

**STATE MEDICAL BOARD OF OHIO
FORMAL ACTION REPORT – April 2011**

Prepared by: Sallie Debolt, General Counsel

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Listed below is a summary of the disciplinary actions taken or initiated by the State Medical Board of Ohio in April 2011 and an update of Board matters pending in courts as of the date of this document.

PRE-HEARING SUSPENSION

NJOKU, Charles Chiedo (MD #35.048587) - Akron, OH

Pursuant to Section 3719.121(C), O.R.C., doctor's medical license immediately suspended, the underlying basis being doctor having been found guilty in U.S. District Court, Southern District of Ohio, of one felony count of Distribution of Schedule II Controlled Substances. (*See also: Citations & Proposed Denials below*)

PURVIS, Jerry Gaines, Jr. (MD #35.080726) – South Bloomfield, OH

Pursuant to Section 4731.22(G), ORC, medical license summarily suspended based on Board's determination that there is clear and convincing evidence that doctor is impaired in the practice of medicine due to the use or abuse of drugs, alcohol, or other substances for which doctor has not completed treatment and entered into an aftercare contract, and that doctor's continued practice presents a danger of immediate and serious harm to the public. Effective date 3/31/11. (*See also: Citations & Proposed Denials below*)

WANGLER, Mark Adrian (MD #35.048180) - Lima, OH

Pursuant to Section 4731.22(I), O.R.C., medical license automatically suspended based on doctor having been found guilty of one count of Aggravated Murder. Automatic suspension effective 3/16/11. (*See also: Citations & Proposed Denials below*)

CHILD SUPPORT SUSPENSION

GARRO, John Joseph (DO #34.005405) – Barberton, OH (late report)

Pursuant to determination by the Trumbull County Child Support Enforcement Agency that doctor is in default under a child support order, doctor's license immediately suspended until such time as the Board receives notice from that agency that doctor is no longer determined to be in default. Notice mailed 2/7/11; suspension effective 2/7/11.

McSPADDEN, MICHAEL SHANE (LMT #33.013036) – Miamisburg, OH

Pursuant to determination by the Butler County Child Support Enforcement Agency that massage therapist is in default under a child support order, massage therapy license immediately suspended until such time as Board receives notice from that agency that massage therapist is no longer determined to be in default. Notice mailed 4/5/11; suspension effective 4/5/11.

CITATIONS & PROPOSED DENIALS

AHMAD, Shafik (MD #35.072585) – Huber Hts., OH

Based on doctor having been found guilty of Conspiracy to Commit Murder. Notice of opportunity for hearing mailed 4/14/11.

BLOCKER, David C. (MD #35.061188) – Centerville, OH

Based on doctor's alleged violation of conditions of limitation placed on medical license by 9/13/06 consent agreement due to doctor having been found guilty of Disorderly Conduct, the underlying allegations being that doctor threatened an 18 year-old neighbor. Notice of opportunity for hearing mailed 4/14/11.

FARR, Peter Donald (MD Applicant) – Rising Sun, IN

Based on applicant's alleged obtaining of money or anything of value by fraudulent misrepresentation in the course of practice and having been found guilty of one felony count of Illegal Kickbacks, one felony count of Medical Billing Fraud, and one felony count of False or Fraudulent Claims; applicant having been excluded from participation in Medicare, Medicaid, and all federal health program for a minimum of 10 years; and prior actions by the Indiana, Michigan, New York, and Illinois medical licensing agencies in suspending, revoking, and/or accepting the surrender of applicant's medical license in the respective states. Notice of opportunity for hearing mailed 4/14/11.

HOWALD, Caroline Elizabeth-Mae (MT Applicant) – Toledo, OH

Massage therapy applicant notified of right to request a hearing on the question of whether applicant's failure to submit to a mental or physical examination as ordered by the Board was due to circumstances beyond the applicant's control. Based on the legal presumption that applicant's failure to submit to a mental or physical examination as ordered by the Board constitutes admission of the legal and factual allegations demonstrating that applicant is impaired in the ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. Notice of opportunity for hearing mailed 4/14/11.

HOWALD, Caroline Elizabeth-Mae (MT Applicant) – Toledo, OH

Based on applicant's alleged making of a false, fraudulent, deceptive, or misleading statement in securing or attempting to secure an Ohio license, the underlying basis being applicant's failure to disclose having been found guilty of Disorderly Conduct based upon having been charged with Loitering; Solicit Others for the Purpose of Engaging in Illicit Sexual Conduct and Obstructing Official Business; having been found guilty of one misdemeanor count of Possession of Drug Paraphernalia involving possession of a hypodermic needle; having been subsequently arrested twice more for Possession of Drug Paraphernalia involving possession of a hypodermic needle; and having been charged with one count of Prostitution, for which a warrant for applicant's arrest is currently outstanding. Notice of Opportunity for Hearing mailed 4/14/11.

JOHNSTON, Seth Sage (MD #35.092050) – Newport, KY

Based on prior action by Kentucky's board in entering into an interim agreement with doctor by which he agreed to not engage in the practice of medicine in that state until the Kentucky board took an action concerning the final resolution of criminal charges pending against him, the underlying criminal charges being two counts of third degree sexual abuse involving a patient. Notice of opportunity for hearing mailed 4/14/11.

MOTHKUR, Venkat Krishna (MD Training Certificate #57.018734) – Cincinnati, OH

Based on doctor's alleged impairment of ability to practice according to acceptable and prevailing standards of care due to diagnosis of alcohol dependence/withdrawal/intoxication, generalized anxiety disorder and major depressive disorder, in partial remission, for which a Board-approved treatment provider found that doctor is at risk for relapse if recommended monitoring requirements are not met. Notice of opportunity for hearing mailed 4/14/11.

NJOKU, Charles Chiedo (MD #35.048587) - Akron, OH

Based on doctor's alleged selling, giving away, personally furnishing, prescribing, or administering drugs for other than legal and legitimate therapeutic purposes or a judicial finding of guilt of a violation of a federal law regulating the possession, distribution, or use of any drug; doctor's alleged obtaining of, or attempting to obtain, money or anything of value by fraudulent misrepresentation in the course of practice; and doctor having been found guilty in U.S. District Court, Southern District of Ohio, of one felony count of Healthcare Fraud and one felony count of Illegal Distribution of a Schedule II Controlled Substance, the underlying basis for the convictions being doctor's billing Medicaid and Medicare for office visits that included those when doctor was out of the country; giving his office manager pre-signed prescription pads and allowing the office manager to write and issue prescriptions for narcotics and other medications while doctor was out of the country; and allowing the office manager to see patients at the office, then claiming that doctor had seen the patients on bills submitted to Medicare and Medicaid. Notice of opportunity for hearing mailed 4/14/11. (See also: Pre-hearing Suspension)

ODSON, Brent Edward (LMT #33.009276) – Columbus, OH

Based on massage therapist's alleged practice of medicine without a license, the underlying basis being massage therapist's alleged use of the designation "Dr." preceding his name and holding himself out as a naturopathic medical doctor although he does not hold a medical license issued by the Ohio Medical Board. Notice of opportunity for hearing mailed 4/14/11.

POMPUTIUS, William Francis, Jr. (MD #35.041306) – Mt. Vernon, OH

Based on doctor's voluntary surrender of Controlled Substances Privileges to the DEA, the underlying basis being doctor's alleged failure to comply with federal requirements pertaining to controlled substances and as an indication to remedy any incorrect or unlawful practices on his part. Notice of Opportunity for Hearing mailed 4/14/11.

RUSSELL, Jaimee Nicole (LMT #33.008851) – Miamisburg, OH

Massage therapist notified of right to request a hearing on the question of whether her failure to submit to a mental or physical examination as ordered by the Board was due to circumstances beyond the applicant's control. Based on the legal presumption that massage therapist's failure to submit to a mental or physical examination as ordered by the Board constitutes admission of the legal and factual allegations demonstrating that she is impaired in the ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. Notice of opportunity for hearing mailed 4/14/11.

VILLAVICENCIO, Jose (MD #35.069935) – Columbus, OH

Based, in doctor's care rendered to 16 specified patients, on doctor's alleged repeated and/or continual treatment by excessively and/or inappropriately prescribing medications; continuing to prescribe controlled substances without appropriately pursuing or documenting the pursuit of

alternative non-narcotic therapies; failing to record in patient records the reason he prescribed medication and/or the need or reason for prescribing multiple medications; repeatedly and/or continually treating patients without performing and/or documenting the performance of an appropriate physical examination, appropriate diagnostic testing, treatment plans, and periodically reassessing or documenting the effectiveness of treatment. Notice of opportunity for hearing mailed 4/14/11.

WANGLER, Mark Adrian (MD #35.048180) – Lima, OH

Based on doctor having been found guilty in the Court of Common Pleas of Allen County of Aggravated Murder. Notice of opportunity for hearing mailed 4/14/11. (See also: Pre-hearing Suspension)

FINAL DISCIPLINARY ORDERS

ABDEL-AL, Naglaa Zidan Elsayed (MD #35.086026) – Windermere, FL

Medical license revoked. Based on prior actions by the medical licensing agencies in Arizona, California and Virginia in restricting or suspending doctor's licenses in the respective states. Based on the finding by the Arizona board that doctor's privileges at a medical center had been summarily suspended due to a suspected use of a general anesthetic/sedative obtained from that medical center. Order effective 4/14/11.

ABUNKU, Orduen (MD #35.075321) – West Chester, OH

Medical license permanently revoked. Based on doctor's surrender of DEA controlled substance prescribing privileges, the underlying basis being doctor's failure to comply with federal requirements pertaining to controlled substances while engaging in internet medicine in that he prescribed 30 to 50 controlled substances (primarily hydrocodone) prescriptions each day without having performed a physical examination on the patient, speaking directly to the patient, or having any medical records for the patient, and prescribed approximately 15,500 prescriptions to patients in 48 states. Order effective 4/14/11.

BOLEN, Noah Benjamin (MT Applicant) – Delaware, OH

Application for massage therapy license denied; conditions for re-application established, including that applicant demonstrate ability to practice in compliance with acceptable and prevailing standards of care. Based on Board's determination that applicant's failure to submit to an impairment examination was due to circumstances within his control, which renders the legal presumption of impairment conclusive. Order effective 4/14/11.

GHOLL, John Bernard (MD #35.082261) – Cambridge, OH

Medical license revoked. Based on Board's determination that doctor is impaired in ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice; committed an act in the course of practice that constitutes a misdemeanor by writing prescriptions while his medical license was suspended; and committed an act that constitutes a felony by practicing medicine without a license. Order effective 4/14/11.

LOPREATO, Paul Dominic (PA #50.001095) – Hamilton, OH

Probationary terms, conditions, and limitations established for at least five years, including requirement that physician assistant undergo a drug/alcohol assessment and comply with any treatment recommendations. Based on physician assistant's impairment of ability to practice

according to acceptable and prevailing standards of care because of diagnosis of opiate dependence and cocaine dependence for which he received treatment at a facility that is not Board-approved, but for which he has maintained sobriety for over two years and for which he is monitored by the Kentucky medical board; physician assistant's commission of an act constituting the felony of Deception to Obtain a Dangerous Drug and Theft of Drugs; and prior action of the Kentucky medical board in subjecting physician assistant's Kentucky license to specified conditions. Order effective 5/10/11.

McMAKEN, David Allen (MD #35.060233) – Pataskala, OH

Permanent revocation of medical license stayed, license suspended for at least 90 days, conditions for reinstatement established, and subsequent probationary terms, conditions, and limitations established for at least five years. Based on doctor's violation of the provisions of the Board's 1/10/07 Order requiring doctor to submit documentation of having completed required CME. Order effective 4/14/11; suspension effective 5/15/11.

OGLE, David Jeffrey (MD #35.068913) – Gresham, OR

Medical license permanently revoked. Based on prior action by Oregon's medical board in revoking doctor's license in that state, the underlying basis being doctor having failed to terminate a physician-patient relationship prior to initiating a romantic relationship, and as medical director of a medical center having engaged in unprofessional conduct as medical center staff engaged in improper testing on patients, gross negligence or repeated negligence for improperly securing, not having proper records and controls for controlled substances, divulging professional secrets regarding patients, aiding or abetting the unlicensed practice of medicine, and violating the federal Controlled Substances Act by, among other things, allowing controlled substances turned in by patients to be used on other patients. Order effective 4/14/11.

PRASAD, Subramanya Krishnaswamy (MD #35.085099) – Florence, KY

Permanent revocation of medical license stayed, medical license suspended for two years, probationary terms, conditions, and limitations established for a period of at least five years. Based on prior action by Kentucky's medical board in accepting the surrender of doctor's license in that state based on doctor's guilty plea to one count of conspiracy to illegally distribute controlled substances by internet prescribing. Order effective 5/10/11.

INTERIM AGREEMENT

TAYLOR, Henry J., III (MD #35.065592) – Salem, OR (Late report)

By Interim Agreement effective 8/10/10, doctor agreed not to practice medicine and surgery in Ohio until the Board has issued a Final Order concerning the allegations contained in the 12/9/09 notice of opportunity for hearing. Effective 8/10/10.

CONSENT AGREEMENTS

BROWNLEE, Kory David (DPM #36.003315) – Delaware, OH

Podiatric medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 4/13/11; agreement to remain in effect for at least five years prior to any request for termination.

DiLUCIANO, Mark Edward (MD #35.062171) – Akron, OH

Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 4/13/11; agreement to remain in effect for at least five years prior to any request for termination.

GIBSON, Kristie Lynn (MT applicant) – North Royalton, OH

Massage therapy license granted, subject to probationary terms, conditions, and limitations. Based on applicant having been deemed capable of practicing despite impairment due to diagnosis with Personality Disorder not otherwise specified so long as certain treatment conditions are in place. Agreement effective 4/13/11; agreement to remain in effect for at least two years prior to any request for termination.

KEMPER, James Mitchell (DO #34.007708; DO Training Cert. #58.000266) – Cincinnati, OH

Medical license subject to probationary terms, conditions, and limitations. Based on doctor's admission of prior action by Indiana's medical board in placing doctor's license in that state on indefinite probation. Agreement effective 4/13/11; agreement to remain in effect for at least three years prior to any request for termination.

MERRITT, Thomas Rodman (MD #35.045667) – Fremont, MI

Medical license subject to probationary terms, conditions, and limitations. Based on doctor's admission of prior action by North Carolina's medical board in staying a suspension of his medical license in that state and requiring him to complete a PACE assessment, the underlying basis being doctor's provision of care during surgeries and accuracy of operative notes. Agreement effective 4/15/11; agreement to remain in effect for at least three years prior to any request for termination.

SALAS, Neil Alejandro (MD Training Certificate #57.018706) – Canton, OH

Medical license suspended for an indefinite period of time; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admission of being impaired in ability to train/practice according to acceptable and prevailing standards of care because of his habitual or excessive use or abuse of alcohol. Agreement effective 4/15/11.

SRESTHADATTA, Paul (DO #34.007180) – Columbus, OH

Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 4/13/11; agreement to remain in effect for at least five years prior to any request for termination.

STAMBOUGH, Jeffery Lynn (MD #35.053396) – Cincinnati, OH

Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring

conditions are in place. Agreement effective 4/13/11; agreement to remain in effect for at least five years prior to any request for termination.

ULMER, Chad Winfield (MD #35.092791; MD Training Cert. #57.010615) – Columbus, OH

Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor's admission that following an assessment for the ability to return to practice an addictionologist opined that he was not capable of practicing, and upon doctor subsequently having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 4/13/11; agreement to remain in effect for at least five years prior to any request for termination.

APPLICATION WITHDRAWN

BUTLER, Karen (MD Applicant) – Sturgeon Bay, WI

Permanent withdrawal of medical license application accepted by the Board in lieu of further formal disciplinary proceedings based on applicant's admission of having pled guilty to one felony count of aiding and abetting in the preparation of a fraudulent corporate income tax return for a professional corporation and having made a false, fraudulent, deceptive or misleading statement on her Ohio licensure application by denying having ever been a defendant in a court action. Effective 4/13/11.

VOLUNTARY SURRENDERS/RETIREMENTS

BAUSCHKA, Maryrose Patricia (MD Training Certificate #57.012711) – Mason, OH

Non-permanent surrender of doctor's training certificate accepted by Board, with conditions for reapplication established, in lieu of further formal disciplinary proceedings based on allegation that doctor is unable to practice according to acceptable and prevailing standards of care by reason of mental illness, specifically anorexia. Effective 4/13/11.

GATUZ-VICTORIOSO, Rebecca D. (MD #35.055244) – Mt. Vernon, OH

Permanent retirement from the practice of medicine and surgery accepted by the Board in lieu of further investigation related to a possible violation of the minimal standards of care. Effective 4/13/11.

McDONALD, Michael Xavier (MD #35.050763) – Barberton, OH

Permanent retirement from the practice of medicine and surgery accepted by the Board in lieu of further investigation related to a possible inability to practice according to acceptable and prevailing standards of care by reason of mental illness, physical illness, or both. Effective 4/13/11.

WALKER, Adonica Louise (MD #35.062589) – Denver, CO

Permanent retirement from the practice of medicine and surgery accepted by the Board in lieu of further investigation related to a possible inability to practice according to acceptable and prevailing standards of care by reason of mental illness, physical illness, or both. Effective 4/15/11.

LICENSES REINSTATED

BADRI, Rafael A. (MD #35.050410) – Cleveland, OH

Doctor's request for reinstatement approved by 4/13/11 Board vote, subject to probationary terms, conditions, and limitations as outlined in the 10/14/09 Board Order. Effective 4/13/11.

PATEL, Parag (MD #35.079906; MD Training Cert. #57.000413) – Crestview Hills, KY

Doctor's request for reinstatement approved by 4/13/11 Board vote, subject to probationary terms, conditions, and limitations for a minimum of five years, as outlined in the 1/12/11 Board Order. Effective 4/13/11.

PROBATION COMPLETED

RENZ, Mark Allan (MD #35.087699; MD Training Cert. #57.007902) – Columbus, OH

Doctor's request for release from the terms of the 4/12/06 consent agreement granted by 4/13/11 Board vote. Release from probation effective 4/13/11.

PROBATION – MONITORING TERMS MODIFIED

BLAIR, Mark Erik (MD #35.081181; MD Training Cert. #57.003593) – Columbus, OH

Doctor's request to reduce required psychotherapy to an "as needed" basis granted by 4/14/11 Board vote.

CHAMBERS, Carolyn Ann (MD #35.096570) – Latrobe, PA

Monitoring physician approved and frequency and number of charts for review established by 4/13/11 Board vote.

FREEMAN, Joseph Richard (DO #34.005520) – Pomeroy, OH

Doctor's requests to reduce required personal appearances to every six months and to reduce required alcohol and drug rehabilitation meetings to two per week with a minimum of 10 per month granted by 4/14/11 Board vote.

HEINRICHS, Timothy Arnold (MD #35.055465) – Celina, OH

Doctor's requests to reduce personal appearances to every six months and discontinue required controlled substance logs granted by 4/14/11 Board vote.

McCAREN, Stephen Thomas (MD #35.064277) – Akron, OH

Doctor's request to discontinue required drug log granted by 4/14/11 Board vote.

MENON, Aiyappan (MD #35.061918) – Solon, OH

Doctor's request to reduce required personal appearances to every six months granted by 4/14/11 Board vote.

SZOKOLOCZY-SYLLABA, Andreas Herbert (DO #34.007391) – Dayton, OH

Doctor's request to reduce required psychotherapy sessions to every three weeks granted by 4/14/11 Board vote.

COURT ACTION UPDATE

ABUNKU, Orduen (MD #35.075321) – West Chester, OH

Notice of Appeal of Board's 4/13/11 Order permanently revoking doctor's medical license filed by doctor with the Franklin County Court of Common Pleas on 4/28/11.

HALL, Darrell Andre (MD #35.072948) – Toledo, OH

By Decision and Entry filed on 4/26/11, the Franklin County Court of Common Pleas affirmed Board's Order permanently revoking doctor's medical license.

MAGA, Dominic Joseph (DO #34.002071) – Dayton, OH

Notice of Appeal of Board's 3/9/11 Order suspending doctor's medical license for at least 180 days filed by doctor with the Franklin County Court of Common Pleas on 3/22/11.

MAHAJAN, Mahendra Kumar (MD #35.043538) – Beavercreek, OH

By Decision and Judgment filed 4/12/11, the Franklin County Court of Common Pleas affirmed the Board's order in part, but reversed in part and remanded the case to the Board for revision of the probationary terms, conditions, and limitations related to travel.

Non-Disciplinary Administrative Actions

Approval of Application

PAJER, Kathleen Ann (MD Applicant) – Columbus, OH

Application for restoration of medical license granted provided that applicant takes and passes the SPEX or a specialty board recertification examination within six months of 12/13/10. Based on Board's finding that applicant had not engaged in the active practice of medicine and surgery for more than two years. (Journal Entry – no hearing requested) Order effective 4/13/11. **(Non-disciplinary)**

SCLABASSI, Robert Joseph (MD Applicant) – Gibsonia, PA

Application for medical license granted, based on Board determination that doctor's clinical training and experience are equivalent to 12 months of graduate medical education. Order effective 4/14/11. **(Non-disciplinary)**

WOOD, Dwayne Allen (LMT #33.008503) – Columbus, OH

Application for restoration of massage therapy license granted, provided applicant takes and passes the limited branch portion of the massage therapy exam within one year of 12/15/10. Based on applicant not have been engaged in the active practice of massage therapy for more than two years. (Journal Entry – no hearing requested) Order effective 4/13/11. **(Non-disciplinary)**

WULFEKOTTER, Amy Patrice (LMT #33.014289) – Cincinnati, OH

Application for restoration of massage therapy license granted, provided applicant takes and passes the limited branch portion of the massage therapy exam within one year of 12/15/10. Based on applicant not have been engaged in the active practice of massage therapy for more than two years. (Journal Entry – no hearing requested) Order effective 4/13/11. **(Non-disciplinary)**

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

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

Most current citation letters, Board Orders, consent agreements and voluntary surrenders or retirements are available on the Medical Board’s website at <http://med.ohio.gov/> under “*Licensee Profile and Status.*” If you have questions or need additional details about specific cases, please contact Jackie Moore at (614) 728-4640.