some facts which seem to favor Dr. Siddiqui. Dr. Ramprasad stated that Patient 4 lost 40 pounds between 2005 and 2008, and Patient 3 lost 53 pounds between 2005 and 2006.

Dr. Ramprasad stated that the majority of patients had a BMI which indicated obesity, which would justify the use of medications such as Adipex. While there is no excuse for using the medications on a long-term basis, Dr. Ramprasad felt that Dr. Siddiqui may have used the medications for the right reasons and felt he should be given the benefit of the doubt. Although the Report and Recommendation states that Patient 11's depression was not treated, Dr. Ramprasad could not find evidence of that in the patient record. Also, although the Report and Recommendation states that Patient 15 was not sent for further studies of sleep apnea, Dr. Ramprasad stated that Patient 15 was sent to a pulmonologist for a sleep apnea study that was not performed.

Dr. Ramprasad stated that he would like to amend the Report and Recommendation's Findings of Fact to reflect that, in fact, Patient 9 did not have pulmonary hypertension as had been thought. Dr. Ramprasad

also stated that he would like to remove Patients 8, 9, and 11 from the list of patients who gained weight under Dr. Siddiqui's treatment; Dr. Ramprasad stated that these patients had, in fact, lost weight.

Dr. Ramprasad disagreed with the Hearing Examiner's rationale for the Proposed Order, which states, "the Hearing Examiner does not accept Dr. Siddiqui's testimony that he was not aware until August 2007 of time limitations associated with the controlled substance medications for weight-loss." Dr. Ramprasad stated that, although Dr. Siddiqui should have known the rules, many physicians do not know the rules and Dr. Siddiqui was not necessarily lying when he stated so.

**Dr. Ramprasad moved to amend the Findings of Fact of the Report and Recommendation as discussed. Dr. Ramprasad further moved to amend the Proposed Order to provide for a stayed permanent revocation, and indefinite suspension of not less than 180 days, a permanent restriction from using controlled substances for weight reduction, a minimum five-year probationary period upon reinstatement, and other stipulations. Dr. Bechtel seconded the motion.**

Dr. Mahajan stated that he would now entertain discussion in the above matter.

Dr. Steinbergh disagreed with amending the Findings of Fact. Dr. Steinbergh stated that the record does not reflect that Dr. Siddiqui was practicing as a competent physician. Dr. Steinbergh expressed concerns about Dr. Siddiqui's decision-making which adversely affected patient care. Dr. Steinbergh stated that physicians must have a sense of the pharmacologic and physiologic effects of the medications they are prescribing, and that was totally lacking in this case. Dr. Steinbergh briefly reviewed the problems with Dr. Siddiqui's care and documentation concerning Patient 9. Dr. Steinbergh also stated that Patient 9's weight went from 213 pounds in 2002 to 244 pounds in 2009, although there may have been periods of weight loss within that time.

Dr. Steinbergh noted that when asked during the hearing if he knew about the Board's rules, Dr. Siddiqui replied that he did not and questioned how he would have known about the rules. Dr. Steinbergh stated that there seemed to be no recognition on Dr. Siddiqui's part that he should know the rules regarding weight-loss medications. Dr. Steinbergh also stated that patients with hypertension or cardiovascular disease should never be prescribed these medications. Dr. Siddiqui also appears never to have addressed the abuse potential of these medications with his patients.

Dr. Steinbergh commented that the state's expert, Dr. McCallister, did a very good job in reviewing these records. Dr. Steinbergh opined that Dr. Siddiqui's expert, Dr. Sethi, could not be an expert in this case because he is a surgeon and Dr. Siddiqui refers patients to him.

Dr. Steinbergh agreed that a sanction less than permanent revocation would be appropriate in this case, but opined that the minimum period of suspension should be more than 180 days. Dr. Steinbergh also felt that additional education and testing should be required for reinstatement. Dr. Steinbergh agreed with Dr. Siddiqui's counsel that there should be a wind down period before the Order takes effect. Mr. Hairston stated that Dr. Siddiqui's patients were not served and opined that his medical license should be permanently revoked. Dr. Mahajan agreed with Dr. Steinbergh's suggestions.

Dr. Steinbergh opined that the Findings of Fact should remain unchanged from the Report and Recommendation. Dr. Ramprasad agreed to withdraw his motion.

**Dr. Ramprasad withdrew his motion to amend. Dr. Bechtel agreed.**

Dr. Bechtel agreed with Dr. Steinbergh that a minimum suspension of 180 days is not enough and suggested that a minimum suspension of 1 year would be more appropriate. Dr. Mahajan agreed and also agreed with Dr. Steinbergh's suggestion of a 30-day wind down period.

**Dr. Steinbergh moved to amend the Proposed Order to read as follows:**

It is hereby ORDERED that:

- A. **PERMANENT REVOCATION, STAYED:** The certificate of Siraj Ahmed Siddiqui, M.D., to practice medicine and surgery in the State of Ohio shall be PERMANENTLY REVOKED. Such revocation is STAYED subject to the terms, conditions, and limitations set forth below.
- B. **LIMITATION/RESTRICTION:** The certificate of Dr. Siddiqui to practice medicine and surgery in the State of Ohio shall be permanently LIMITED and RESTRICTED as follows: Dr. Siddiqui is permanently limited and restricted from utilizing controlled substances for weight reduction.
- C. **SUSPENSION OF CERTIFICATE; NO NEW PATIENTS DURING THIRTY-DAY INTERIM PERIOD:** Commencing on the thirty-first day following the date on which this Order becomes effective, the certificate of Dr. Siddiqui to practice medicine and surgery in the State of Ohio shall be SUSPENDED for an indefinite period of time, but not less than one year. During the thirty-day interim, Dr. Siddiqui shall not undertake the care of any patient not already under his care.
- D. **INTERIM MONITORING:** During the period that Dr. Siddiqui's certificate to practice medicine and surgery in Ohio is suspended, he shall comply with the following terms, conditions, and limitations:
  1. **Obey the Law:** Dr. Siddiqui shall obey all federal, state, and local laws, and all rules governing the practice of medicine and surgery in Ohio.
  2. **Declarations of Compliance:** Dr. Siddiqui shall submit quarterly declarations under penalty of Board disciplinary action and/or criminal prosecution, stating whether there has been compliance with all the conditions of this Order. The first quarterly declaration must be received in the Board's offices on or before the first day of the third month following the month in which this Order becomes effective. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.
  3. **Personal Appearances:** Dr. Siddiqui shall appear in person for an interview before the full Board or its designated representative during the third month following the month in which this Order becomes effective, or as otherwise directed by the Board. Subsequent personal

appearances shall occur every six months thereafter, and/or as otherwise directed by the Board. If an appearance is missed or is rescheduled for any reason, ensuing appearances shall be scheduled based on the appearance date as originally scheduled.

4. **Required Reporting of Change of Address:** Dr. Siddiqui shall notify the Board in writing of any change of residence address and/or principal practice address within 30 days of the change.

E. **CONDITIONS FOR REINSTATEMENT OR RESTORATION:** The Board shall not consider reinstatement or restoration of Dr. Siddiqui's certificate to practice medicine and surgery until all of the following conditions have been met:

1. **Application for Reinstatement or Restoration:** Dr. Siddiqui shall submit an application for reinstatement or restoration, accompanied by appropriate fees, if any.
2. **Compliance with Interim Conditions:** Dr. Siddiqui shall have maintained compliance with all the terms and conditions set forth in Paragraph C of this Order.
3. **SPEX:** Prior to submitting his application for reinstatement or restoration, Dr. Siddiqui shall take and pass the SPEX examination or any similar written examination which the Board may deem appropriate to assess Dr. Siddiqui's clinical competency.
4. **Professional Ethics Course(s):** At the time he submits his application for reinstatement or restoration, or as otherwise approved by the Board, Dr. Siddiqui shall provide acceptable documentation of successful completion of a course or courses dealing with professional ethics. The exact number of hours and the specific content of the course or courses shall be subject to the prior approval of the Board or its designee. Any course(s) taken in compliance with this provision shall be in addition to the Continuing Medical Education requirements for relicensure for the Continuing Medical Education period(s) in which they are completed.

In addition, at the time Dr. Siddiqui submits the documentation of successful completion of the course(s) dealing with professional ethics, he shall also submit to the Board a written report describing the course(s), setting forth what he learned from the course(s), and identifying with specificity how he will apply what he has learned to his practice of medicine in the future.

5. **Personal Ethics Course(s):** At the time he submits his application for reinstatement or restoration, or as otherwise approved by the Board, Dr. Siddiqui shall submit acceptable documentation of successful completion of a course or courses dealing with personal ethics. The exact number of hours and the specific content of the course or courses shall be subject to the prior approval of the Board or its designee. Any course(s) taken in compliance with this provision shall be in addition to the Continuing Medical Education requirements for relicensure for the Continuing Medical Education period(s) in which they are completed.

In addition, at the time Dr. Siddiqui submits the documentation of successful completion of the course(s) dealing with personal ethics, he shall also submit to the Board a written report

describing the course(s), setting forth what he learned from the course(s), and identifying with specificity how he will apply what he has learned to his practice of medicine in the future.

6. **Controlled Substances Prescribing Course(s):** At the time he submits his application for reinstatement or restoration, or as otherwise approved by the Board, Dr. Siddiqui shall submit acceptable documentation of successful completion of a course or courses dealing with the prescribing of controlled substances. The exact number of hours and the specific content of the course or courses shall be subject to the prior approval of the Board or its designee. Any course(s) taken in compliance with this provision shall be in addition to the Continuing Medical Education requirements for relicensure for the Continuing Medical Education period(s) in which they are completed.

In addition, at the time Dr. Siddiqui submits the documentation of successful completion of the course(s) dealing with the prescribing of controlled substances, he shall also submit to the Board a written report describing the course(s), setting forth what he learned from the course(s), and identifying with specificity how he will apply what he has learned to his practice of medicine in the future.

At the discretion of the Board or its designee, documentation of Dr. Siddiqui's successful completion of the August 3 – 5, 2011 course on "Prescribing Controlled Substances: Critical Issues and Common Pitfalls" at Vanderbilt University Medical Center in Nashville, TN, may be submitted to satisfy this requirement. In the event the course is approved by the Board or its designee, Dr. Siddiqui must comply with requirement to submit a written report as stated above.

7. **Medical Records Course(s):** At the time he submits his application for reinstatement or restoration, or as otherwise approved by the Board, Dr. Siddiqui shall provide acceptable documentation of successful completion of a course or courses on maintaining adequate and appropriate medical records. The exact number of hours and the specific content of the course or courses shall be subject to the prior approval of the Board or its designee. Any course(s) taken in compliance with this provision shall be in addition to the Continuing Medical Education requirements for relicensure for the Continuing Medical Education period(s) in which they are completed.

In addition, at the time Dr. Siddiqui submits the documentation of successful completion of the course(s) on maintaining adequate and appropriate medical records, he shall also submit to the Board a written report describing the course(s), setting forth what he learned from the course(s), and identifying with specificity how he will apply what he has learned to his practice of medicine in the future.

At the discretion of the Board or its designee, documentation of Dr. Siddiqui's successful completion of the November 3 – 4, 2011 course on "Medical Record Keeping" at Case Western Reserve University School of Medicine in Akron, OH, may be submitted to satisfy

this requirement. In the event the course is approved by the Board or its designee, Dr. Siddiqui must comply with requirement to submit a written report as stated above.

8. **Examination on Law Relating to Practice of Medicine and Surgery:** Prior to submitting his application for reinstatement or restoration, Dr. Siddiqui shall take and pass an examination to be administered by the Board or its designee related to the content of the Revised Code and Administrative Code relating to the practice of medicine and surgery in Ohio. In the event Dr. Siddiqui fails this examination, he must wait at least three months between re-examinations.

F. **PROBATION:** Upon reinstatement or restoration, Dr. Siddiqui's certificate shall be subject to the following PROBATIONARY terms, conditions, and limitations for a period of at least five years:

1. **Terms, Conditions, and Limitations Continued from Suspension Period:** Dr. Siddiqui shall continue to be subject to the terms, conditions, and limitations specified in Paragraph C of this Order.
2. **Practice Plan:** Prior to Dr. Siddiqui's commencement of practice in Ohio, or as otherwise determined by the Board, Dr. Siddiqui shall submit to the Board and receive its approval for a plan of practice in Ohio. The practice plan, unless otherwise determined by the Board, shall be limited to a supervised structured environment in which Dr. Siddiqui's activities will be directly supervised and overseen by a monitoring physician approved by the Board. Dr. Siddiqui shall obtain the Board's prior approval for any alteration to the practice plan approved pursuant to this Order.

At the time Dr. Siddiqui submits his practice plan, he shall also submit the name and curriculum vitae of a monitoring physician for prior written approval by the Secretary and Supervising Member of the Board. In approving an individual to serve in this capacity, the Secretary and Supervising Member will give preference to a physician who practices in the same locale as Dr. Siddiqui and who is engaged in the same or similar practice specialty.

The monitoring physician shall monitor Dr. Siddiqui and his medical practice, and shall review Dr. Siddiqui's patient charts. The chart review may be done on a random basis, with the frequency and number of charts reviewed to be determined by the Board.

Further, the monitoring physician shall provide the Board with reports on the monitoring of Dr. Siddiqui and his medical practice, and on the review of Dr. Siddiqui's patient charts. Dr. Siddiqui shall ensure that the reports are forwarded to the Board on a quarterly basis and are received in the Board's offices no later than the due date for Dr. Siddiqui's declarations of compliance.

In the event that the designated monitoring physician becomes unable or unwilling to serve in this capacity, Dr. Siddiqui shall immediately so notify the Board in writing. In addition, Dr. Siddiqui shall make arrangements acceptable to the Board for another monitoring physician within 30 days after the previously designated monitoring physician becomes unable or unwilling to serve, unless otherwise determined by the Board. Dr. Siddiqui shall further ensure

that the previously designated monitoring physician also notifies the Board directly of his or her inability to continue to serve and the reasons therefor.

The Board, in its sole discretion, may disapprove any physician proposed to serve as Dr. Siddiqui's monitoring physician, or may withdraw its approval of any physician previously approved to serve as Dr. Siddiqui's monitoring physician, in the event that the Secretary and Supervising Member of the Board determine that any such monitoring physician has demonstrated a lack of cooperation in providing information to the Board or for any other reason.

3. **Modification of Terms:** Dr. Siddiqui shall not request modification of the terms, conditions, or limitations of probation for at least one year after imposition of these probationary terms, conditions, and limitations.
4. **Tolling of Probationary Period While Out of Compliance:** In the event Dr. Siddiqui is found by the Secretary of the Board to have failed to comply with any provision of this Order, and is so notified of that deficiency in writing, such period(s) of noncompliance will not apply to the reduction of the probationary period under this Order.

G. **TERMINATION OF PROBATION:** Upon successful completion of probation, as evidenced by a written release from the Board, Dr. Siddiqui's certificate will be restored, but shall thereafter be permanently LIMITED and RESTRICTED as specified in Paragraph B, above.

H. **REQUIRED REPORTING WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS ORDER:**

1. **Required Reporting to Employers and Others:** Within 30 days of the effective date of this Order, Dr. Siddiqui shall provide a copy of this Order to all employers or entities with which he is under contract to provide healthcare services (including but not limited to third-party payors), or is receiving training, and the Chief of Staff at each hospital or healthcare center where he has privileges or appointments.

Further, Dr. Siddiqui shall promptly provide a copy of this Order to all employers or entities with which he contracts in the future to provide healthcare services (including but not limited to third-party payors), or applies for or receives training, and the Chief of Staff at each hospital or healthcare center where he applies for or obtains privileges or appointments.

In the event that Dr. Siddiqui provides any healthcare services or healthcare direction or medical oversight to any emergency medical services organization or emergency medical services provider in Ohio, within 30 days of the effective date of this Order, he shall provide a copy of this Order to the Ohio Department of Public Safety, Division of Emergency Medical Services.

These requirements shall continue until Dr. Siddiqui receives from the Board written notification of the successful completion of his probation.

2. **Required Reporting to Other Licensing Authorities:** Within 30 days of the effective date of this Order, Dr. Siddiqui shall provide a copy of this Order to the proper licensing authority of any state or jurisdiction in which he currently holds any professional license, as well as any federal agency or entity, including but not limited to the Drug Enforcement Agency, through which he currently holds any professional license or certificate. Also, Dr. Siddiqui shall provide a copy of this Order at the time of application to the proper licensing authority of any state or jurisdiction in which he applies for any professional license or reinstatement/restoration of any professional license. This requirement shall continue until Dr. Siddiqui receives from the Board written notification of the successful completion of his probation.
3. **Required Documentation of the Reporting Required by Paragraph F:** Dr. Siddiqui shall provide this Board with one of the following documents as proof of each required notification within 30 days of the date of each such notification: (a) the return receipt of certified mail within 30 days of receiving that return receipt, (b) an acknowledgement of delivery bearing the original ink signature of the person to whom a copy of the Order was hand delivered, (c) the original facsimile-generated report confirming successful transmission of a copy of the Order to the person or entity to whom a copy of the Order was faxed, or (d) an original computer-generated printout of electronic mail communication documenting the email transmission of a copy of the Order to the person or entity to whom a copy of the Order was emailed.

- I. **VIOLATION OF THE TERMS OF THIS ORDER:** If Dr. Siddiqui violates the terms of this Order in any respect, the Board, after giving his notice and the opportunity to be heard, may institute whatever disciplinary action it deems appropriate, up to and including the permanent revocation of his certificate.

**EFFECTIVE DATE OF ORDER:** This Order shall become effective 30 days from the date of the mailing of the notification of approval by the Board.

**Dr. Bechtel seconded the motion.**

Dr. Talmage returned to the meeting at this time.

A vote was taken on Dr. Steinbergh's motion to amend:

ROLL CALL:	Mr. Hairston	- nay
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- abstain
	Dr. Bechtel	- aye

Dr. Talmage	- abstain
Ms. Elsass	- aye
Mr. Kenney	- aye
Dr. Ramprasad	- aye

The motion to amend carried.

Ms. Debolt suggested that the effective date language be amended to state that the Order will be effective upon mailing and the suspension will become effective 30 days after mailing. Ms. Debolt stated that this will also make it clear that the restriction on utilizing controlled substances for weight reduction will become effective immediately.

**Dr. Steinbergh moved to amend the final paragraph of the amended Order to read as follows:**

**EFFECTIVE DATE OF ORDER:** This Order shall become effective immediately upon the mailing of the notification of approval by the Board.

**Dr. Bechtel seconded the motion.** A vote was taken:

ROLL CALL:	Mr. Hairston	- nay
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- abstain
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to amend carried.

**Dr. Steinbergh moved to approve and confirm Ms. Petrucci's Findings of Fact, Conclusions of Law, and Proposed Order, as amended, in the matter of Siraj Ahmed Siddiqui, M.D. Ms. Elsass seconded the motion.** A vote was taken:

ROLL CALL:	Mr. Hairston	- nay
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- abstain
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to approve carried.

The Board took a brief recess at 3:05 and returned at 3:25.

PROPOSED FINDINGS AND PROPOSED ORDERS

SAMUEL FRANCIS CORNICELLI, JR., M.D., Case No. 11-CRF-010

Dr. Mahajan directed the Board's attention to the matter of Samuel Francis Cornicelli, Jr., M.D. He advised that the Board issued a Notice of Opportunity for Hearing to Dr. Cornicelli, and documentation of service was received. There was no request for hearing filed, and more than 30 days have elapsed since the mailing of the Notice. This matter was reviewed by Hearing Examiner Davidson, who prepared Proposed Findings and Proposed Order, and it is now before the Board for final disposition.

**Dr. Madia moved to find that the allegations as set forth in the February 9, 2012 Notice in the matter of Samuel Francis Cornicelli, Jr., M.D., have been proven to be true by a preponderance of the evidence and to adopt Ms. Davidson's Proposed Findings and Proposed Order. Dr. Steinbergh seconded the motion.**

Dr. Mahajan stated that he would now entertain discussion in the above matter.

Mr. Hairston stated that Dr. Cornicelli has suffered from serious illness since at least 2008 and has not held an active license to practice medicine in Ohio since March 2009, when his license was suspended based on an impairment of his ability to practice medicine. Dr. Cornicelli failed to comply with the terms of a consent agreement. Mr. Hairston stated that Dr. Cornicelli's non-compliance may be related to the symptoms of his illness. A lack of a hearing request from Dr. Cornicelli further indicates that he is unable or unwilling to work with the Board at present. Mr. Hairston noted that the Proposed Order is for a non-permanent revocation.

A vote was taken on Dr. Madia's motion:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to approve carried.

CITATIONS, PROPOSED DENIALS, DISMISSALS, ORDERS OF SUMMARY SUSPENSION & NOTICES  
OF IMMEDIATE SUSPENSION

PAUL V. BROOKS, M.D. – CITATION LETTER

At this time the Board read and considered the proposed Citation Letter in the above matter, a copy of which shall be maintained in the exhibits section of this Journal.

**Dr. Madia moved to send the Citation Letter to Dr. Brooks. Mr. Hairston seconded the motion. A** vote was taken:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to send carried.

VICTOR ANDREI GEORGESCU, M.D. - CITATION LETTER

At this time the Board read and considered the proposed Citation Letter in the above matter, a copy of which shall be maintained in the exhibits section of this Journal.

**Dr. Madia moved to send the Citation Letter to Dr. Georgescu. Mr. Hairston seconded the motion.** A vote was taken:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to send carried.

JAMIE LYNNE GLADDEN, M.D. – NOTICE OF SUMMARY SUSPENSION AND OPPORTUNITY FOR HEARING

At this time the Board read and considered the proposed Notice of Summary Suspension and Opportunity for Hearing in the above matter, a copy of which shall be maintained in the exhibits section of this Journal.

**Mr. Hairston moved to enter an Order of Summary Suspension in the matter of Jamie Lynne Gladden, M.D. in accordance with Section 4731.22(G), Ohio Revised Code, and to issue the Notice of Summary Suspension and Opportunity for Hearing. Dr. Madia seconded the motion. A vote was taken:**

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion carried.

CHRISTOPHER MCKINLEY HEBEN, P.A. - CITATION LETTER

At this time the Board read and considered the proposed Citation Letter in the above matter, a copy of which shall be maintained in the exhibits section of this Journal.

**Dr. Steinbergh moved to send the Citation Letter to Mr. Heben. Mr. Hairston seconded the motion. A vote was taken:**

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye

Dr. Ramprasad - aye

The motion to send carried.

CHARLOTTE EILEEN HOVEY, M.D. – CITATION LETTER

At this time the Board read and considered the proposed Citation Letter in the above matter, a copy of which shall be maintained in the exhibits section of this Journal.

**Dr. Madia moved to send the Citation Letter to Dr. Hovey. Mr. Hairston seconded the motion. A vote was taken:**

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to send carried.

PAUL EDWARD JACKSON, M.D. - CITATION LETTER

At this time the Board read and considered the proposed Citation Letter in the above matter, a copy of which shall be maintained in the exhibits section of this Journal.

**Mr. Hairston moved to send the Citation Letter to Dr. Jackson. Dr. Madia seconded the motion. A vote was taken:**

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to send carried.

KEVIN LLOYD KEYS - CITATION LETTER

At this time the Board read and considered the proposed Citation Letter in the above matter, a copy of which shall be maintained in the exhibits section of this Journal.

**Dr. Steinbergh moved to send the Citation Letter to Mr. Keys. Mr. Hairston seconded the motion.**

A vote was taken:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to send carried.

GLENN A. KUNKEL, M.D. - CITATION LETTER

At this time the Board read and considered the proposed Citation Letter in the above matter, a copy of which shall be maintained in the exhibits section of this Journal.

**Mr. Hairston moved to send the Citation Letter to Dr. Kunkel. Dr. Madia seconded the motion. A**

vote was taken:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to send carried.

KATHERINE L. RICHMOND, D.O. - CITATION LETTER

At this time the Board read and considered the proposed Citation Letter in the above matter, a copy of which shall be maintained in the exhibits section of this Journal.

**Dr. Steinbergh moved to send the Citation Letter to Dr. Richmond. Ms. Elsass seconded the motion.**  
A vote was taken:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to send carried.

STEPHEN AUGUST SCHEMENAUER, P.A. – NOTICE OF SUMMARY SUSPENSION AND OPPORTUNITY FOR HEARING

At this time the Board read and considered the proposed Notice of Summary Suspension and Opportunity for Hearing in the above matter, a copy of which shall be maintained in the exhibits section of this Journal.

**Dr. Madia moved to enter an Order of Summary Suspension in the matter of Stephen August Schemenauer, P.A., in accordance with Section 4730.25(G), Ohio Revised Code, and to issue the Notice of Summary Suspension and Opportunity for Hearing. Ms. Elsass seconded the motion.** A vote was taken:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion carried.

**Dr. Steinbergh moved to table this topic until Thursday, April 12, for possible additional citations. Mr. Hairston seconded the motion.** All members voted aye. The motion carried.

RATIFICATION OF SETTLEMENT AGREEMENTS

CAREY KATHLEEN GROSS, D.O. – STEP II CONSENT AGREEMENT

**Dr. Steinbergh moved to ratify the Proposed Step II Consent Agreement with Dr. Gross. Mr. Hairston seconded the motion.** A vote was taken:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to ratify carried.

MICHAEL STEVEN GRINBLATT, M.D. – STEP II CONSENT AGREEMENT

**Mr. Hairston moved to ratify the Proposed Step II Consent Agreement with Dr. Grinblatt. Dr. Steinbergh seconded the motion.** A vote was taken:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to ratify carried.

JOHN THOMAS HIBLER, D.O. – CONSENT AGREEMENT

**Dr. Steinbergh moved to ratify the Proposed Consent Agreement with Dr. Hibler. Dr. Madia seconded the motion.** A vote was taken:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to ratify carried.

ZAFAR IQBAL, M.D. – CONSENT AGREEMENT

**Dr. Steinbergh moved to ratify the Proposed Consent Agreement with Dr. Iqbal. Mr. Hairston seconded the motion.** A vote was taken:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to ratify carried.

ANNA M. MARCINOW, M.D. – STEP II CONSENT AGREEMENT

**Dr. Steinbergh moved to ratify the Proposed Step II Consent Agreement with Dr. Marcinow. Dr. Madia seconded the motion.** A vote was taken:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye

Dr. Bechtel	- aye
Dr. Talmage	- abstain
Ms. Elsass	- aye
Mr. Kenney	- aye
Dr. Ramprasad	- aye

The motion to ratify carried.

MICHAEL DEAN GOODYEAR, II, M.D. – CONSENT AGREEMENT

**Dr. Madia moved to ratify the Proposed Consent Agreement with Dr. Goodyear. Mr. Hairston seconded the motion.** A vote was taken:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to ratify carried.

SHEILA SALOME PAUL, D.O. – STEP I CONSENT AGREEMENT

**Dr. Steinbergh moved to ratify the Proposed Step I Consent Agreement with Dr. Paul. Dr. Madia seconded the motion.** A vote was taken:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to ratify carried.

REBECCA E. JOHNSON, M.D. – STEP I CONSENT AGREEMENT

**Dr. Madia moved to ratify the Proposed Step I Consent Agreement with Dr. Johnson. Mr. Hairston seconded the motion.** A vote was taken:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to ratify carried.

RAVI DUTT MADAN, M.D. – SUPERSEDING STEP I CONSENT AGREEMENT

Dr. Steinbergh asked why this Consent Agreement imposed a three-year probationary period instead of the more standard five-year period. Ms. Dorn replied that a three-year probationary period is within the disciplinary guidelines and has been approved by the Secretary and Acting Supervising Member. Ms. Marshall explained that the disciplinary guidelines allow the Board to monitor a practitioner for five years of sobriety; in situations where a superseding consent agreement is required due to a violation that does not involve sobriety, a reduced term of probation may be recommended.

**Dr. Madia moved to ratify the Proposed Superseding Step I Consent Agreement with Dr. Madan. Dr. Bechtel seconded the motion.** A vote was taken:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- nay
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion to ratify carried.

**Dr. Madia moved to table this topic until Thursday, April 12, for possible additional settlement**

**agreements. Ms. Elsass seconded the motion.** All members voted aye. The motion carried.

REINSTATEMENT REQUESTS

FRANCIS E. DUMONT, M.D.

**Dr. Madia moved that the request for the reinstatement of the license of Francis E. Dumont, M.D., be approved, subject to the probationary terms and conditions as outlined in the September 14, 2011 Board Order for a minimum of two years. Mr. Hairston seconded the motion.** A vote was taken:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion carried.

Dr. Ramprasad commented that Dr. Dumont's summary of his educational course was very well done. Dr. Steinbergh agreed and opined that Dr. Dumont is well on his way to improving his practice.

PATRICK K. MCGRIFF, D.O.

**Dr. Steinbergh moved that the request for the reinstatement of the license of Patrick K. McGriff, D.O., be approved, subject to the probationary terms and conditions as outlined in the March 9, 2011 Board Order for a minimum of four years. Mr. Hairston seconded the motion.** A vote was taken:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion carried.

RICK D. ST. ONGE, M.D.

**Dr. Steinbergh moved that the request for the reinstatement of the license of Rick D. St. Onge, M.D., be approved, subject to the probationary terms and conditions, including a practice plan requirement, as outlined in the October 14, 2009 Board Order for a minimum of five years. Mr. Hairston seconded the motion. A vote was taken:**

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Ms. Elsass	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion carried.

#### PROBATIONARY APPEARANCES

MICHAEL S. GRINBLATT, M.D.

Dr. Grinblatt was making his initial appearance before the Board pursuant to the terms of his January 11, 2012 Consent Agreement. Ms. Bickers reviewed Dr. Grinblatt's history with the Board. Ms. Bickers noted that Dr. Grinblatt's Step II Consent Agreement was ratified by the Board earlier in this meeting.

Dr. Steinbergh asked Dr. Grinblatt to describe his personal goals now that he is able to return to practice. Dr. Grinblatt stated that this has been a life-changing event for him and it has allowed him to investigate his entire history. Dr. Grinblatt continued that he had been a workaholic consumed by his profession. Dr. Grinblatt stated that he is still full of shame and guilt over having to appear before the Board. Dr. Grinblatt stated that he is now a much happier person. Dr. Grinblatt stated that he is exercising, attending meetings, has a sponsor, and his relationship with his wife and son has improved. Dr. Grinblatt looked forward to working with patients again.

Dr. Steinbergh asked if Dr. Grinblatt is supported by his practice group. Dr. Grinblatt replied that his group is very supportive.

Dr. Steinbergh asked how long Dr. Grinblatt had been abusing marijuana, cocaine, and alcohol. Dr. Grinblatt replied that he had abused those substances for about six months. Dr. Steinbergh asked how Dr. Grinblatt made the decision to abuse. Dr. Grinblatt answered that the opportunity presented itself and he

did the wrong thing.

Dr. Steinbergh asked if Dr. Grinblatt had any desire to use at this time. Dr. Grinblatt replied that he had no cravings. Dr. Grinblatt stated that he had relapsed because he did not understand the concept of total sobriety and that he was not allowed to have a sip of alcohol. Dr. Grinblatt stated that he now understands total sobriety and has no interest in drugs or alcohol. Dr. Grinblatt stated that he has even served alcohol to houseguests without being bothered.

Dr. Steinbergh expressed concern that Dr. Grinblatt exposes himself to alcohol by serving it in his home. Dr. Steinbergh stated that if Dr. Grinblatt has alcohol in his home, he may be tempted to drink and relapse in a stressful situation. Dr. Grinblatt appreciated Dr. Steinbergh's concerns. Dr. Grinblatt stated that he is Jewish and many Jewish holidays and observances revolve around alcohol, and therefore it is almost impossible for him to avoid those kinds of situations. Dr. Grinblatt stated that his previous use always came about by virtue of opportunity, not due to stressful situations. Dr. Steinbergh suggested that serving grape juice instead of wine may be appropriate. Dr. Steinbergh advised Dr. Grinblatt to be very vigilant.

**Dr. Steinbergh moved to continue Dr. Grinblatt under the terms of his January 11, 2012 Consent Agreement. Dr. Madia seconded the motion.** All members voted aye. The motion carried.

DAVID B. AXELSON, M.D.

Dr. Axelson was making his final appearance before the Board pursuant to his request for release from the terms of his April 11, 2007 Consent Agreement. Ms. Bickers reviewed Axelson's history with the Board.

Dr. Madia asked how Dr. Axelson is. Dr. Axelson replied that he has a cold, but is otherwise well.

Dr. Madia noted that Dr. Axelson has relapsed twice and stated that the Board may not be lenient if there is a third relapse. Dr. Axelson stated that he understands that and is grateful to have been given another chance.

Dr. Madia asked Dr. Axelson to describe his current activities and his plan to stay clean. Dr. Axelson stated that when he entered into his first consent agreement in 1992, he was not well in a variety of ways. Dr. Axelson stated that he is now feeling more content and happy than he has in a long time. Dr. Axelson stated that he is following his recovery program and no longer feels like he needs to control situations. Dr. Axelson stated that in his last relapse, he hit a deeper bottom. Dr. Axelson was going through a divorce at that time and had been out of work for a year. Dr. Axelson stated that he had viewed being a physician as a big part of his identity, but he no longer feels that way.

Dr. Madia asked if Dr. Axelson is still on Wellbutrin for depression. Dr. Axelson replied that he is still on Wellbutrin and he sees a psychiatrist regularly. Dr. Madia asked if Dr. Axelson had good family support. Dr. Axelson replied that his fiancé and his son have been very supportive. Dr. Axelson stated that his son has been living with him for several months.

**Dr. Madia moved to release Dr. Axelson from the terms of his April 11, 2007 Consent Agreement.**

**Dr. Steinbergh seconded the motion.** All members voted aye. The motion carried.

DONALD C. MANN, M.D.

Dr. Mann was making his final appearance before the Board pursuant to his request for release from the terms of his April 11, 2007 Consent Agreement. Ms. Bickers reviewed Dr. Mann's history with the Board.

Dr. Steinbergh asked if Dr. Mann is a general surgeon. Dr. Mann replied that he is a general surgeon and specializes in critical care and burns. Dr. Mann stated that he has not practiced since he finished his fellowship a couple of years ago. Dr. Mann stated that he has had trouble finding work due to issues with the Centers for Medicare and Medicaid Services (CMS). Dr. Mann stated that he currently travels the country helping other physicians stay in compliance with CMS regulations.

Dr. Steinbergh asked what Dr. Mann is doing to keep himself competent in practice. Dr. Mann replied that he takes Continuing Medical Education (CME) courses online and occasionally goes on grand rounds at the University of Cincinnati. Dr. Steinbergh asked what Dr. Mann will be doing when he returns to practice. Dr. Mann responded that he will probably work as a surgicalist covering nights at a surgery specialty hospital in Dayton.

Dr. Madia asked Dr. Mann to describe the problems he has had with CMS. Dr. Mann replied that he had criminal charges that were dismissed, but he took a drug intervention program and now runs the risk of being excluded from Medicare and Medicaid.

Dr. Steinbergh asked about Dr. Mann's goals for his personal recovery after his release from his Consent Agreement. Dr. Mann answered that he does not intend to change anything about his recovery program. Dr. Mann stated that he attends two meetings per week and speaks with his sponsor about five times per week.

Dr. Mann asked for permission to address the medical students in attendance. Dr. Mann stated that he would consider his medical career a success if he could prevent one of the students from going through what he had gone through. Dr. Mann advised the students that they should seek out help if they end up with a problem, such as drugs, alcohol, or psychological problems. Dr. Mann stated that he once had a wife, children, a big house, several cars, and a successful practice. Now Dr. Mann lives alone in an apartment, his children live out-of-state, and his car has 200,000 miles on it. Dr. Mann stated that their state professional society can offer help if any is needed. Dr. Mann also invited the students to contact him through the Board's compliance department if they wish to talk.

Dr. Mahajan thanked Dr. Mann for addressing the students and pointed out the hospitals also have impairment committees to help impaired physicians.

**Dr. Steinbergh moved to release Dr. Mann from the terms of his April 11, 2007 Consent Agreement.**  
**Dr. Madia seconded the motion.** All members voted aye. The motion carried.

DOUGLAS S. MOINUDDIN, M.D.

Dr. Moinuddin was making his final appearance before the Board pursuant to his request for release from the terms of the Board's Order of September 9, 2009. Ms. Bickers reviewed Dr. Moinuddin's history with the Board.

Dr. Madia stated that Dr. Moinuddin gave false information in his application for licensure. Dr. Madia asked Dr. Moinuddin to describe his situation to the medical students in attendance. Dr. Moinuddin stated that it is very important to answer all questions on an application correctly and to research the answers if there is any doubt. Dr. Moinuddin stated that the applicant is responsible for making sure that all of the answers on an application are correct.

Dr. Madia hoped that Dr. Moinuddin learned his lesson from this incident. Dr. Moinuddin stated that he has learned and is excited to move on with his career.

**Dr. Madia moved to release Dr. Moinuddin from the terms of the Board's Order of September 9, 2009. Dr. Steinbergh seconded the motion.** All members voted aye. The motion carried.

Dr. Steinbergh commented that Dr. Moinuddin's summary of his educational course was very instructive. Dr. Moinuddin replied that it was a great course and he learned a great deal about how physicians should conduct themselves in different situations.

STEVEN THOMAS REED, M.D.

Dr. Reed was making his final appearance before the Board pursuant to his request for release from the terms of his October 8, 2008 Consent Agreement. Ms. Bickers reviewed Dr. Reed's history with the Board.

Dr. Steinbergh asked Dr. Reed to describe his personal recovery and what it means to be moving forward. Dr. Reed replied that his recovery has led him to where he is now, which is married with a son, two fellowships, a wonderful practice, and a great house. Dr. Reed stated that he talks with his sponsor and attends meetings. Dr. Reed stated that he had used alcohol as a reward system, but he has now found a new reward system. Dr. Reed advised the students in attendance that practicing medicine is not a right, but a privilege that can be taken away.

**Dr. Steinbergh moved to release Dr. Reed from the terms of his October 8, 2008 Consent Agreement. Mr. Hairston seconded the motion.** All members voted aye. The motion carried.

JON P. RYAN, D.O.

Dr. Ryan was making his final appearance before the Board pursuant to his request for release from the terms of his January 10, 2007 Consent Agreement. Ms. Bickers reviewed Dr. Ryan's history with the Board.

Dr. Madia asked how Dr. Ryan is. Dr. Ryan replied that he is well. Dr. Madia asked about Dr. Ryan's

rheumatology practice. Dr. Ryan answered that his practice is very busy.

Dr. Madia asked if the Board's action caused any problem with credentialing by insurance companies. Dr. Ryan responded that he has had some credentialing problems, but that should be resolved when he is released from his Consent Agreement. Dr. Madia asked if Dr. Ryan is a solo practitioner. Dr. Ryan replied that his practice is with Premier Health Net, a large group.

Dr. Madia asked how Dr. Ryan's recovery is going. Dr. Ryan stated that his recovery is going very well. Dr. Madia asked if Dr. Ryan had any questions for the Board. Dr. Ryan had no questions.

Dr. Steinbergh asked if Dr. Ryan wished to share a message with the medical students in attendance. Dr. Ryan stated that he had had addiction problems prior to medical school. When Dr. Ryan relapsed, he felt trapped and feared that his life may be over. Dr. Ryan stated that it took humility and being stripped of his medical license to seek help. Dr. Ryan advised the students that there is a way forward in such situations that will not destroy their lives.

**Dr. Madia moved to release Dr. Ryan from the terms of his January 10, 2007 Consent Agreement. Dr. Bechtel seconded the motion.** All members voted aye. The motion carried.

WALTER T. BOWERS, II, M.D.

Dr. Bowers was making his initial appearance before the Board pursuant to the terms of the Board's Order of October 13, 2011. Ms. Bickers reviewed Dr. Bowers' history with the Board.

Dr. Steinbergh asked what Dr. Bowers' current practice is and if he wished to practice obstetrics in the future. Dr. Bowers answered that he stopped practicing obstetrics in 2010 and his current practice is gynecology only. Dr. Bowers stated that he plans to retire in a few years and he still enjoys a faculty appointment at the University of Cincinnati. Dr. Bowers stated that he continues to practice in Cincinnati hospitals without restriction.

Dr. Steinbergh asked if Dr. Bowers understands his Board Order. Dr. Bowers replied that he has no questions.

**Dr. Steinbergh moved to continue Dr. Bowers under the terms of the Board's Order of October 13, 2011. Dr. Madia seconded the motion.** All members voted aye. The motion carried.

SAMUEL LEE DRAKE, M.D.

Dr. Drake was making his initial appearance before the Board pursuant to the terms of his May 11, 2011 Consent Agreement. Ms. Bickers reviewed Dr. Drake's history with the Board.

Dr. Madia asked how Dr. Drake is. Dr. Drake replied that he is fine. Dr. Madia asked if Dr. Drake is still practicing. Dr. Drake answered that he has a general practice in California. In response to a question from Dr. Steinbergh, Dr. Drake stated that he is not under an order or consent agreement in California.

**Dr. Madia moved to continue Dr. Drake under the terms of his May 11, 2011 Consent Agreement. Dr. Bechtel seconded the motion.** All members voted aye. The motion carried.

SHANE R. HANZLIK, M.D.

Dr. Hanzlik was making his initial appearance before the Board pursuant to the terms of his January 11, 2012 Consent Agreement. Ms. Bickers reviewed Dr. Hanzlik's history with the Board.

Dr. Steinbergh asked if Dr. Hanzlik is doing well in his orthopedic residency. Dr. Hanzlik replied that he is doing well.

Dr. Steinbergh asked if Dr. Hanzlik could explain to the medical students in attendance how he got into this situation so early in his career. Dr. Hanzlik stated that he had had an addiction problem for a long time and covered up that problem with the fact that he did well in school. Dr. Hanzlik advised any of the medical students in attendance who may have a problem to not cover it up. Dr. Hanzlik stated that he had been in denial about his problem until he was caught, and continued to be in denial after that. Going through inpatient treatment made Dr. Hanzlik realize the truth and accept help.

Dr. Talmage exited the meeting at this time.

Dr. Steinbergh asked Dr. Hanzlik to describe his recovery. Dr. Hanzlik stated that his recovery is great and he has a home group and a sponsor. Dr. Hanzlik stated that his life is better than it had been before and he understands that things will be much better once he completes the short-term burden of his probation.

Dr. Steinbergh asked if the stresses of residency have affected Dr. Hanzlik. Dr. Hanzlik replied that he has not been affected by stress so far. Dr. Hanzlik stated that he feels blessed to have a second chance to be back at work. Dr. Steinbergh asked if Dr. Hanzlik's co-workers are aware of his situation. Dr. Hanzlik responded that his co-workers are aware and he tries to reach out to anyone who may have a similar problem.

Dr. Steinbergh asked if Dr. Hanzlik had any questions about his Consent Agreement. Dr. Hanzlik stated that he has no questions.

**Dr. Steinbergh moved to continue Dr. Hanzlik under the terms of his January 11, 2012 Consent Agreement. Mr. Hairston seconded the motion.** All members voted aye. The motion carried.

KAVITA A. KANG, D.O.

Dr. Kang was making her initial appearance before the Board pursuant to the terms of her February 8, 2012 Consent Agreement. Ms. Bickers reviewed Dr. Kang's history with the Board.

Dr. Madia asked how Dr. Kang's recovery is. Dr. Kang replied that her recovery is going well and she is happy.

Dr. Steinbergh asked if Dr. Kang would like to address the medical students in attendance. Dr. Kang stated that she had known in medical school that she had a problem with drinking, but thought it would go away. Dr. Kang stated that in medical school everyone seemed to be partying and they used alcohol to relieve stress. This became a problem for her and some others in her class. Dr. Kang warned that students can develop depression and anxiety in medical school and asking for help can be scary. Dr. Kang stated that these problems are not uncommon in medical school and it is important to be aware. Dr. Kang stated that she knows three people who have died due to addiction issues. Dr. Kang warned that it is very easy to turn to alcohol, but it is a slippery slope.

Dr. Madia asked if Dr. Kang is taking medication for her depression. Dr. Kang answered that she is under psychiatric treatment and is taking Venlafaxine, Lamictol, and Geodon.

**Dr. Madia moved to continue Dr. Kang under the terms of her February 8, 2012 Consent Agreement. Mr. Hairston seconded the motion.** All members voted aye. The motion carried.

Ms. Elsass exited the meeting at this time.

KIMBERLY M. NEMETH, D.O.

Dr. Nemeth was making her initial appearance before the Board pursuant to the terms of her January 11, 2012 Consent Agreement. Ms. Bickers reviewed Dr. Nemeth's history with the Board.

Dr. Madia asked if Dr. Nemeth understands her consent agreement. Dr. Nemeth replied that she understands and has no questions.

Dr. Madia asked about Dr. Nemeth's recovery and how she is using her time. Dr. Nemeth stated that her 12-Step program is going well and she has a great support network. Dr. Nemeth stated that her suspension became effective after she completed a fellowship in vascular surgery at the beginning of 2012. Dr. Nemeth stated that she has used her time to delve more into her recovery program, is exercising, and is spending time with her two-year-old daughter. Dr. Nemeth stated that her problem originated with a medical condition. Dr. Nemeth stated that she is enjoying her new way of life and is extremely grateful to have been given another chance.

Dr. Steinbergh asked how Dr. Nemeth's addiction began. Dr. Nemeth replied that she was diagnosed with Crohn's disease at the age of 15. Dr. Nemeth was prescribed Percocet for acute flares, and over time the addiction took on a life of its own. When physicians stopped prescribing Percocet for her, she took matters into her own hands.

Dr. Steinbergh asked if Dr. Nemeth had had any training in terms of impairment and alcoholism. Dr. Nemeth stated that she had no specific training and was pleased to see that medical students were present at the meeting and being exposed to this early. Dr. Nemeth stated that she had known that improperly obtaining Percocet for personal use was wrong but her addiction made her carry out those actions.

Dr. Steinbergh asked how Dr. Nemeth's addiction was discovered. Dr. Nemeth answered that she tested positive at a drug screening at work.

**Dr. Madia moved to continue Dr. Nemeth under the terms of her January 11, 2012 Consent Agreement. Dr. Bechtel seconded the motion.** All members voted aye. The motion carried.

LEONARD G. QUALLICH, JR., M.D.

Dr. Quallich was making his initial appearance before the Board pursuant to the terms of his January 11, 2012 Consent Agreement. Ms. Bickers reviewed Dr. Quallich's history with the Board.

Dr. Steinbergh asked if Dr. Quallich understands his Consent Agreement. Dr. Quallich replied that he understands his Consent Agreement.

Dr. Steinbergh asked about Dr. Quallich's recovery. Dr. Quallich responded that he begins every day with prayer. Dr. Quallich stated that he sees a therapist every two weeks and a psychiatrist every month. Dr. Quallich stated that he is currently on three psychotropic medications: Zoloft, Klonopin, and Mirtazapine. Dr. Steinbergh asked if Dr. Quallich is comfortable with his psychiatrist. Dr. Quallich answered that he is comfortable with his psychiatrist.

**Dr. Steinbergh moved to continue Dr. Quallich under the terms of his January 11, 2012 Consent Agreement. Dr. Madia seconded the motion.** All members voted aye. The motion carried.

Dr. Talmage returned to the meeting at this time.

Addressing the medical students in attendance, Dr. Quallich stated that life is not linear and things can happen that one would never imagine. Dr. Quallich stated that he had a problem with anxiety and it took over his life. Dr. Quallich stated that when that happens, one cannot be one's own doctor; one has to seek help. Dr. Quallich stated that it is a common problem and has a stigma attached to it, but advised the students to not be afraid and do the right thing.

JOHANNA W. WASEN, L.M.T.

Ms. Wasen was making her initial appearance before the Board pursuant to the terms of her November 9, 2011 Consent Agreement. Ms. Bickers reviewed Ms. Wasen's history with the Board.

Dr. Steinbergh asked why Ms. Wasen made the decision she had made. Ms. Wasen replied that it was a big misunderstanding and she had not realized that her massage therapy license had expired until she applied for a new license with her married name. Ms. Wasen was informed at that time that her license was inactive. Ms. Wasen stated that she was embarrassed by the situation.

Dr. Steinbergh noted that Ms. Wasen's massage therapy license expired in 2005 and she became aware that her license was expired in June 2011. However, Ms. Wasen continued to hold herself out as a massage therapist after that. Ms. Wasen stated that she did so for only one month and that she had been unaware

April 11, 2012

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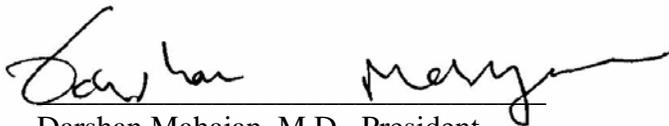
that she was not supposed to practice. Ms. Wasen stated that she had been in contact with the Board, but had not been told to stop practicing massage therapy. Ms. Wasen stated that she had been very confused.

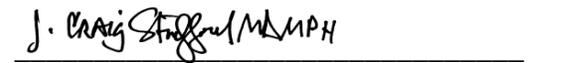
Dr. Steinbergh asked if Ms. Wasen would continue to drive after her driver's license expired. Ms. Wasen answered that she would not drive with an expired driver's license. Dr. Steinbergh asked if her point had been made. Ms. Wasen answered affirmatively. Ms. Wasen stated that after being suspended and being embarrassed among her colleagues, she is very aware of the nature of expiration. Ms. Wasen stated that she is now the owner of a massage therapy business and this incident has forced her to be much more diligent about her credentials and her employees' credentials. Dr. Steinbergh emphasized the concept of responsibility and stated that Ms. Wasen knows what the word "expiration" means. Ms. Wasen agreed.

**Dr. Steinbergh moved to continue Ms. Wasen under the terms of her November 9, 2011 Consent Agreement. Dr. Madia seconded the motion.** All members voted aye. The motion carried.

Thereupon, at 5:10 p.m., the April 11, 2012 session of the State Medical Board of Ohio was adjourned by Dr. Mahajan.

We hereby attest that these are the true and accurate approved minutes of the State Medical Board of Ohio meeting on April 11, 2012, as approved on May 9, 2012.

  
Darshan Mahajan, M.D., President

  
J. Craig Stafford, M.D., M.P.H., Secretary

(SEAL)



**MINUTES****THE STATE MEDICAL BOARD OF OHIO****April 12, 2012**

Darshan Mahajan, M.D., President, called the meeting to order at 8:00 a.m., in the Administrative Hearing Room, 3rd Floor, the James A. Rhodes State Office Tower, 30 E. Broad St., Columbus, Ohio 43215, with the following members present: Anita Steinbergh, D.O., Vice-President; J. Craig Strafford, M.D., Secretary; Lance A. Talmage, M.D., Acting Supervising Member; Dalsukh Madia, M.D.; W. Frank Hairston; Kris Ramprasad, M.D.; Mark A. Bechtel, M.D.; and Donald R. Kenney, Sr. The following members did not attend the meeting: Marchelle L. Suppan, D.P.M.; and Laurie O. Elsass.

Also present were: Richard Whitehouse, Executive Director; Sallie J. Debolt, General Counsel; Kimberly C. Anderson, Assistant Executive Director; Sara Vollmer, Assistant Executive Director; Susan Loe, Assistant Executive Director, Program Management and Operations; Mike Miller, Program Manager for Policy and Governmental Affairs; Joan K. Wehrle, Education & Outreach Program Manager; Rebecca J. Marshall, Chief Enforcement Attorney; Danielle Bickers, Compliance Supervisor; Annette Jones, Compliance Officer; Kyle Wilcox, Assistant Attorney General; Barbara Jacobs, Senior Executive Staff Attorney; and Benton Taylor, Executive Assistant to the Executive Director.

**PROBATION AND REINSTATEMENT CONSENT AGENDA**

Dr. Mahajan advised that at this time he would like the Board to consider the probationary reports and probationary requests on today's consent agenda. Dr. Mahajan asked whether any Board member wished to consider a probationary report or request separately.

Dr. Steinbergh stated that she would like to discuss the probationary request of Matthew S. Cohen, D.O., separately.

**Dr. Steinbergh moved to accept the Compliance staff's Reports of Conferences on March 12 & 13, 2012, with: William M. Cox, M.D.; Peter Fragatos, M.D.; Joseph R. Freeman, D.O.; Wesley F. Hard, M.D.; Matthew R. Harris, D.O.; Timothy A. Heinrichs, M.D.; W. Andrew Highberger, M.D.; Jerome D. Homish, D.O.; Robert L. Hubley, D.O.; Kymberly Jacobs, L.M.T.; Leigh Allison Judge, P.A.; Richard M. Kincaid, M.D.; John K. Krebs, M.D.; Joseph Francis Lydon, Jr., M.D.; Mahendra K. Mahajan, M.D.; Alla Mikhli, D.P.M.; Breton Lee Morgan, M.D.; Tamyra L. Mouginis, M.D.; Jerry G. Purvis, Jr., M.D.; Matthew C. Riesen, M.D.; Justin Matthew Rodebaugh, M.D.; William L. Schlotterer, D.O.; Richard S. Skoblar, M.D.; Paul Sresthadatta, D.O.; Kimberly M. Telmanik, P.A.; Chad Winfield Ulmer, M.D.; and Wayne Marshall Williams, M.D.**

**Dr. Steinbergh further moved to accept the Compliance staff's Reports of Conferences and the Secretary and Supervising Member's recommendations as follows:**

- **To grant Todd S. Carran, M.D.'s request for reduction in drug and alcohol rehabilitation**

meeting attendance to two per week;

- To grant Janet E. Despot, M.D.'s request for approval of *Legal Ethics & Professional Responsibility*, administered by the University of Toledo College of Law, to fulfill the Personal/Professional Ethics Course requirement;
- To grant Gregory G. Duma, M.D.'s request for reduction in the frequency of urine screens to two per month;
- To grant Deborah Lynne Frankowski, M.D.'s request for reduction in appearances to every six months, and reduction in drug and rehabilitation meetings to two per week with a minimum of 10 per month;
- To grant Eleese M. Fulgham, M.T.'s request for approval of *Professional Ethics for Bodyworkers*, administered by the Cortiva Institute Chicago School of Massage Therapy, to fulfill the ethics course requirement;
- To grant Kristie L. Gibson, L.M.T.'s request for approval of Sara E. Zuchowski, M.D., to serve as the treating psychiatrist;
- To grant Christine M. Graham, L.M.T.'s request to discontinue psychological counseling sessions;
- To grant George D. Griffin, III, M.D.'s request for approval of *Intensive Course in Controlled Substance Management*, administered by Case Western Reserve University, to fulfill the prescribing course requirement; and approval of *Intensive Course in Medical Record Keeping*, administered by Case Western Reserve University, to fulfill the medical records course requirement;
- To grant William Clark Harlan, D.O.'s request for reduction in appearances to every six months, and to discontinue the controlled substances log requirement;
- To grant Richard W. Hertle, M.D.'s request for reduction in appearances to every six months;
- To grant William Wayne Hollifield, M.D.'s request for a waiver of the July 2012 appearance;
- To grant Krzysztof J. Kubicki, M.D.'s request for discontinuance of the controlled substance log requirement, and reduction in appearances to every six months;
- To grant Carol E. Lewis, M.D.'s request for approval of Robert T. Segraves, M.D., to conduct one of the two psychiatric evaluations required for reinstatement; approval of Richard A. Lightbody, M.D., to conduct the second psychiatric evaluation required for reinstatement; and approval of Omar Elhaj, M.D., as an alternate to conduct either the psychiatric evaluation or the addictionology psychiatric examination should one of the other assessors be unavailable;
- To deny Larry J. Little, M.D.'s request for discontinuance of the chart review requirement, and

instead approve reduction of the chart review requirement to 10 charts per month;

- To grant Stephen T. McCarren, M.D.'s request for discontinuance of the chart review requirement, and permission to waste controlled substances when witnessed and documented by another health care professional;
- To grant Parag Patel, M.D.'s request for approval of *Intensive Course in Medical Ethics, Boundaries & Professionalism*, administered by Case Western Reserve University;
- To grant Jason L. Rich, M.D.'s request for approval of an ethics course tailored for him by Donna F. Homenko, Ph.D., to fulfill the personal/professional ethics course requirement;
- To grant Alan D. Sabino, M.D.'s request for approval of Michael W. Smith, M.D., to conduct one of the two chemical dependency assessments required for reinstatement;
- To grant Christopher S. Shaw, M.D.'s request for discontinuance of the drug log requirement, and reduction of meetings to two per week with a minimum of 10 per month;
- To grant Rick Skibicki, M.D.'s request for approval of Paul R. Culler, M.D., to serve as the new monitoring physician;
- To grant Gregory M. Thomas, M.D.'s request for reduction in personal appearances from every six months to annually;
- To grant Amy R. Weidman, M.D.'s request for approval of *Intensive Course in Medical Ethics, Boundaries & Professionalism*, administered by Case Western Reserve University, to fulfill both the personal/professional ethics course requirement and the physician/patient boundaries course requirement for reinstatement;
- To grant Roy M. Whitman, M.D.'s request for approval of Jacqueline Collins, M.D., to serve as the new monitoring physician; and
- To grant Dawn M. Zacharias, M.D.'s request for approval of online personal/professional ethics modules offered by CMEweb, required for reinstatement, in conjunction with the boundaries course *Maintaining Proper Boundaries*, offered by Vanderbilt University.

Mr. Hairston seconded the motion. A vote was taken:

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain

Mr. Kenney - aye  
Dr. Ramprasad - aye

The motion carried.

MATTHEW S. COHEN, D.O.

Dr. Steinbergh asked if Dr. Cohen currently holds a training certificate or a full medical license. Ms. Bickers replied that Dr. Cohen's application for a full medical license is pending.

Dr. Steinbergh noted that Dr. Cohen, a family practitioner, is requesting the Board's approval for an emergency medicine physician, Richard V. Hausrod, M.D., to serve as his monitoring physician. Dr. Steinbergh stated that Dr. Cohen will be working for Dr. Hausrod in an outpatient setting, and therefore felt that Dr. Cohen's request is appropriate.

**Dr. Steinbergh moved to grant Matthew S. Cohen, D.O.'s request for approval of Richard V. Hausrod, M.D., to serve as the new monitoring physician, determination of the frequency and number of charts to be reviewed at 10 charts per month, and reduction in psychiatric sessions to every three months. Dr. Madia seconded the motion. A vote was taken:**

ROLL CALL:	Dr. Strafford	- abstain
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- abstain
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion carried.

Dr. Strafford commented that he has found that in current practice, psychiatrists do not provide counseling care to their patients. Rather, counseling services are delivered by a mid-level provider in the psychiatrist's office. The Board engaged in a general discussion of this topic.

ELECTION OF SUPERVISING MEMBER

Dr. Mahajan stated that Dr. Amato, who had been serving as Supervising Member, was not reappointed to the Medical Board at the end of his term. Dr. Mahajan has appointed Dr. Talmage to serve as Acting Supervising Member until that position can be filled by a vote of the Board.

Dr. Madia suggested that this topic be tabled until the Board can determine the best course of action in this matter. Dr. Madia further suggested that Dr. Talmage can continue to serve as Acting Supervising

Member until this matter is resolved. Dr. Steinbergh agreed and stated that the Board is not in a position to make such a choice today. Dr. Talmage agreed and stated that his schedule will allow him to continue serving as Acting Supervising Member through May and June if need be. Dr. Mahajan thanked Dr. Talmage for agreeing to serve.

Dr. Strafford commented that the position of Supervising Member entails a substantial time commitment, and this must be considered when choosing a member to fill that position. The Board engaged in a general discussion of the significant role and responsibilities of the Supervising Member. Dr. Talmage suggested that the Governor be made aware of these needs as he considers an appointment to fill the current vacancy. Mr. Whitehouse agreed and stated the Board and staff can also discuss what duties are required of the Supervising Member and what additional but unnecessary duties have been assumed by previous Supervising Members.

**Dr. Madia moved to table this topic. Dr. Steinbergh seconded the motion.** All members voted aye. The motion to table carried.

#### APPOINTMENTS TO PHYSICIAN ASSISTANT POLICY COMMITTEE

Ms. Vollmer stated that six positions on the Physician Assistant Policy Committee (PAPC) need to be filled for terms beginning in May 2012. Ms. Vollmer stated that one position will be appointed by the Ohio State Board of Pharmacy, while the remaining five must be filled by appointment of the Medical Board.

Ms. Vollmer stated that for the position to be filled by an osteopathic physician, the Ohio Osteopathic Association has nominated the following two physicians: Sean Stiltner, D.O.; and John J. Wolf, D.O.

**Dr. Ramprasad moved to appoint Sean Stiltner, D.O., to the Physician Assistant Policy Committee for the term beginning on May 17, 2012. Dr. Steinbergh seconded the motion.** A vote was taken:

ROLL CALL:	Dr. Strafford	- aye
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion carried.

Ms. Vollmer stated that two upcoming vacancies must be filled by physicians assistants nominated by the Ohio Physician Assistant Association and those names have been provided to the Board. Ms. Vollmer noted that James Fry, P.A., a current member the PAPC, is on the list of nominees and is eligible for

reappointment.

**Dr. Steinbergh moved to appoint Melissa Bowlby, P.A., and to reappoint James Fry, P.A., to the Physician Assistant Policy Committee for terms beginning on May 17, 2012. Mr. Hairston seconded the motion. A vote was taken:**

ROLL CALL:	Dr. Strafford	- aye
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion carried.

Ms. Vollmer stated that the current consumer member of the PAPC, Eric Luckage, is also eligible for and has expressed interest in reappointment.

**Dr. Steinbergh moved to reappoint Eric Luckage to the Physician Assistant Policy Committee for the term beginning on May 17, 2012. Dr. Madia seconded the motion. A vote was taken:**

ROLL CALL:	Dr. Strafford	- aye
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion carried.

Ms. Vollmer stated that one physician member of the PAPC must also be a member of the Medical Board. This position is currently filled by Dr. Talmage, who is not eligible for reappointment. Ms. Vollmer noted that Dr. Bechtel has expressed interest in being appointed to the PAPC. Dr. Steinbergh thanked Dr. Bechtel for his willingness to serve in that capacity.

**Dr. Steinbergh moved to appoint Mark A. Bechtel, M.D., to the Physician Assistant Policy Committee for the term beginning on May 17, 2012. Dr. Madia seconded the motion. A vote was taken:**

ROLL CALL:	Dr. Strafford	- aye
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- abstain
	Dr. Talmage	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion carried.

#### ADMINISTRATIVE REPORT

Mr. Whitehouse stated that the required annual ethics training for Board members is scheduled to take place immediately following the September 13, 2012 Board meeting.

Regarding Maintenance of Licensure (MOL), Mr. Whitehouse stated that there will be opportunities to learn about this concept at the Federation of State Medical Board's (FSMB) Annual Meeting later this month. Mr. Whitehouse urged all Board members attending the FSMB Annual Meeting to take advantage of these MOL learning opportunities.

Mr. Whitehouse noted that Jennifer Hayhurst, a representative from the Ohio State Medical Association (OSMA), is present and asked if Ms. Hayhurst wished to share anything about the MOL task force that the OSMA recently formed. Ms. Hayhurst stated that the task force has not yet had its initial meeting, but an invitation has been extended for the Board to meet with the task force.

Mr. Whitehouse stated that he has discussed MOL with Deepak Kumar, M.D., the President of OSMA. Mr. Whitehouse emphasized that the Board is not implementing an MOL system, but is beginning to explore the requirements for doing so. These requirements would include a readiness inventory and discussions with stakeholders and Continuing Medical Education (CME) providers. Mr. Whitehouse stated that following the FSMB Annual Meeting, the Board will determine if it should proceed with an MOL pilot study. Mr. Whitehouse welcomed a meeting with OSMA's MOL task force, but stated that it may not be possible to have the meeting prior to the Board's decision regarding an MOL pilot study.

Dr. Steinbergh emphasized that a pilot study, if adopted, will be a research tool and will not mean that an MOL system will definitely be adopted in the future. Dr. Talmage agreed and stated that it would take five to ten years to be ready to implement an MOL system. Dr. Talmage also dispelled the idea that the FSMB will make large amounts of money from MOL, stating that the FSMB will make no money at all in this process. Dr. Talmage offered to provide FSMB documentation regarding MOL available to OSMA and other professional organizations. Dr. Ramprasad stated that Dr. Talmage has answered many questions regarding MOL and opined that succinct communication on this topic will be key. Dr. Ramprasad stated that practitioners have many valid questions about MOL and that a Frequently Asked Questions document

targeted to those questions will be important.

Mr. Whitehouse noted that the last line of OSMA's letter to the Medical Board states, "OSMA supports the concepts of lifelong learning and physician self-assessment and improvement." Mr. Whitehouse opined that that statement is the essence of the MOL concept. Mr. Whitehouse observed that when MOL is stripped to its basic concept, there seems to be very little disagreement over what should be done.

#### REPORTS BY ASSIGNED COMMITTEES

##### AD HOC COMMITTEE ON LICENSURE FEES

Dr. Madia stated that the *Ad Hoc* Licensure Fees Committee discussed the details of a proposed increase in licensure fees. The Committee also discussed ways to engage the legislature, professional associations, and other stakeholders to properly communicate why a fee increase is needed. Dr. Madia noted that the Board's physician licensure fees have not increased since 1999 and costs have increased considerably since that time. There was also discussion in committee of whether the fees for the Board's other licensees should also be increased.

Dr. Madia stated that Mr. Whitehouse has suggested that the Committee be involved in the Board's long-term budgeting process. Dr. Madia stated that the Board's current budget will provide funding through June 30, 2013, so there is time to decide if the Committee should be involved in that process.

Dr. Madia cautioned that the issue of licensure fees is separate from the issue of Maintenance of Licensure (MOL). Dr. Madia stated that the proposed increased fees will allow the Board to continue its day-to-day functions and will not fund an MOL system.

Mr. Whitehouse opined that the Committee should meet again next month to further develop a process to pursue this topic. Dr. Madia and Dr. Steinbergh agreed.

##### FEDERATION OF STATE MEDICAL BOARDS ANNUAL MEETING 2012

##### RESOLUTIONS FOR FEDERATION OF STATE MEDICAL BOARDS 2012 ANNUAL MEETING

Dr. Steinbergh stated that the Executive Committee discussed the Resolutions that will be considered at the Federation of State Medical Boards (FSMB) Annual Meeting. Dr. Steinbergh stated that there was considerable discussion of Resolution 12-04 on establishment of a platinum standard certification for licensure for the purpose of multi-state practice. Dr. Steinbergh asked Mr. Whitehouse to comment on this resolution.

Mr. Whitehouse stated that he has concerns about Resolution 12-04 and opined that it does not truly address certain problems or help avoid national licensure. Mr. Whitehouse opined that Resolution 12-04 is based on the reasonable premise of standardization to improve efficiency. However, Mr. Whitehouse stated that there are other ways in which states can choose to identify individuals who should not be denied licensure by other boards. Mr. Whitehouse felt that passing this Resolution would be missing an

opportunity to discuss other things to would avoid some of the issues it is meant to address. Mr. Whitehouse urged the Board to not vote in favor of Resolution 12-04 at the FSMB Annual Meeting.

#### ADMINISTRATORS IN MEDICINE 2012 ANNUAL MEETING AGENDA

Dr. Steinbergh congratulated Ms. Wehrle on her Administrators in Medicine (AIM) Distinguished Service Award and thanked her for serving the Board on a national level. Dr. Madia agreed that Ms. Wehrle's award is a great achievement.

Ms. Wehrle stated that she is making two presentations at the AIM Annual Meeting. The first presentation is regarding the Board's Quality Intervention Program as a way to address potentially correctable problems in physicians' practices. The second presentation addresses social media and how technology has changed the Board's media relations.

#### FISCAL REPORT

Ms. Loe stated that the Fiscal Report, including figures from February, is included in the Board member's packets. Ms. Loe stated that the Executive Committee made no comments on the Fiscal Report.

#### LICENSURE UPDATE

Ms. Vollmer stated that she has provided Board members with her monthly report on the status of efforts to improve the licensure process. Ms. Vollmer reported that efforts to enable files to move electronically from the Federation of State Medical Boards (FSMB) directly to the Board's system continue.

Dr. Steinbergh exited the meeting at this time.

Ms. Vollmer stated that, at the Board's direction, she and other staff have been working to improve the physician recommendation form. Ms. Vollmer stated that the proposed new recommendation form, including changes suggested by the Group 1 Committee on Wednesday, have been handed out to Board members for their review.

**Dr. Madia moved to approve and implement the proposed changes to the physician recommendation form. Mr. Hairston seconded the motion.** A vote was taken. All members voted aye. The motion carried.

Ms. Vollmer stated that a draft application form for the new Clinical Research Faculty Certificate, including suggested changes from the Group 1 Committee, has been submitted to Board members for review. Ms. Vollmer stated that the legislation establishing this certificate is likely to be effective prior to next month's Board meeting and the application form will have to be in place. Ms. Vollmer briefly reviewed the changes with respect to the English translation of foreign language documents, transmission of Test of English as a Foreign Language (TOEFL) scores, some alternations to questions regarding criminal history, and reinserting portions on malpractice and continuing medical education.

Dr. Steinbergh returned to the meeting at this time.

**Dr. Madia moved to approve the proposed Clinical Research Faculty Certificate application form. Dr. Bechtel seconded the motion.** A vote was taken. All members voted aye. The motion carried.

Dr. Steinbergh noted that the Maine Board of Licensure in Medicine now requires all applicants for license renewal to take and pass an examination on the rules, policies, and laws related to the practice of medicine in that state. Dr. Steinbergh opined that such an examination is fully aligned with the concept of Maintenance of Licensure (MOL) in that it demonstrates ongoing competence. Dr. Steinbergh noted that some recent Board Orders have included a requirement that the respondent take such an examination on Ohio laws and regulations. Dr. Steinbergh challenged the Board to consider adopting a similar policy in Ohio in order to make all licensure and renewal applicants aware of the laws and rules they are responsible for following.

Mr. Hairston agreed with Dr. Steinbergh and stated that some physicians appearing before the Board seem to not be aware of the Board's rules. Dr. Madia agreed and stated that the Group 1 Committee will discuss this issue. Dr. Madia further commented that such an examination, if adopted, would be separate from any MOL system that the Board may choose implement. Dr. Ramprasad stated that this would be a good way to familiarize licensees with the Board's rules and regulations.

Regarding the Visiting Medical Faculty Certificate, Dr. Mahajan noted concerns that had been expressed by Mr. Kenney. Mr. Kenney observed that the proposed legislation would allow non-Ohio residents to practice medicine in this state without any licensing testing. Mr. Kenney appreciated that the purpose of the legislation is to spur employment in Ohio and compete with other states for research jobs, but opined that some kind of testing should be required. Dr. Steinbergh agreed that the certificate holder should be required to pass a licensure examination within a certain period of time.

The Board engaged in a lengthy discussion of this matter, including the role of hospital credentialing committees and the arguments made by the proponents of the Visiting Medical Faculty Certificate legislation.

Dr. Talmage exited the meeting at this time.

Mr. Whitehouse asked Ms. Vollmer to comment on an initiative she has been working on recently. Ms. Vollmer stated that she and Mr. Whitehouse participated in a conference call with the FSMB and the Ohio State University College of Medicine. The purpose of the conference call was to discuss the FSMB's project to establish proactive reporting by medical schools whereby information on medical school students and those in graduate training programs is reported directly to the FSMB. In this way, educational information on an applicant for licensure will already be in the system and verified by the Federation Credentials Verification Service. Dr. Madia opined that such a program would be beneficial.

Dr. Steinbergh asked who would be financially responsible for such a system. Ms. Vollmer replied that the concept is in its beginning stages and the possible financing of the system has not yet been determined.

LICENSURE APPLICATION REVIEWSMONIKA HANUS-REED, L.M.T.

Ms. Rieve stated that Ms. Hanus-Reed has not practiced massage therapy since 2009. The Group 1 Committee recommended approving Ms. Hanus-Reed's application for restoration of her massage therapy license, provided she take and pass the MBLEx examination.

**Dr. Madia moved to approve Ms. Hanus-Reed, L.M.T.'s request for restoration of her license to practice massage therapy in Ohio pending successful completion of the Massage and Bodywork Licensing Examination (MBLEx). Dr. Steinbergh seconded the motion. A vote was taken:**

ROLL CALL:	Dr. Strafford	- aye
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion carried.

GREGORY G. YOUNG, D.P.M.

Ms. Rieve stated that Dr. Young has not practiced podiatry since at least 2007. The Group 1 Committee recommended approving Dr. Young's application for restoration of his license to practice podiatric medicine, provided he take and pass the PMLEXIS examination or the National Board of Podiatric Medical Examiners Part III examination.

**Dr. Madia moved to approve Gregory G. Young, D.P.M.'s request for restoration of his license to practice podiatric medicine and surgery in Ohio pending successful completion of the Podiatric Medical Licensing Examination for States (PMLEXIS) or the National Board of Podiatric Medical Examiners Part III examination. Dr. Steinbergh seconded the motion. A vote was taken:**

ROLL CALL:	Dr. Strafford	- aye
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion carried.

NABIL A. MANNEH, M.D.

Ms. Rieve stated that this matter was tabled at the March 2012 Board meeting pending the receipt of additional information regarding Dr. Manneh's work history. Ms. Rieve stated that Dr. Manneh had worked as a surgeon in Akron prior to his retirement. Since his retirement, Dr. Manneh has been working as a medical coding assistant. The Group 1 Committee recommended approving Dr. Manneh's application for restoration, provided he take and pass the SPEX examination.

**Dr. Madia moved to approve Nabil A. Manneh, M.D.'s request for restoration of his license to practice medicine and surgery in Ohio pending successful completion of the Special Purpose Examination (SPEX). Dr. Steinbergh seconded the motion. A vote was taken:**

ROLL CALL:	Dr. Strafford	- aye
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Mr. Kenney	- aye
	Dr. Ramprasad	- aye

The motion carried.

TREATMENT PROVIDER APPLICATION

COMMUNITY HEALTH CENTER

Ms. Bickers stated that Community Health Center has four locations in Akron, OH, and has applied to provide various levels of treatment to the Board's licensees. Ms. Bickers stated that Community Health Center meets the Board's requirements to provide services.

**Dr. Madia moved to approve Community Health Center's application for a Certificate of Good Standing as a treatment provider for impaired practitioners. Dr. Steinbergh seconded the motion. A vote was taken:**

ROLL CALL:	Dr. Strafford	- aye
	Mr. Hairston	- aye
	Dr. Steinbergh	- aye
	Dr. Mahajan	- aye
	Dr. Madia	- aye
	Dr. Bechtel	- aye
	Dr. Talmage	- aye

Mr. Kenney - aye  
Dr. Ramprasad - aye

The motion carried.

#### NEW APPLICATION FOR CLINICAL RESEARCH FACULTY CERTIFICATES

This topic was previously discussed as part of the Licensure Update.

#### REVISED PHYSICIAN RECOMMENDATION FORM

This topic was previously discussed as part of the Licensure Update.

#### LEGISLATIVE UPDATES

**Update of Chronic Pain Rules:** Mr. Miller stated that the staff and Dr. Strafford continue to meet with a panel of physicians on revising the Board's chronic pain rules, in conjunction with House Bill 93. Topics discussed include continuing medical education requirements and requirements regarding drug screenings and pain agreements. Mr. Miller stated that one major topic is the pain rules and guidelines of Washington State and the push to adopt the 120 morphine equivalent dosage limit as a requirement to sending a patient for consultation. Mr. Miller stated that there is a possibility that Gary Franklin, M.D., from Washington State may be able to attend a Board meeting to discuss this issue.

**Certificate of Conceded Eminence:** Mr. Miller stated that this legislation would allow unlicensed individuals within academic medical centers to practice medicine and surgery; the individual's practice need not be incidental to their research. Mr. Miller stated that this and other pending legislation represents a further expansion of the ability to practice medicine without meeting the Board's licensure standards. Mr. Miller stated that with the Certificate of Conceded Eminence, some medical associations argue that large medical practices affiliated with a university should be able to bring in outside physicians under the certificate. Mr. Miller noted that universities are opposing that view because they do not have the credentialing abilities to ensure the individuals' competency and qualifications.

**House Bill 251, Oriental Medicine:** Mr. Miller stated that the Board staff has been working on this legislation with the sponsor and the Ohio Association of Acupuncture and Oriental Medicine (OAAOM). Mr. Miller stated that the Board's requests regarding this legislation have been accommodated and it should move through the legislature quickly when a substitute bill is completed.

Dr. Strafford stated that one issue with the legislation is a language requirement. Mr. Miller explained that OAAOM wants to forgo the test for spoken English requirement for anyone who has received certification from the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM). Mr. Miller stated that the NCCAOM examination is not required to be given in English and apparently has no spoken components. Mr. Miller noted that the Board's position has been that practitioners of Oriental medicine should pass a test for spoken English. Mr. Miller stated that the bill's sponsor is supportive of the Board.

Mr. Miller continued that there is a proposed amendment to the legislation that would allow chiropractors to practice herbal medicine. Mr. Miller stated that both the Board and the OAAOM are not supportive of the amendment.

**House Bill 292, Genetic Counselors:** Mr. Miller stated that this legislation will be completed very soon. Mr. Miller stated there is some question of whether the Cincinnati Children's Hospital proposal will be amended into the bill. Mr. Miller reminded the Board that the Cincinnati Children's Hospital proposal, developed with help from the Board, would provide for a professional development certificate allowing an individual without certification from the Educational Commission for Foreign Medical Graduates to provide supervised care for one year.

**House Bill 438, Clinical Research Faculty Certificates:** Mr. Miller stated that this legislation has passed the House and a similar bill has passed the Senate. At this point, neither chamber has taken up the other's bill. Mr. Miller noted indications that it will be the Senate bill that will become law, but this is not certain.

**Senate Bill 301, Controlled Substances:** Mr. Miller stated that this legislation is the follow-up to House Bill 93. Mr. Miller was not aware of any opposition to Senate Bill 301. Mr. Miller stated that some amendments have been made, including a provision allowing prescribers to access the Ohio Automated Rx Reporting System (OARRS) on a patient prior to accepting a referral.

**Governor's Cabinet Opiate Action Team Meetings:** Mr. Miller stated that he, Dr. Strafford, and Ms. Anderson attended these meetings regarding the emergency department policy and the beginnings of development of a white paper. The emergency department policy was reviewed very thoroughly and was approved to go forward. Dr. Steinbergh asked if emergency medicine physicians were represented at the meeting. Mr. Miller replied that an emergency physician was present, as well as the executive director and a lobbyist from their association.

Dr. Ramprasad asked how providers will be notified of the policy once it is finalized. Mr. Miller stated that the Ohio Hospital Association and the Ohio Department of Health will publicize the information. Mr. Miller also stated that all parties in the room are expected to make sure their membership or licensees are aware of the policy. Mr. Miller continued that after discussion, it was decided that it would not be prudent for regulatory boards such as the Medical Board to put their seals on the policy, as that may have implications for the perceived standard of care. However, the regulatory boards will be listed as having helped develop the policy.

Regarding the white paper, Mr. Miller stated that the administration is looking for an action plan to be developed by September. Mr. Miller reviewed various aspects of the meeting, including a draft article encouraging the use of OARRS which may be published jointly by the Medical Board, Nursing Board, and Pharmacy Board. Mr. Miller stated that, as a whole, the group at the meeting is looking for ways to educate people on ways to improve patient care. Overall, the meeting represents an effort to work with other regulatory boards and find better ways to communicate the rules of the boards. Mr. Miller stated that if there are no comments on the draft article regarding OARRS, it will be made available on the Board's website and other forums.

The Board engaged in a thorough discussion regarding the Board's interactions with the legislature and the need to avoid the impression that the Board is simply a source of opposition to legislative efforts. Dr. Steinbergh stated that developing relationships with legislators is the key to the Board being respected and understood. Mr. Miller agreed and stated that Dr. Strafford's and Dr. Ramprasad's willingness to meet with legislators on pending legislation has been very helpful in this regard. Mr. Whitehouse agreed that the Board's tactics for interacting with the legislature and the administration need to change in response to a changing landscape.

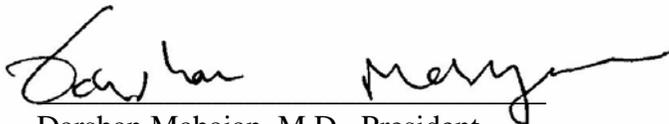
GRAND ROUNDS

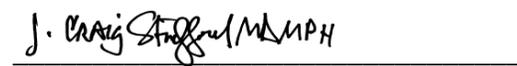
Dr. Ramprasad suggested that the Board's e-newsletter, *Grand Rounds*, be structured somewhat differently. Dr. Ramprasad felt that periodically, the Board should send an email blast to all licensees regarding the Board's rules and regulations. Dr. Ramprasad noted that Ms. Anderson had the Board's rules on self-prescribing highlighted on the Board's website with very positive results. Dr. Ramprasad suggested that he and Dr. Steinbergh meet with members of the staff next month to discuss possible changes to *Grand Rounds*. The Board agreed.

Dr. Mahajan reported that he and Mr. Whitehouse recently met with representatives from the Board of Pharmacy to discuss communicating to physicians what medications are included in Schedules II, III, IV and V in order to streamline communications between physicians' offices and pharmacies.

Thereupon at 10:10 a.m., the April 12, 2012, meeting of the State Medical Board of Ohio was duly adjourned by Dr. Mahajan.

We hereby attest that these are the true and accurate approved minutes of the State Medical Board of Ohio meeting on April 11-12, 2012, as approved on May 9, 2012.

  
Darshan Mahajan, M.D., President

  
J. Craig Strafford, M.D., M.P.H., Secretary

(SEAL)

