



State Medical Board of Ohio

77 S. High Street 17th Floor • Columbus, Ohio 43266-0315 • 614/466-3934 • Website: www.state.oh.us/med

September 8, 1999

Patricia G. Ellington, M.T.
4538 Randall Park E., #3B
North Randall, OH 44128

Dear Ms. Ellington:

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 September 8, 1999.

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 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 Franklin County Court of Common Pleas 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,

Anand G. Garg, M.D.
Secretary

AGG:jam
Enclosures

CERTIFIED MAIL RECEIPT NO. Z 233 839 321
RETURN RECEIPT REQUESTED

SECOND MAILING:
CERTIFIED MAIL RECEIPT NO. Z 233 896 603
RETURN RECEIPT REQUESTED

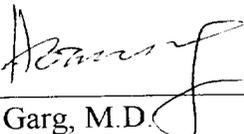
*Mailed 9/9/99
Second Mailing 11/10/99*

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 September 8, 1999, constitute a true and complete copy of the Findings, Order and Journal Entry in the Matter of Patricia G. Ellington, M.T., as it appears in the Journal of the State Medical Board of Ohio.

This Certification is made by the authority of the State Medical Board of Ohio in its behalf.

(SEAL)



Anand G. Garg, M.D.
Secretary

SEPTEMBER 8, 1999
Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

*

*

PATRICIA GAIL ELLINGTON, M.T.

*

FINDINGS, ORDER AND JOURNAL ENTRY

By letter dated June 10, 1998, notice was given Patricia Gail Ellington, M.T., that the State Medical Board intended to consider disciplinary action regarding her certificate to practice massage therapy in Ohio, and that she was entitled to a hearing if such hearing was requested within thirty (30) days of the mailing of said notice. In accordance with Section 119.07, Ohio Revised Code, said notice was sent on June 11, 1998, via certified mail, return receipt requested, to the last known address of Ms. Ellington, that being 4538 Randall Park E., North Randall, OH 44128. That notice was returned marked, "Unclaimed." A second mailing on July 28, 1998 was returned marked "Unclaimed."

Pursuant to Section 119.07, Ohio Revised Code, notice was published once a week for three (3) consecutive weeks (on May 31, June 7, June 14, 1999) in THE PLAIN DEALER, a newspaper of general circulation in the county of Ms. Ellington's last known place of residence. A copy of the proof of publication is attached.

A copy of the newspaper, with the first publication of the notice marked was then mailed to Ms. Ellington at her last know address.

No hearing request has been received from Ms. Ellington, and more than thirty (30) days have now elapsed since the last day of publication and the mailing of the notice.

Page 2

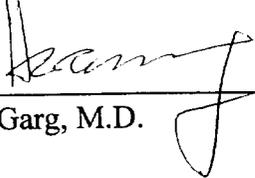
Patricia G. Ellington, M.T.

WHEREFORE, for the reasons outlined in the June 10, 1998 notice, which is attached hereto and incorporated herein, it is hereby ORDERED that the certificate of Patricia G. Ellington, M.T., to practice massage therapy in the State of Ohio be _____
REVOKED _____.

This Order shall become effective IMMEDIATELY.

This Order is hereby entered upon the Journal of the State Medical Board of Ohio for the 8TH day of SEPTEMBER 1999, and the original thereof shall be kept with said Journal.

(SEAL)



Anand G. Garg, M.D.
Secretary

SEPTEMBER 8, 1999
Date

7-29-98

Dear OMB,

What is it you people want from me. You did not pay for my education, my expenses to Columbus, my test, my application to take the test, or my license. I will not sign any document which has been constructed to cause me to incriminate myself. What do you want? Take the license and do what you want. I'm 53 years old I will not cease to exist, I will not die or starve because of a license you people have created. What is the point of this harassment. So you pulled the license so what?

What point are you trying to make. Is my life supposed to be over. Am I supposed to die? Please leave me alone

Atwood E. Jr

98 AUG -3 PM 4:38

The State of Ohio } ss.
Cuyahoga County

TO: PATRICIA GAIL
ELLINGTON, M.T.
4538 Randall Park E., #3B
North Randall, OH 44128

The State Medical Board
of Ohio
77 South High Street,
17th Floor
Columbus, Ohio 43266-0315

In the Matter of:
Patricia Gail Ellington, M.T.

On or about June 10, 1998, the Ohio Medical Board issued a notice of opportunity for hearing to Patricia Gail Ellington, M.T., via certified mail, return receipt requested, at her last known address of record, 4538 Randall Park East, #3B, North Randall, OH 44128. It was unclaimed. The certified notice was mailed again on July 28, 1998 but was again unclaimed.

The notice states that the Ohio Medical Board intends to consider disciplinary action against Ms. Ellington's massage therapy certificate based on her alleged failure to advise the Board on her renewal application that she had been terminated from employment after testing positive for cocaine on a random drug screen and making allegedly false statements to a Board investigator. The foregoing would constitute grounds for disciplinary action pursuant to Ohio Revised Code (O.R.C.) Sections 4731.22(A), 4731.22(B)(5), and 4731.22(B)(14), to wit: Falsification Section 2921.13, O.R.C.

Ms. Ellington is entitled to a hearing in this matter if it is requested within thirty days of the last date of publication of this notice. Please contact the undersigned to ascertain the last date of publication. She may appear at hearing in person, by her attorney, or by other representative permitted to practice before this agency, or she may present her position, arguments or contentions in writing. At the hearing, she may present evidence and examine witnesses ap-

pearing for or against her.
Any questions or correspondence
should be addressed to:
Thomas A. Dilling, Esq.
Case Control Office
77 South High Street,
17th Floor
Columbus, Ohio 43266-0315
(614) 728-3673
p.d.may31,june7,14,1999 767909

PATRICK LASBY

I, _____
being duly sworn, do upon my oath, depose and say that
I am **SENIOR BILLING CLERK**

of the Plain Dealer Publishing Company, publisher of The Plain Dealer, a newspaper printed in said county, and of general circulation in Ashtabula, Geauga, Lake, Lorain, Medina, Portage, Summit and Trumbull Counties, in addition to said county; the requirements of Section 7.12 of the Revised Code of Ohio as amended September 14, 1957, relating to publication and distribution are fulfilled by said newspaper; and the advertisement, attached, was published in said newspaper on the following day, or days, in a type size larger than agate.

Insertion dates as follows:

May 31, 1999
June 7, 14, 1999

Sworn to and subscribed before me this 18th
day of JUNE 1999

Gary Burz
Notary Public

Gary Burz
Notary Public, State of Ohio
Recorded in Cuyahoga County.
My Commission Expires 11/19/00

AFFIDAVIT

I, Debra Jones, being duly cautioned and sworn, do hereby depose and say:

- 1) That I am employed by the State Medical Board of Ohio (hereinafter, "The Board")
- 2) That I serve the Board in the position of Chief, Continuing Medical Education, Records, and Renewal;
- 3) That in such position I am the responsible custodian of all public licensee records maintained by the Board pertaining to individuals who have received certificates issued pursuant to Chapter 4731., Ohio Revised Code;
- 4) That I have this day carefully examined the records of the Board pertaining to Patricia Gail Ellington, MT.
- 5) That based on such examination, I have found the last known address of record of Patricia Gail Ellington, M.T., to be:

4538 Randall Park E, #3B
North Randall, OH 44128

- 6) Further, Affiant Sayeth Naught.



Debra L. Jones, Chief
Continuing Medical Education,
Records and Renewal

Sworn to and signed before me, Kristine A. Goodman, Notary
Public, this 26th day of July, 1999.



Notary Public



KRISTINE A. GOODMAN
Notary Public, State of Ohio
My Commission Expires
11/9/2007



State Medical Board of Ohio

77 High Street, 17th Floor • Columbus, Ohio 43266-0315 • 614/466-3934 • Website: www.smb.state.oh.us

June 10, 1998

Patricia Gail Ellington, M.T.
4538 Randall Park E. #3B
North Randall, OH 44128

Dear Ms. Ellington:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio intends to 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 for one or more of the following reasons:

- (1) On or about May 9, 1997, you completed an application for renewal of your certificate to practice massage therapy in the State of Ohio for the 1997-1999 biennium, and answered "No" to the following question:

"At any time since signing your last application for renewal of your certificate, have you been warned, reprimanded, disciplined, terminated or dismissed by; had patient care monitored, restricted or reduced by; been put on probation by; or been requested to resign or withdraw from; any professional association or society, hospital, nursing home, clinic, health maintenance organization, or other similar institution in which you have trained, been employed, or held privileges or membership?"

In fact, on or about November 3, 1996, during the course of your employment as a massage therapist at Buckeye Therapy Inc., in Cleveland, Ohio, you submitted to a random employee drug screen that tested positive for cocaine. Further, on or about November 5, 1996, you were terminated from your position as a massage therapist with Buckeye Therapy, Inc., after you tested positive for cocaine on a random drug screen.

- (2) Further, on or about August 8, 1997, you were contacted by an Investigator for the State Medical Board of Ohio to discuss information the Board had received indicating that you were terminated from employment at Buckeye Therapy Inc.,

*Second mailing 7/28/98
Mailed 6/11/98*

after testing positive for cocaine on a drug screen. During the conversation, you denied that you had taken and failed a drug test, and stated that you had never worked at Buckeye Therapy, Inc. Further, you advised the investigator that you were currently employed as a private duty nurse in home health care, and stated that you had not worked as a massage therapist in a clinic or spa setting for approximately two years.

In fact, you were employed as a massage therapist with Buckeye Therapy Inc., from July 18, 1996, until your termination on November 5, 1996.

Your acts, conduct, and/or omissions as alleged in paragraph (1) above, individually and/or collectively, constitute "fraud, misrepresentation, or deception in applying for or securing any license or certificate issued by the board," as that clause is used in Section 4731.22(A), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (1) and (2) above, 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, your acts, conduct, and/or omissions as alleged in paragraph (2) above, individually and/or collectively, constitute "[c]ommission of an act that constitutes a misdemeanor in this state regardless of the jurisdiction in which the act was committed, if the act involves moral turpitude," as that clause is used in Section 4731.22(B)(14), Ohio Revised Code, to wit: Falsification, Section 2921.13, 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 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.

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Anand G. Garg, M.D.
Secretary

AGG/bjs
Enclosures

CERTIFIED MAIL #P 152 983 645
RETURN RECEIPT REQUESTED

SECOND MAILING:
CERTIFIED MAIL NO. Z 233 840 030
RETURN RECEIPT REQUESTED

ALSO MAILED REGULAR MAIL

PS Form 3800, April 1995

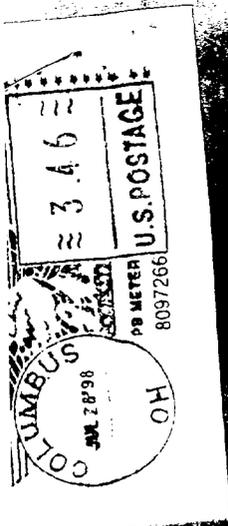
Sent to	PATRICIA ELLINGTON, M.T.		
Street & Number	4538 RANDALL PARK E, #313		
Post Office, State, & ZIP Code	NORTH RANDALL, OH 44138		
Postage	\$	1.01	
Certified Fee		X.35	
Special Delivery Fee			
Restricted Delivery Fee			
Return Receipt Showing to Whom & Date Delivered		1/10	
Return Receipt Showing to Whom, Date, Address, Address, Date, & Address's Address			
Total Postage & Fees		3.46	
Postmark or Date	O 1998		

43216 USPS

7 233 840 030

Z 233 840 030

MAIL



PATRICIA ELLINGTON, M.T.
 4538 RANDALL PARK EAST
 NORTH RANDALL, OH 43000

Handwritten scribbles and illegible markings.

16 17 PM 3:01

MAIL

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

JAM

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

PATRICIA ELLINGTON, M.T.
4538 RANDALL PARK E., #3B
NORTH RANDALL, OH 44138

4a. Article Number

Z 233 840 030

4b. Service Type

- Registered Certified
- Express Mail Insured
- Return Receipt for Merchandise COD

7. Date of Delivery

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X

CITE 300 MAILING

Thank you for using Return Receipt Service.