

State Medical Board of Ohio
Formal Action Report – February 2012

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Please find below a summary of actions taken or initiated by the State Medical Board of Ohio in February 2012 and an update of Board matters pending or decided in courts as of February 8, 2012.

PRE-HEARING SUSPENSIONS

CULLEN, William B., M.D. (#35-056037) – Wadsworth, Ohio

Pursuant to Section 4731.22(G), O.R.C., medical license summarily suspended based on Board's determination that there is clear and convincing evidence that, in medical care rendered to 24 specified patients, the doctor failed to maintain minimal standards applicable to the selection or administration of drugs, or failed to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease and that such care departed from, or failed to conform to, minimal standards of care of similar practitioners; that doctor violated the conditions of limitation imposed on his license by a 10/14/10 consent agreement in that his conduct violates the Medical Board rules governing the treatment of intractable pain; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Order effective 2/8/2012. (*See also: Citations/Proposed Denials below*)

WILLIAMS, Mark David, M.D. (#35-091244) – Canfield, Ohio

Pursuant to determination by Mahoning County Child Support Enforcement Agency that doctor is in default under a child support order, medical license immediately suspended until such time as Board receives notice from Mahoning County Child Support Enforcement Agency that doctor is no longer determined to be in default. Suspension effective 1/23/12.

CITATIONS/PROPOSED DENIALS

CARVER, Joseph Claude, M.D. (#35-062026) – Washington Court House, Ohio

Based on doctor's conviction in the United States District Court for the Northern District of Ohio on one felony count of Concealment of Assets in Bankruptcy and one felony count of False Oath in Bankruptcy. Notice of opportunity for hearing mailed on 2/9/12.

CULLEN, William B., M.D. (#35-056037) – Wadsworth, Ohio

Based on doctor's alleged departure from or failure to conform to minimal standards of care rendered to 24 specified patients; alleged failure to maintain minimal standards applicable to the selection or administration of drugs, or failure to employ acceptable scientific methods in the selection of drugs or other modalities; and alleged violation of Medical Board rules governing the treatment of intractable pain. Notice of opportunity for hearing mailed 2/9/12.

GOMAA, Laila Ibrahim, M.D. (#35-068963) – Dayton, Ohio

Based on doctor's alleged departure from or failure to conform to minimal standards of care rendered to four specified patients; alleged failure to maintain minimal standards applicable to the selection or administration of drugs, or failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease; alleged violation of Medical Board rules governing the treatment of intractable pain, which may constitute a failure to maintain minimal standards applicable to the selection or administration of drugs and/or a departure from, or the failure to conform to, minimal standards of care; alleged commission of an act in the course of practice that constitutes a misdemeanor, based upon doctor's alleged pre-signing of prescriptions; and doctor's alleged false, fraudulent, deceptive, or misleading statements in the course of practice. Notice of opportunity for hearing mailed 2/9/12.

JOHNSON, Lynn Ann (Massage Therapy Applicant) – Painesville, Ohio

Based on massage therapy applicant's alleged impairment of ability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. Notice of opportunity for hearing mailed 2/9/12.

KELLEY, Colin Thomas, M.D. (#35-075751) – New Zealand

Based on doctor's conviction in the United States District Court for the Western District of Tennessee on one felony count of Health Care Fraud; Aiding and Abetting. Notice of opportunity for hearing mailed 2/9/12.

POPOVICH, William, M.D. (#35-089778) – Medina, Ohio

Based on doctor's alleged impairment of ability to practice according to acceptable and prevailing standards of care due to relapse and violation of conditions of limitation imposed on his license by 8/10/11 consent agreement. Notice of opportunity for hearing mailed 2/9/12.

SCROGGINS, Timothy Allen, M.D. (#35-079345) – Spencer, Ohio

Based on doctor's execution of a Voluntary Surrender of Controlled Substances Privileges to the U.S. Department of Justice – Drug Enforcement Agency, the underlying basis being doctor's alleged failure to comply with federal requirements pertaining to controlled substances. Notice of opportunity for hearing mailed 2/9/12.

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

Based on doctor's alleged commission of an act constituting a felony based upon his alleged practice of medicine while his license was in a suspended status; alleged violation of the conditions of limitation placed upon his certificate to practice; alleged false, fraudulent, deceptive or misleading statements in the course of practice; and alleged violation of Medical Board rules governing the maintenance of complete and accurate medical records, which may constitute failure to maintain minimal standards applicable to the selection or administration of drugs and/or a departure from, or the failure to conform to, minimal standards of care. Notice of opportunity for hearing mailed 2/9/12.

FINAL ORDERS

ARMAS, Romulo A., M.D. (#35-036947) – St. Petersburg, Florida

Medical license permanently revoked. Based on prior action by the Florida Board of Medicine wherein doctor relinquished his license to practice medicine and surgery, the underlying allegations being doctor's care rendered to one patient. (Journal Entry – no hearing requested.) Order effective 2/9/12.

DAWSON, David Warren, M.D. (#35-049896) – McLoud, Oklahoma

Medical license revoked. Based on prior action by the Oklahoma State Board of Medical Licensure and Supervision wherein doctor's license to practice medicine and surgery was suspended for a period of six months, the underlying basis being the doctor's inappropriate prescribing of narcotics or controlled drugs and his failure to maintain adequate medical records. (Journal Entry – no hearing requested.) Order effective 2/9/12.

FAKHOURY, Ramon Fawzi, M.D. (#35-089349) – Norco, California

Medical license revoked. Based on prior action by the Medical Board of California wherein doctor is restricted from seeing or treating any female patients without a female, registered nurse, chaperone approved in advance by the California Board until the issuance of a final decision and order regarding allegations that the doctor sexually molested four female patients. (Journal Entry – no hearing requested.) Order effective 2/9/12.

MESCHER, Aaron Allen (Massage Therapy Applicant) – Dayton, Ohio

Application for certificate to practice massage therapy in the state of Ohio permanently denied. Based on applicant's convictions on one felony count of Fraud on a Financial Institution, one felony count of Conspiracy to Commit Offenses against the United States, and one misdemeanor count of Illegal Sexually Oriented Activity in a Sexually Oriented Business. (Journal Entry – no hearing requested.) Order effective 2/9/12.

TRUESDALE, Philip Jeffrey (Massage Therapy Applicant) – Lima, Ohio

Application for license to practice massage therapy in Ohio granted and license suspended for an indefinite period of time, with conditions for interim monitoring and reinstatement established. Upon reinstatement, license placed on probation for at least five years. Based on applicant having been diagnosed with alcohol and cannabis abuse. Order effective 3/6/12.

WORRELL, Bruce S., D.O. (#34-002776) – Maineville, Ohio

Medical license permanently revoked. Based on doctor's conviction in the United States District Court, Southern District of Ohio, on one felony count of Health Care Fraud in violation of 18 U.S.C. Section 1347, the underlying acts being that doctor caused to be submitted reimbursement requests to Medicare and Medicaid for services provided to patients while the doctor was excluded from participation in all federal health programs; doctor's false, fraudulent, deceptive, or misleading statements in relation to the practice of medicine and obtaining or attempting to obtain money or anything of value by fraudulent misrepresentations in the course of practice by his submission of claims during his exclusion; and on doctor's violation of conditions of limitations placed on doctor's Ohio medical license by a 9/10/03 consent agreement which required him to obey all federal, state, and local laws, and all rules governing the practice of osteopathic medicine in Ohio. Order effective 2/9/12.

XENAKIS, Megan Marie, M.T. (#33-018710) – Bellaire, Ohio

Massage therapy license revoked. Based on massage therapist's violation of conditions of limitation imposed on her license by 1/13/10 Board Order due to her failure to submit required reports, comply with required drug and alcohol screen procedures, and attend required personal appearances with a Board representative. (Review and Journal Entry – no hearing requested.) Order effective 2/9/12.

CONSENT AGREEMENTS

CHOY-ZANNONI, Jean Sun, M.D. (#35-049714) – Parma, Ohio

Medical license suspended for at least one year; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's conviction in the Cuyahoga County Court of Common Pleas on one felony count of Attempted Theft; Aggravated Theft, one felony count of Attempted, Worker's Compensation Fraud, and one felony count of Telecommunications Fraud; obtaining, or attempting to obtain, money or anything of value by fraudulent misrepresentation in the course of practice; and doctor's false, fraudulent, deceptive, or misleading statements in securing an Ohio medical license by failing to disclose on her 2011 renewal application that she had been criminally indicted. Agreement effective 2/8/12.

CHU, Paul P., M.D. (#35-053485) – Springfield, Ohio

Medical license reinstated on 2/8/12, subject to probationary terms, conditions and limitations based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 2/8/12; agreement to remain in effect for at least five years prior to any request for termination.

KANG, Kavita A. J., D.O. (#58-004159) – Dayton, Ohio

Osteopathic training certificate reinstated on 2/8/12, subject to probationary terms, conditions and limitations based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 2/8/12; agreement to remain in effect for at least five years prior to any request for termination.

LOPREATO, Paul Dominic, P.A. (#50-001095) – Florence, Kentucky

Physician assistant's license suspended for at least one year; interim monitoring conditions and conditions for reinstatement established, including requirement that physician assistant enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on physician assistant's admission that he relapsed by consuming alcohol and violated of the terms and conditions of a 4/13/11 Board Order. Agreement effective 2/8/12.

MASSIE, David Walter, M.D. (#35-049431) – Mansfield, Ohio

Medical license suspended for at least one year; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's violation of the terms and conditions of a 4/14/10 Consent Agreement. Agreement effective 2/8/12.

VOLUNTARY SURRENDERS/RETIREMENTS

YOUNG, Kip Tanner, M.T. (#33-018692) – Cincinnati, Ohio

Permanent revocation authorized by massage therapist in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(20), Ohio Revised Code, including violations of Rule 4731-26-02 and 4731-26-03, Ohio Administrative Code, based on massage therapist engaging in inappropriate sexual contact during therapeutic massage therapy sessions with multiple female patients. Effective 2/8/12.

PROBATIONARY REQUESTS AND MODIFICATIONS

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

Doctor's request for approval of monitoring physician granted by vote of the Board on 2/8/12. Frequency and number of charts to be reviewed by monitoring physician established.

BALDWIN, Mark Denison, D.O. (#34-005880) – Columbus, Ohio

Doctor's request for permission to administer, personally furnish or dispense controlled substances granted by the Board on 2/8/12.

BLAIR, Mark Erik, M.D. (#35-081181) – Worthington, Ohio

Doctor's request for approval of monitoring physician granted by vote of the Board on 2/8/12.

ELLIS, John P., D.P.M. (#36-002463) – Westlake, Ohio

Doctor's request for approval of monitoring physician, approval of treating psychiatrist, and approval of treating psychotherapist granted by vote of the Board on 2/8/12. Frequency and number of charts to be reviewed by monitoring physician established.

FLANIGAN, Jackson L. J., M.D. (#35-061527) – Cambridge, Ohio

Doctor's request for approval of monitoring physician granted by vote of the Board on 2/8/12. Frequency and number of charts to be reviewed by monitoring physician established.

HUTCHISON, Philip Martin, D.O. (#34-005766) – Bellevue, Ohio

Doctor's request for approval of controlled substance prescribing course and medical record keeping course approved by vote of the Board on 2/8/12.

KANG, Kavita A. J., D.O. (#58-004159) – Dayton, Ohio

Doctor's request for approval of a treating psychiatrist approved by vote of the Board on 2/8/12.

MARKER, Melissa Jane, D.O. (#34-008532) – Vermilion, Ohio

Doctor's request for approval of controlled substance prescribing course and medical record keeping course approved by vote of the Board on 2/8/12.

SCHEIDLER, Earl C., D.O. (#34-001318) – Cincinnati, Ohio

Doctor's request for approval of a controlled substance prescribing course approved by vote of the Board on 2/8/12.

SKIBICKI, Rick, M.D. (#35-047024) – Newark, Ohio

Doctor's request to reduce required psychiatric sessions to every three months granted by vote of the Board on 2/8/12.

STEPHENS, Kyle Wayne, M.D. (#57-017147) – Toledo, Ohio

Doctor's request to reduce required personal appearances to every six months and request to reduce required drug and alcohol meetings to 2 per week with a minimum of ten per month granted by vote of the Board on 2/8/12.

PROBATION TERMINATED

KLEINE, Shannon Ruth, M.T. (#33-012959) – Cedar Grove, Indiana

Massage therapist's request for release from terms of 2/13/08 Consent Agreement granted by vote of the Board on 2/8/12. Effective 2/8/12.

COURT ACTIONS

SHANK, Myron Lyle, M.D. (#35-057234) – Lima, Ohio

Notice of appeal of Board's 12/30/11 Order of probation filed by doctor with Franklin County Court of Common Pleas on 1/17/12.

KAREL, Douglas B., M.D. (#35-071689) – Lima, Ohio

By Decision and Entry filed 1/20/12, Franklin County Court of Common Pleas affirmed Board's 7/15/11 Order of permanent revocation.

CALLOWAY, George Franklin, M.D. (#35-038419) – Westerville, Ohio

By Entry filed on 1/30/12, Franklin County Court of Common Pleas denied doctor's motion for stay of Board's 11/28/11 Order taking no further disciplinary action.

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

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

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