



State Medical Board of Ohio

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September 12, 2001

Patricia L. Cianci, M.T.
2720 Wooster Road, Apt. 5
Rocky River, OH 44116

Dear Ms. Cianci:

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 12, 2001.

Section 119.12, Ohio Revised Code, may authorize an appeal from this Order. Such an appeal must be taken to the Franklin County Court of Common Pleas.

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 Franklin County Court of Common Pleas. Any such appeal must be filed 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,

A handwritten signature in black ink, appearing to read "Anand G. Garg", written over a horizontal line.

Anand G. Garg, M.D.
Secretary

AGG:jam
Enclosures

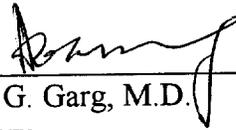
CERTIFIED MAIL RECEIPT NO. 7000 0600 0024 5147 2712
RETURN RECEIPT REQUESTED

Mailed 9.13.01

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 12, 2001, constitutes a true and complete copy of the Findings, Order and Journal Entry in the Matter of Patricia L. Cianci, 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.



Anand G. Garg, M.D.
Secretary

(SEAL)

September 12, 2001

Date

THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

*

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PATRICIA L. CIANCI, M.T.

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FINDINGS, ORDER AND JOURNAL ENTRY

On August 24, 2001, the State Medical Board of Ohio (hereinafter Board) hand delivered a letter dated August 15, 2001, to Patricia L. Cianci, M.T, stating that the Board had reason to believe that Ms. Cianci was unable to practice according to acceptable and prevailing standards of care pursuant to Section 4731.22(B)(26), Ohio Revised Code, to wit: “[i]mpairment 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.”

The letter further indicated that this determination was based upon one or more of the following reasons:

- (1) On or around August 8, 2000, the nursing home where Ms. Cianci was employed as a licensed practical nurse (L.P.N.) discovered that she had made multiple photocopies of a prescription issued to her by her personal physician for Xanax, a Schedule-IV controlled substance.
- (2) As a result of the acts committed on or around August 8, 2000, Ms. Cianci pleaded “no contest” to Attempted Illegal Processing of Drug Documents, violations of Sections 2923.02 and 2925.23, Ohio Revised Code, on or around January 18, 2001. For this offense, Ms. Cianci was sentenced to 90 days in jail and ordered to pay a fine of \$500 plus court costs. This sentence was suspended and she was placed on probation for one year. The terms of her probation included her completing outpatient treatment at Recovery Resources, Cleveland, Ohio, a treatment provider not approved by the Board pursuant to Section 4731.25, Ohio Revised Code, and abstaining from all drugs of abuse.
- (3) On or about February 22, 2001, Ms. Cianci entered into an Alternative Program Participant Agreement (hereinafter Agreement) with the Ohio Board of Nursing pursuant to Section 4723.35, Ohio Revised Code, after the Ohio Board of Nursing learned of her January 18, 2001, plea. In Paragraph II.D. of this Agreement, Ms. Cianci admitted that she was chemically dependent. The terms of this Agreement included her not being able to work as an L.P.N. until approved to do so by the Alternative Program Coordinator (hereinafter Coordinator) at the Ohio Board of Nursing and until her work site monitor was similarly approved; that she undergo a chemical dependency evaluation and complete chemical dependency treatment with a provider approved by the Coordinator; that she abstain completely from the use of alcohol and drugs, except those drugs

prescribed, administered, or dispensed by persons authorized by law; that she register immediately with FirstLab for drug testing purposes; that she inform all treating practitioners of her chemical dependency; that she attend three 12-step meetings per week; that she appear for a personal interview with the Coordinator every other month; and that she submit a written personal statement to the Coordinator regarding her recovery progress every month.

- (4) On or about May 29, 2001, Ms. Cianci admitted to a Medical Board investigator that she became addicted to Xanax shortly after having been prescribed the drug by her personal physician for panic attacks. She estimated that she was addicted to Xanax for a period of one year, from approximately December 1999 to December 2000. She entered Meridia Huron Hospital, East Cleveland, Ohio, a treatment provider not approved by the Board, for detoxification on December 4, 2000, and was released from this hospital on December 7, 2000. When asked by the Medical Board investigator whether she had abused controlled substances in the past, she replied that her abuse of Xanax from December 1999 to December 2000 was the first time she had abused anything.
- (5) On January 30, 2001, Recovery Resources, the outpatient treatment facility not approved by the Medical Board that Ms. Cianci attended pursuant to court order, found her primary alcohol and drug diagnosis to be "sedative, hypnotic, or anxiolytic dependence with physiological dependence" and her secondary alcohol and drug diagnosis to be "opioid dependence with physiological dependence." She stated during her intake interview at Recovery Resources that, in addition to Xanax, she had abused Vicodin beginning in or around 1998 and that she combined use of the two drugs. This latter statement conflicts with the information she shared with the Medical Board's investigator on or about May 29, 2001.

The letter dated August 15, 2001, from the Board to Ms. Cianci further notified her that, pursuant to Section 4731.22(B)(26), Ohio Revised Code, she was ordered to submit to an examination. The examination was scheduled to take place at Glenbeigh Hospital, Rock Creek, Ohio, beginning on September 4, 2001, at 10:00 a.m.

The letter dated August 15, 2001, from the Board to Ms. Cianci further notified her that failure of an individual to submit to an examination as directed constitutes an admission of the allegations against the individual unless the failure is due to circumstances beyond the individual's control. Finally, the letter notified Ms. Cianci that if she failed to submit to the examination, and such failure was not due to circumstances beyond her control, the Board would be authorized to enter a default and final order without the taking of testimony or presentation of evidence.

Pursuant to Section 119.07, Ohio Revised Code, Ms. Cianci was duly notified of the examination order and its scheduled date. A certificate of receipt is signed by Ms. Cianci and dated August 24, 2001. Ms. Cianci failed to appear for the chemical dependency examination that the Board scheduled for her. At no time did Ms. Cianci inform the Board that her failure to appear was due to circumstances beyond her control.

WHEREFORE, pursuant to Section 4731.22(B)(26), Ohio Revised Code, the Board hereby FINDS that Patricia L. Cianci, M.T., has admitted the truth of the allegations set forth in the letter dated August 15, 2001, from the Board to Ms. Cianci. The Board further FINDS that Ms. Cianci is unable to practice according to acceptable and prevailing standards of care pursuant to Section 4731.22(B)(26), Ohio Revised Code, to wit: “[i]mpairment 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.”

WHEREFORE, it is hereby ORDERED that:

1. The certificate of Ms. Cianci to practice massage therapy in the State of Ohio shall be SUSPENDED for an indefinite period of time.
2. The Board shall not consider reinstatement of Ms. Cianci’s certificate to practice massage therapy unless and until all of the following conditions are met:
 - a. Ms. Cianci shall submit an application for reinstatement, accompanied by appropriate fees, if any;
 - b. Ms. Cianci shall demonstrate to the satisfaction of the Board that she can resume practice in compliance with acceptable and prevailing standards of care under the provisions of her certificate. Such demonstration shall include but shall not be limited to the following:
 - i. Certification from a treatment provider approved under Section 4731.25 of the Revised Code that Ms. Cianci has successfully completed any required inpatient treatment;
 - ii. Evidence of continuing full compliance with an aftercare contract or consent agreement;
 - iii. Two written reports indicating that Ms. Cianci’s ability to practice has been assessed and that she has been found capable of practicing according to acceptable and prevailing standards of care. The reports shall be made by individuals or providers approved by the BOARD for making such assessments and shall describe the basis for this determination.
 - c. Ms. Cianci shall enter into a written consent agreement including probationary terms, conditions, and limitations as determined by the Board or, if the Board and Ms. Cianci are unable to agree on the terms of a written Consent Agreement, then Ms. Cianci further agrees to abide by any terms, conditions, and limitations imposed by Board Order after a hearing conducted pursuant to Chapter 119. of the Ohio Revised Code.

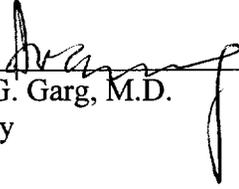
Further, upon reinstatement of Ms. Cianci's certificate to practice massage therapy in this state, the Board shall require continued monitoring which shall include, but not be limited to, compliance with the written consent agreement entered into before reinstatement or with conditions imposed by Board Order after a hearing conducted pursuant to Chapter 119. of the Revised Code and, upon termination of the consent agreement or Board Order, submission to the Board for at least two years of annual progress reports made under penalty of Board disciplinary action or criminal prosecution stating whether Ms. Cianci has maintained sobriety.

- d. Ms. Cianci shall provide authorization, through appropriate written consent forms, for disclosure of evaluative reports, summaries, and records, by any and all parties that provide treatment or evaluation for Ms. Cianci's chemical dependency or related conditions, or for purposes of complying with this Order whether such treatment or evaluation occurred before or after the effective date of this Order. The above-mentioned evaluative reports, summaries, and records are considered medical records for purposes of Section 149.43 of the Ohio Revised Code and are confidential pursuant to statute. Ms. Cianci shall provide the Board written consent permitting any treatment provider from whom she obtains chemical dependency treatment to notify the Board in the event she fails to agree to or comply with her treatment plan;
3. In the event that Ms. Cianci has not been engaged in the active practice of massage therapy for a period in excess of two years prior to application for reinstatement, the Board may exercise its discretion under Section 4731.222, Ohio Revised Code, to require additional evidence of Ms. Cianci's fitness to resume practice.
4. Within thirty (30) days of the effective date of this Order, Ms. Cianci shall provide a copy of this Order to all employers or entities with which she is under contract to provide massage therapy services. Further, within thirty (30) days of the effective date of this Order, Ms. Cianci shall provide a copy of this Order by certified mail, return receipt requested, to the proper licensing authority of any state or jurisdiction in which she currently holds or applies for any professional license or reinstatement of any professional license. Ms. Cianci shall provide this Board with a copy of the return receipt as proof of notification within thirty (30) days of receiving that return receipt.

This Order shall become effective immediately upon the date of mailing of approval by the State Medical Board of Ohio.

This Order is hereby entered upon the Journal of the State Medical Board of Ohio for the 12th day of September 2001, and the original thereof shall be kept with said Journal.

(SEAL)



Anand G. Garg, M.D.
Secretary

SEPTEMBER 12, 2001

Date