

**State Medical Board of Ohio**  
**Formal Action Report – June 2017**

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Please find below a summary of actions taken or initiated by the State Medical Board of Ohio in June 2017 and an update of Board matters pending or decided in courts as of June 14, 2017.

**PRE-HEARING SUSPENSIONS**

**GIDEON**, James Alan, M.D. (#35.075051) — Bluffton, Ohio

Pursuant to Section 4731.22(G), medical license summarily suspended based on Board's determination that there is clear and convincing evidence that doctor is in violation of Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-26-02, Ohio Administrative Code, and that his continued practice presents a danger of immediate and serious harm to the public. Order effective 6/14/17. (See also: Citations/Proposed Denials below).

**HAMILTON**, Denise Ann, M.D. (#35.120596) — Xenia, Ohio

Pursuant to Section 4731.22(G), medical license summarily suspended based on Board's determination that there is clear and convincing evidence that doctor is in violation of Section 4731.22(B)(26), Ohio Revised Code, and that her continued practice presents a danger of immediate and serious harm to the public. Order effective 6/14/17. (See also: Citations/Proposed Denials below).

**PALOSKI**, William George, D.O. (#34.002293) — Canfield, Ohio

Pursuant to Section 3719.121(C), Ohio Revised Code, doctor's license to practice osteopathic medicine and surgery in the state of Ohio is immediately suspended based upon a finding of guilt in the Court of Common Pleas of Mahoning County, Ohio, to four counts of Trafficking in Drugs, a fifth degree felony, and one count of Attempted Trafficking in Drugs, a fifth degree felony as amended. Order effective 6/14/17. (See also; Citations/Proposed Denials below).

**CITATIONS/PROPOSED DENIALS**

**BUCHER**, Rick James, M.D. (#35.052335) — Oxford, Ohio

Based on the doctor's plea of guilty to one misdemeanor count of Obstruction of Official Business, in the Court of Common Pleas of Butler County, Ohio, to which the doctor was sentenced to ninety days in jail, suspended, five years of probation, one year of community control, and a \$750 fine, which constitutes a plea of guilty to, a judicial finding of guilt of, or a

judicial finding of eligibility for intervention in lieu of conviction for a misdemeanor committed in the course of practice. Notice of Opportunity for hearing mailed 6/15/2017.

**CASSELBERRY**, Ronald Blane, M.D. (#35.054022) — Lyndhurst, Ohio

Based on allegations that with respect to seventeen 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; that the doctor's acts conduct or omissions allegedly constitute a departure from or the failure to conform to minimal standards of care of similar practitioners under the same or similar circumstances; that the doctor's conduct allegedly violated the Board's rules on utilizing prescription drugs for the treatment of intractable pain; that the doctor's conduct allegedly violated the Board's rules on standards and procedures for review of the Ohio Automated Rx Reporting System; and that the doctor allegedly violated or attempted to violate, directly or indirectly, or assisted in or abetted the violation of, or conspired to violate, the rules of the Board or the Ohio Revised Code. Notice of Opportunity for hearing mailed 6/15/2017.

**GIDEON**, James Alan, M.D. (#35.075051) — Bluffton, Ohio

Based on allegations that when doctor engaged in sexual misconduct with five specified patients, the doctor: violated or attempted to violate, directly or indirectly, or assisted in or abetted the violation of, or conspired to violate the Board's rules on sexual misconduct with patients; and departed from or failed to conform to minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established. Notice of Opportunity for hearing mailed 6/15/2017.

**HAMILTON**, Denise Ann, M.D. (#35.120596) — Xenia, Ohio

Based on allegations that the doctor is impaired in her ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. Notice of Opportunity for hearing mailed 6/15/2017.

**HODGE**, John Cameron, D.O. (#34.011389) — Grove City, Ohio

Based on doctor's plea of guilty in the Court of Common Pleas, Highland County, Ohio, to one count of Aggravated Trafficking in Drugs, a felony of the third degree; and one forfeiture specification relating to \$3,500.00, a .40 caliber pistol, an automatic rifle, and a 2002 Audi vehicle, due to their instrumentality in the commission of the Trafficking offense, which constitute a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for a felony. Notice of Opportunity for Hearing mailed 6/15/17.

**JOBALIA**, Nilesh Bhupendra, M.D. (#35.062727) — Hamilton, Ohio

Based on allegations that the doctor violated the terms, conditions and limitations placed by the Board upon the doctor's certificate to practice in the May 2009 Consent Agreement, when the

doctor failed to: timely submit quarterly declarations; attend a scheduled probationary appearance; and to cooperate in an investigation conducted by the Board when the doctor failed to attend a deposition scheduled pursuant to a validly issued subpoena. Notice of Opportunity for Hearing mailed 6/15/17.

**PALOSKI**, William George, D.O. (#34.002293) — Canfield, Ohio

Based upon a finding of guilt in the Court of Common Pleas of Mahoning County, Ohio, to four counts of Trafficking in Drugs, a fifth degree felony, and one count of Attempted Trafficking in Drugs, a fifth degree felony as amended, and eight misdemeanor counts of Possession of Dangerous Drugs, which constitute: a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for a felony; and a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for a misdemeanor committed in the course of practice. Notice of Opportunity for Hearing mailed 6/15/17.

**RABI**, Firas Atallah, M.D. (#35.098154) — Abdoun, Amman, Jordan

Based on allegations that the doctor violated the terms, conditions and limitations placed by the Board upon the doctor's certificate to practice in the May 2016 Board Order, when the doctor failed to timely submit quarterly declarations, and failed to submit the name of a psychiatrist or documentation the doctor is attending treatment. Notice of Opportunity for Hearing mailed 6/15/17.

**WINDSOR**, Robert Earl, M.D. (#35.093887) — Marietta, Georgia

Based on doctor's plea of guilty in the United State District Court, Northern District of Georgia, Atlanta Division, to two felony counts of Health Care Fraud, with a sentence of thirty-eight months of imprisonment and \$1,169,580.00 in restitution, which constitute a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for a felony. Also based on four prior actions by: the Georgia Composite Medical Board, which accepted the doctor's Voluntary Surrender of his medical license; the Medical Board of California which issued a Decision and Order accepting the doctor's Surrender of License; the State Board of Medicine of Pennsylvania which issued an Order Revoking the doctor's license; and the Texas Medical Board which issued an Order of Suspension by Operation of Law that suspended the doctor's license, all of which individually or collectively constitute any of the following actions taken by an agency responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand. Notice of Opportunity for Hearing mailed 6/15/17.

## **FINAL ORDERS**

**BASHIR**, Javaid Mohammad, M.D. (#35.062767) — Jackson, Michigan

Medical license permanently revoked. Based on the doctor's conviction in the United States District Court, Eastern District of Michigan, to one felony count of Conspiracy to Pay and Receive Health Care Kickbacks, to which the doctor was sentenced to twenty-four months of probation and ordered to pay \$180,000.00 in restitution, which itself constitutes the obtaining of, or attempting to obtain money for anything of value by fraudulent misrepresentation in the course of practice. Also based on a prior actions by: the Michigan Board which issued a Final Order that revoked the doctor's medical license and imposed a fine of \$50,000.00; and the Commonwealth of Virginia, Department of Health Professions, Virginia Board of Medicine, which suspended the doctor's privilege to renew his license to practice medicine, which constitutes individually or collectively any of the following actions taken by an agency responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand. Order effective 6/15/17. (Journal Entry-No Hearing Requested).

**BLECHER**, Saul Israel, M.D. (#35.063813)—Cincinnati, Ohio

Certificate to practice medicine and surgery permanently limited and restricted such that doctor shall not prescribe, write orders for, give verbal orders for, administer, or personally furnish any controlled substances. Certificate to practice medicine and surgery is also suspended for an indefinite period of time, but not less than one year, and subject to interim monitoring conditions, conditions for reinstatement, and probationary terms for at least three years upon reinstatement or restoration. Based upon the finding that in the care of nine specified patients, the doctor violated or attempted to violate, directly or indirectly, or assisted in or abetted the violation of, or conspired to violate, the Medical Board's rules on Controlled Substances, to wit: Utilization for Weight Reduction; Utilizing Prescription Drugs for the Treatment of Intractable Pain; failed to maintain minimal standards applicable to the selection or administration of drugs; failed to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease; sold, gave away, personally furnished, prescribed, or administered drugs for other than legal and legitimate therapeutic purposes; plead guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction of, a felony; violated a federal or state law regulating the possession, distribution, or use of any drug; departed from, or the failed to conform to minimal standards of care of similar practitioners under the same or similar circumstances whether or not patient injury is established; that the doctor's acts, conduct and/or omissions constitute the commission of an act that constitutes a felony in this state, specifically Illegal Processing of Drug Documents; that the doctor's acts, conduct and/or omissions constitutes a misdemeanor committed in the course of practice, specifically the Standards and Procedures for Review of Ohio Automated Rx Reporting System; and failed to comply with requirements to check the Ohio Automated Rx Reporting System. Order effective 6/15/17.

**BROWN, Joshua Lennon, D.O. (#58.005276) — Columbus, Ohio**

Training certificate to practice osteopathic medicine and surgery revoked. Based upon the doctor's impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. Order effective 6/15/17. (Journal Entry-No Hearing Requested).

**HAMMOND, Sean Patrick, M.T. (#33.020286) — Wooster, Ohio**

License to practice massage therapy suspended for an indefinite period of time, and subject to a fine in the amount of three thousand dollars (\$3,000.00), with interim monitoring conditions, conditions for reinstatement, and probationary terms for at least five years upon reinstatement or restoration. Based on the massage therapist's plea of guilty, in the Summit County Court of Common Pleas, Ohio, to one felony count of Aggravated Possession of Drugs; and a plea of guilty in Court of Common Pleas of Cuyahoga, Ohio, to one felony count of Drug Possession, which individually or collectively constitute a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony. Also based upon the finding that the massage therapist is impaired in his 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. Order effective 6/27/17.

**MURRAY, Thomas Douglas, M.D. (#35.078057) — Caldwell, Ohio.**

Medical license permanently revoked. Based on a conviction in the United States District Court for the District of New Mexico, in which the doctor was found guilty to one felony count of Possession of a Matter Containing Visual Depictions of Minors Engaging in Sexually Explicit Conduct. Order effective 6/15/17. (Journal Entry-No Hearing Requested).

### **VOLUNTARY PERMANENT SURRENDERS/ RETIREMENTS/WITHDRAWALS**

**BERNIE, Stephen, M.D. (#35.029203) — Beachwood, Ohio**

Permanent revocation of certificate to practice medicine and surgery authorized by physician in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(9), Ohio Revised Code. Agreement effective 6/14/17.

### **CONSENT AGREEMENTS**

**DELA CRUZ, Renato Falgui, M.D. (#35.060832) — Belmont, Ohio**

Certificate to practice medicine and surgery reprimanded, subject to a fine of thirteen thousand dollars (\$13,000.00), and successful completion of a Board approved course on prescribing of controlled substances. Based on the finding that in the care of ten specified patients, the doctor's acts, conduct and/or omissions occurring on or after 1/1/16 constitute a violation of the Board's rule with respect to the Standards and Procedures for Review of OARRS. Agreement effective 6/14/17.

**ORRA**, Abdul-Ghani Mohamad, D.O. (#34.003811) — North Olmsted, Ohio

Certificate to practice osteopathic medicine and surgery reprimanded, subject to a seven thousand five hundred dollar (\$7,500.00) fine, and successful completion of two Board approved courses on prescribing of controlled substances, and a medical records course. Based on the finding that in the care of six specified patients the doctor failed to obtain and review the Ohio Automated Rx Reporting System reports before and after prescribing Schedule II-V controlled substances, including opioid analgesics and benzodiazepines. Agreement effective 6/14/17.

### **PROBATIONARY REQUESTS AND MODIFICATIONS**

**ALLEN**, Mark L., M.D (#35.063078) — Poland, Ohio

Doctor's request for approval to continue under the terms of the August 12, 2015 Ohio Board Order while residing in Kansas granted by vote of the Board on 6/14/17.

**BALDIE**, Kevin Gordon, M.D. (#35.128985) — Cuyahoga Falls, Ohio

Doctor's request for approval of new treating psychiatrist granted by vote of the Board on 6/14/17.

**COOK**, Deborah Lynn, D.P.M. (#36.003231) — Mentor, Ohio

Doctor's request for reduction in personal appearances from once every three months to once per year granted by vote of the Board on 6/14/17.

**EWALD**, Jesse Michael, M.D. (#35.124055) — Westerville, Ohio

Doctor's request for discontinuance of the requirement to keep drug logs, and a reduction in drug and alcohol recovery meeting attendance from three per week to two per week, with a minimum of ten per month, granted by vote of the Board on 6/14/17.

**NOTESTINE**, Bethany Joy, M.T. (#33.023073) — Cincinnati, Ohio

Massage therapist's request for approval of ethics course granted by vote of the Board on 6/14/17.

**PEREZ**, Cara Elizabeth, M.D. (#35.081196) — Dayton, Ohio

Doctor's request for immediate release from the terms of the June 2016 Consent Agreement granted by vote of the Board on 6/14/17.

**POPOVICH**, William, M.D. (#35.089778) — Medina, Ohio

Doctor's request for approval of new treating psychiatrist granted by vote of the Board on 6/14/17.

**RODEBAUGH**, Justin Matthew, M.D. (#57.027246) — Virginia Beach, Virginia

Doctor's request for approval of Virginia Health Practitioners' Monitoring Program to conduct monitoring while the doctor resides in Virginia granted by vote of the Board on 6/14/17.

**ROSE**, Bernard Joseph, M.D. (#35.052219) — Kettering, Ohio

Doctor's request for approval of new treating psychiatrist granted by vote of the Board on 6/14/17.

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

Doctor's request for reduction in personal appearances from once every six months to once per year granted by vote of the Board on 6/14/17.

**STODDARD**, Frank Gerard, III, D.P.M. (#36.003130) — Medina, Ohio

Doctor's request for approval of medical record keeping and prescribing courses granted by vote of the Board on 6/14/17.

**THOMAS**, Terry Linn, D.O. (#34.007232) — Whipple, Ohio

Doctor's request for approval of new monitoring physician granted by vote of the Board on 6/14/17.

**ZEWAIL**, Aly Mohamed Aly, M.D. (#35.088417) — Doylestown, Ohio

Doctor's request for approval of psychotherapy treatment provider granted by vote of the Board on 6/14/17.

### **PROBATION TERMINATED**

**GOODMAN**, Paul Henry, D.O. (#34.004948) — Erie, Pennsylvania

Doctor's request for release from the terms of the 5/9/12 Step II Consent Agreement granted by vote of the Board on 6/14/17. Effective immediately.

**HIGHBERGER**, W. Andrew, M.D. (#35.056976) — Marysville, Ohio

Doctor's request for release from the terms of the 6/13/12 Step II Consent Agreement granted by vote of the Board on 6/14/17. Effective immediately.

## **NON-DISCIPLINARY ACTIONS**

**MAHAJAN**, Mahendra Kumar, M.D. (#35.043538) — Beavercreek, Ohio

Voluntary permanent surrender of certificate to practice medicine and surgery authorized by doctor in lieu of continued compliance with the terms of the September 2012 Step II Consent Agreement. Agreement effective 6/14/17.

## **COURT ACTIONS**

**AGGARAWAL**, Arun, M.D. (#35.120049) – Mayfield Heights, Ohio

Notice of Appeal filed 5/23/17 in the Franklin County Court of Common Pleas, from Board's Entry and Order dated 5/10/17.

**CARDINAL**, Traci Lee, P.A. (#50.003064RX) — Springfield, Ohio

By Decision and Judgement Entry of the Franklin County Court of Common Pleas dated 6/2/2017, affirmed the 4/13/16 Board Order that no further action be taken on physician assistant's license.

**FLYNN**, Freeda J., M.D. (#35.066409) — St. Clairsville, Ohio

By Entry dated 5/31/17, the Supreme Court of Ohio declined to accept jurisdiction of the doctor's appeal.

**LEIBOLD**, Jennifer Elaine, P.A. (#50.001562RX) — Springboro, Ohio

By Decision and Judgement Entry of the Franklin County Court of Common Pleas dated 6/1/2017, affirmed the 4/13/16 Board Order granting the application for valid prescriber number, and that no further action be taken on physician assistant's license.

**PERSAUD**, Harry, M.D. (#35.056175)—Westlake, Ohio

By Decision and Judgement Entry of the Franklin County Court of Common Pleas dated 5/31/2017, the Board's 7/13/16 Board Order permanently revoking the doctor's license, affirmed.

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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 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.