



State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: www.state.oh.us/med/

May 8, 2002

Laurece D. Sherman, C.T., M.T.
1288 Moore Street
Akron, Ohio 44301

Dear Mr. Sherman:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio [Board] intends to determine whether or not to limit, revoke, permanently revoke, suspend, refuse to register or reinstate your certificates to practice cosmetic therapy and massage therapy, or to reprimand or place you on probation for one or more of the following reasons:

- (1) On or about May 17, 2001, you filed applications for restoration of your certificates to practice cosmetic therapy and massage therapy [Restoration Applications] with the Board. Those Restoration Applications are currently pending.
- (2) On or about November 13, 1987, the Board entered a Findings, Order and Journal Entry revoking your certificates to practice massage therapy and cosmetic therapy in the State of Ohio. The Findings, Order and Journal Entry was based upon allegations, including, but not limited to, that you signed a statement regarding a patient's ability to return to work as Dr. Laurece Sherman; that you signed, as the attending physician, a "Supplementary Certificate of Attending Physician" containing a diagnosis and indicating that the patient was wholly disabled; and that you administered "colon therapy" or "colonic irrigation" to your clients from 1979 through 1985. Copies of the Findings, Order and Journal Entry and the corresponding letter of notice are attached hereto and incorporated herein.
- (3) On or about March 13, 1989, in the Court of Common Pleas, Summit County, Ohio, you pled guilty to and were found guilty of one (1) felony count of sexual battery with physical harm specification, in violation of Section 2907.03, Ohio Revised Code. Copies of the Journal Entries are attached hereto and incorporated herein.

Mailed 5.9.02

Your acts, conduct, and/or omissions as adjudicated and set forth in the Board Findings, Order and Journal Entry in paragraph (2) above, individually and/or collectively, constitute "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Section 4731.41, Ohio Revised Code, Practice of medicine or surgery without certificate, Rules 4731-1-02(B), 4731-1-03(C), 4731-1-03(D), 4731-1-03(E), 4731-1-05(A), and 4731-1-05(B), Ohio Administrative Code (as these rules were in effect at the time your Restoration Applications were submitted), and/or Rules 4731-1-01(B), 4731-1-02(C), 4731-1-02(D), 4731-1-02(E), 4731-1-08, 4731-1-09 and 4731-1-09(I), Ohio Administrative Code (as these rules were in effect at the time you were issued the Notice of Opportunity for Hearing on August 12, 1987).

Further, your acts, conduct, and/or omissions as adjudicated and set forth in the Board Findings, Order and Journal Entry in paragraph (2) above, individually and/or collectively, constitute "[m]aking a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatry, or a limited branch of medicine; or in securing or attempting to secure any certificate to practice or certificate of registration issued by the board," as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.

Further, your plea of guilty and/or the judicial finding of guilt as alleged in paragraph (3) above, individually and/or collectively, constitute "[a] plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for treatment in lieu of conviction for, a felony," as that clause is used in Section 4731.22(B)(9), Ohio Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, the request must be made in writing and must be received in the offices of the State Medical Board within thirty (30) days of the time of mailing this notice.

You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing received within thirty (30) days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice massage therapy or to reprimand or place you on probation.

Please note that, whether or not you request a hearing, Section 4731.22(L), Ohio Revised Code, effective March 9, 1999, provides that “[w]hen the board refuses to grant a certificate to an applicant, revokes an individual’s certificate to practice, refuses to register an applicant, or refuses to reinstate an individual’s certificate to practice, the board may specify that its action is permanent. An individual subject to a permanent action taken by the board is forever thereafter ineligible to hold a certificate to practice and the board shall not accept an application for reinstatement of the certificate or for issuance of a new certificate.”

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Anand G. Garg, M.D.
Secretary

AGG/blt
Enclosures

**CERTIFIED MAIL # 7000 0600 0024 5141 7997
RETURN RECEIPT REQUESTED**

IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT

MAR 20 | 51 PM '89

JANUARY

Term 19 89

SUMMIT COUNTY
STATE COURTS
THE STATE OF OHIO

No. CR 88 12 1866

vs.

LAURECE DUAN SHERMAN

JOURNAL ENTRY

VOL 1288 PAGE 745

THIS DAY, to-wit: The 13th day of March, A.D., 1989, now comes the Prosecuting Attorney on behalf of the State of Ohio, the Defendant, LAURECE DUAN SHERMAN, being in Court with counsel, DANIEL WILSON, and said Defendant was fully advised of his Constitutional rights and his rights as required under Rule 11 of the Ohio Rules of Criminal Procedure.

Upon Motion of the Prosecuting Attorney on behalf of the State of Ohio, the Court hereby amends One (1) Count of the Indictment to the lesser and included offense of SEXUAL BATTERY (1) WITH PHYSICAL HARM SPECIFICATION.

Thereupon, said Defendant retracts his plea of Not Guilty heretofore entered and for plea to said Indictment, says he is GUILTY of SEXUAL BATTERY, as contained in the amended One (1) Count of the Indictment, with PHYSICAL HARM SPECIFICATION, Ohio Revised Code Section 2907.03, a felony of the third (3rd) degree, which plea, voluntarily made and with a full understanding of the consequences, is accepted by the Court.

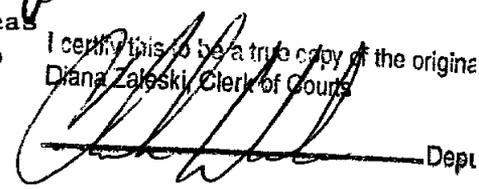
IT IS FURTHER ORDERED that this case be referred to the Adult Probation Department for a pre-sentence investigation and report and the Defendant was released on the same bond which was continued to await sentencing set for April 10, 1989 at 11:00 A.M.

APPROVED:
March 15, 1989
cvd



JOHN H. CAMPBELL, Judge
Court of Common Pleas
Summit County, Ohio

I certify this to be a true copy of the original
Diana Zaleski, Clerk of Courts



Dept

DIAL: IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT

APR 11 4 12 PM '89

JANUARY

Term 19 89

THE STATE OF OHIO

vs.

LAURECE DUAN SHERMAN

No. CR 88 12 1866

JOURNAL ENTRY

Vol. 1292 PAGE 579

THIS DAY, to-wit: The 10th day of April, A.D., 1989, now comes the Prosecuting Attorney on behalf of the State of Ohio, the Defendant, LAURECE DUAN SHERMAN, being in Court with counsel, DANIEL WILSON, for sentencing; having heretofore on March 13, 1989 plead GUILTY to SEXUAL BATTERY WITH PHYSICAL HARM SPECIFICATION, as contained in One (1) Count of the Indictment, which plea was accepted by the Court.

Thereupon, the Court inquired of the said Defendant if he had anything to say why judgment should not be pronounced against him; and having nothing but what he had already said, and showing no good and sufficient cause why judgment should not be pronounced:

IT IS, THEREFORE, ORDERED AND ADJUDGED BY THIS COURT that the Defendant, LAURECE DUAN SHERMAN, be imprisoned and confined in the OHIO STATE PENITENTIARY, CORRECTIONAL RECEPTION CENTER at Orient, Ohio, for an indeterminate period of not less than Three (3) Years and not more than the maximum of Ten (10) Years for punishment of the crime of SEXUAL BATTERY WITH PHYSICAL HARM SPECIFICATION, Ohio Revised Code Section 2907.03, a felony of the third (3rd) degree, and that the said Defendant pay the costs of this prosecution for which execution is hereby awarded; said monies to be paid to the Summit County Clerk of Courts, Court House, Akron, Ohio 44308.

IT IS FURTHER ORDERED that the Defendant be given credit for all time served locally while awaiting disposition of this case.

APPROVED:
April 11, 1989
cvd

John H. Campbell
JOHN H. CAMPBELL, Judge
Court of Common Pleas
Summit County, Ohio

VOL. 1292 PAGE 580

cc: Prosecutor Michael Carroll
Criminal Assignment
Attorney Daniel Wilson
Adult Probation Department
Booking
SIU
Grand Jury

I certify this to be a true copy of the original.
Diana Zaleski, Clerk of Courts
[Signature] Deputy

No. _____
Journal _____ Page _____

COMMON PLEAS COURT
COUNTY OF SUMMIT

JOURNAL ENTRY

THE STATE OF OHIO

vs.

entered _____, 19____
ton. _____
Judge Presiding _____
sent _____

STATE OF OHIO
THE STATE MEDICAL BOARD OF OHIO
65 SOUTH FRONT STREET
SUITE 510
COLUMBUS, OHIO 43266-0315

November 13, 1987

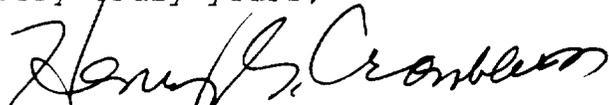
Laurece D. Sherman, C.T., M.T.
190 Paris Avenue
Akron, Ohio 44301

Dear Mr. Sherman:

Please find enclosed a certified copy of the Findings, Order, and Journal Entry approved and confirmed by the State Medical Board meeting in regular session on November 11, 1987.

Section 119.12, Ohio Revised Code, may authorize an appeal from this Order. Such an appeal may be taken to the Franklin County Court of Common Pleas only. Such an appeal setting forth the Order appealed from and the grounds of the appeal must be commenced by the filing of a Notice of Appeal with the State Medical Board of Ohio and the appropriate court within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

Very truly yours,


Henry G. Cramblett, M.D.
Secretary

HGC:em

Enclosures

CERTIFIED MAIL NO. P 158 073 944
RETURN RECEIPT REQUESTED

Mailed 11/18/87

STATE OF OHIO
THE STATE MEDICAL BOARD OF OHIO
65 SOUTH FRONT STREET
SUITE 510
COLUMBUS, OHIO 43266-0315

CERTIFICATION

I hereby certify that the attached copy of the Findings, Order, and Journal Entry, approved by the State Medical Board, meeting in regular session on November 11, 1987, constitutes a true and complete copy of the Findings, Order and Journal Entry in the matter of Laurece Daun Sherman, C.T., M.T., as it appears in the Journal of the State Medical Board of Ohio.

This certification is made under the authority of the State Medical Board of Ohio acting in its behalf.

(SEAL)


Henry G. Cramblett, M.D.
Secretary

November 13, 1987

Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

*

*

LAURECE DAUN SHERMAN, C.T., M.T. *

FINDINGS, ORDER AND JOURNAL ENTRY

This matter came on for consideration before the State Medical Board of Ohio on the 11th day of November, 1987.

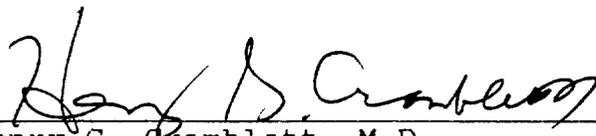
By letter dated August 12, 1987, the State Medical Board notified Laurece D. Sherman, C.T., M.T. of its proposal to limit, revoke, suspend, refuse to register or refuse to reinstate his certificate to practice massage and cosmetic therapy, or to reprimand him or place him on probation for alleged violations of the Ohio Revised Code and the Ohio Administrative Code.

Mr. Sherman was advised that he was entitled to a hearing if such hearing was requested within thirty (30) days of the mailing of said notice. Mr. Sherman has not requested a hearing, and thirty (30) days have elapsed since the mailing of the aforesaid notice.

WHEREFORE, for the reasons outlined in the letter of notice, which is attached hereto and incorporated herein, it is hereby ORDERED that Mr. Sherman's certificates to practice massage and cosmetic therapy be REVOKED.

This Order is hereby entered upon the Journal of the State Medical Board of Ohio for the 11th day of November, 1987, and the original thereof shall be kept with said Journal.

(SEAL)



Henry G. Cramblett, M.D.
Secretary

November 13, 1987
Date

STATE OF OHIO
THE STATE MEDICAL BOARD
65 South Front Street
Suite 510
Columbus, Ohio 43266-0315

August 12, 1987

Laurece Daun Sherman, C.T., Massage
190 Paris Avenue
Akron, Ohio 44301

Dear Mister Sherman:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio intends to determine under the provisions of Sections 4731.20 and 4731.22, Ohio Revised Code, whether or not to limit, revoke, suspend, refuse to register or refuse to reinstate your certificates to practice massage and cosmetic therapy, or to reprimand you or place you on probation, for one or more of the following reasons:

1. On or about March 10, 1987, you signed a statement certifying that patient 1, who is named in the attached key (Key sealed to protect patient confidentiality), had been under your care since October 27, 1986, and had now recovered sufficiently to enable him to return to light work duties on March 13, 1987. The statement listed restrictions on the patient's working ability. You signed the Statement as "Dr. Laurece Sherman". Next to the signature line your name was typed as "Dr. Laurece Sherman". The statement did not indicate that you are licensed by the State Medical Board of Ohio to practice massage and cosmetic therapy, two limited branches of medicine and surgery, and are not licensed to practice medicine and surgery or osteopathic medicine and surgery.

Such acts in the above paragraph (1), individually and/or collectively, constitute "publishing a false, fraudulent, deceptive, or misleading statement", as that clause is used in Section 4731.22 (B)(5), Ohio Revised Code.

Further, such acts in the above paragraph (1), individually and/or collectively, constitute "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this Chapter or any rule promulgated by the Board," as that clause is used in Section 4731.22 (B)(16), Ohio Revised Code (as in effect prior to March 17, 1987), to wit: Section 4731.41, Ohio Revised Code, practice of medicine or surgery without certificate; and Rules 4731-1-01(B); 4731-1-02(C); 4731-1-02 (D); 4731-1-08; 4731-1-09; and 4731-1-09(I), Ohio Administrative Code.

STATE OF OHIO
THE STATE MEDICAL BOARD

Page Two

Laurece Daun Sherman, C.T., Massage

August 12, 1987

Further, pursuant to Section 4731.20, Ohio Revised Code, the Board may revoke or suspend the certificate of any one to whom a limited certificate has been issued upon proof of violation of the rules established by the Board governing such limited practice, to wit: Rules 4731-1-01(B); 4731-1-02 (C); 4731-1-02 (D); 4731-1-08; 4731-1-09; and 4731-1-09(I), Ohio Administrative Code.

2. On or about March 23, 1987, you signed as attending physician a "Supplementary Certificate of Attending Physician" certifying that you attended patient 1 during the period beginning October 27, 1986 and continuing through February 18, 1987. Said certificate contained a diagnosis of "Chronic Lumbar Sacral Strain & Subluxation". Said Certificate further indicated that patient 1 was wholly disabled from performing any and every duty pertaining to his occupation from October 17, 1986 through March 24, 1987.

Such acts in the above paragraph (2), individually and/or collectively, constitute "publishing a false, fraudulent, deceptive, or misleading statement," as that clause is used in Section 4731.22 (B)(5), Ohio Revised Code.

Further, such acts in the above paragraph (2), individually and/or collectively, constitute "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this Chapter or any rule promulgated by the Board", as that clause is used in Section 4731.22(B)(20), Ohio Revised Code (as in effect on and after March 17, 1987), to wit: Section 4731.41, Ohio Revised Code; and Rules 4731-1-01 (B); 4731-1-02(C); 4731-1-02(E); 4731-1-08; 4731-1-09 and 4731-1-09(I), Ohio Administrative Code.

Further, pursuant to Section 4731.20, Ohio Revised Code, the Board may revoke or suspend the certificate of any one to whom a limited certificate has been issued upon proof of violation of the rules established by the Board governing such limited practice, to wit: Rules 4713-1-01(B); 4731-1-02(C); 4731-1-02(E); 4731-1-08; 4731-1-09 and 4731-1-09(I), Ohio Administrative Code.

3. During calendar years 1979 through 1985 you offered and administered to your clients a treatment modality variously described as "colon-therapy" or "colonic irrigation".

STATE OF OHIO
THE STATE MEDICAL BOARD

Page Three

Laurece Daun Sherman, C.T., Massage

August 12, 1987

Such acts in the above paragraph (3), individually and/or collectively, constitute "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the Board", as that clause is used in Section 4731.22(B)(17), Ohio Revised Code (as in effect prior to August 27, 1982), and Section 4731.22(B)(16), Ohio Revised Code (as in effect on and after August 27, 1982), to wit: Section 4731.41, Ohio Revised Code, practice of medicine or surgery without certificate; and Rules 4731-1-01(B); 4731-1-08 and 4731-1-09(I), Ohio Administrative Code.

Further, pursuant to Section 4731.20, Ohio Revised Code, the Board may revoke or suspend the certificate of any one to whom a limited certificate has been issued upon proof of violation of the rules established by the Board governing such limited practice, to wit: Rules 4731-1-01(B); 4731-1-08 and 4731-1-09(I), Ohio Administrative Code.

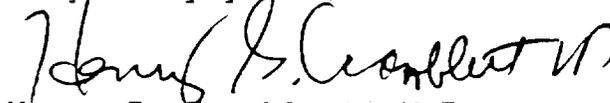
Pursuant to Chapter 119.. Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, that request must be made within thirty (30) days of the time of mailing of this notice.

You are further advised that you are entitled to appear at such hearing in person, or by your attorney, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing made within thirty (30) days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificates to practice massage and cosmetic therapy or to reprimand or place you on probation.

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Henry G. Cramblett, M.D.
Secretary

HGC:caa

enclosures

CERTIFIED MAIL RECEIPT NO. P 158 073 879
RETURN RECEIPT REQUESTED