



STATE MEDICAL BOARD OF OHIO

27 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-1944

July 10, 1997

James P. Dambrogio, D.O.
212 North Main Street
Hubbard, Ohio 44425

Dear Doctor Dambrogio:

This will confirm that your medical license was reinstated effective July 9, 1997 upon receipt by the State Medical Board of Ohio of a Notice to Reinstate/Reissue a Professional License from the Trumbull County Child Support Enforcement Agency. A copy of the CSEA's notice is attached.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lauren Lubow", written over a horizontal line.

Lauren Lubow
Case Control Officer

cc: Members, State Medical Board of Ohio
Trumbull County CSEA

NOTICE TO REINSTATE/REISSUE A PROFESSIONAL LICENSE

Date Issued
7-9-97

Name of Board	CSEA
State Medical Board of Ohio	Trumbull County, Ohio
Street Address	Street Address
77 S. High St. 17th Floor	P.O. Box 1350
City, State, Zip Code	City, State, Zip Code
Columbus, Ohio 43215	Warren, Ohio 44482
	CSEA Telephone Number
	(330) 675-2931
	CSEA Worker
	Mary H. Hagan

Re: Name of Obligor	Social Security Number or Other Identifying Number	Date of Birth
James P. Dambragio D.O.	REDACTED	3-17-42
Hubbard Medical Center, Inc. 212 N Main St., Hubbard, Ohio 44425		

This notifies you that the above-named individual has been found to be no longer in default.

In accordance with Section 2301.373 of the Ohio Revised Code, you are instructed to issue the individual a license if he/she is otherwise eligible, within seven days. You may charge a fee not to exceed \$50 to reinstate the license.

If this individual never obtained a license from your board, please remove the ODHS 4041 "Notice to Suspend a Professional License" from your files.

OHIO STATE MEDICAL BOARD

JUL 09 1997



STATE MEDICAL BOARD OF OHIO

77 South High Street, 17th Floor • Columbus, Ohio 43268-0315 • (614) 466-3931

June 19, 1997

James P. Dambrogio, D.O.
212 N. Main Street
Hubbard, OH 44425

NOTICE OF SUSPENSION PURSUANT TO R.C. 2301.373 & 4731.76

The State Medical Board of Ohio has received notice from the Trumbull County Child Support Enforcement Agency that you have been determined in default under a child support order. Pursuant to Ohio Revised Code Sections 2301.373 and 4731.76, this Board is prohibited from issuing a license, permit, certificate or other authorization as a result of this determination. The Board is also required to suspend any license that has been issued. This decision to suspend, or refusal to issue a new license, will remain in effect until the Board receives notice from the Trumbull County Child Support Enforcement Agency that you are no longer determined to be in default.

When will the Board issue or reinstate my license?

Before a license can be issued or reinstated, the Board must receive notice from the Trumbull County Child Support Enforcement Agency that you are no longer in default. The Trumbull County Child Support Enforcement Agency will issue such a notice when payment of the determined arrearage has been paid in full, or when a new, or appropriate, order has been issued for the collection of current support and arrearage.

Once I am determined not to be in default, how long will it take to get my license?

The Board will issue or reinstate your license within seven days of receiving the notice from the Trumbull County Child Support Enforcement Agency that you are no longer in default. A fee of up to \$50 may be assessed to issue or reinstate the license.

Mailed 6/26/97

Can I appeal this decision to the Board?

This suspension or refusal to issue a license is not subject to any hearing or review process of the Board. You must be determined not in default by the Trumbull County Child Support Enforcement Agency. Once they make this determination, they will notify the Board and your license will be reinstated or issued.

What do I do now?

You need to contact the Trumbull County Child Support Enforcement Agency. They will be able to tell you what you need to do in order to bring your child support payments up to date.

Pursuant to Section 2301.373, Ohio Revised Code, you are hereby notified that your license to practice medicine and surgery in the state of Ohio is immediately suspended. Continued practice after this suspension shall be considered practicing medicine without a certificate in violation of Section 4731.41, Ohio Revised Code.

Sincerely,



Thomas E. Gretter, M.D.
Secretary

TEG/ll

CERTIFIED MAIL #Z 395 587 548
RETURN RECEIPT REQUESTED

**CONSENT AGREEMENT
BETWEEN
JAMES P. DAMBROGIO, D.O.,
AND
THE STATE MEDICAL BOARD OF OHIO**

This CONSENT AGREEMENT is entered into by and between JAMES P. DAMBROGIO, D.O., and the STATE MEDICAL BOARD OF OHIO, a state agency charged with enforcing Ohio Revised Code Chapter 4731.

JAMES P. DAMBROGIO, D.O., enters into this AGREEMENT being fully informed of his rights under Ohio Revised Code Chapter 119, including the right to representation by counsel and the right to a formal adjudicative hearing on the issues considered herein.

This CONSENT AGREEMENT is entered into on the basis of the following stipulations, admissions and understandings:

- A. The STATE MEDICAL BOARD OF OHIO is empowered by Ohio Revised Code Section 4731.22(B) to limit, revoke, suspend a certificate, refuse to register or reinstate an applicant, or reprimand or place on probation the holder of a certificate for violation of any of the enumerated subsections.
- B. The STATE MEDICAL BOARD OF OHIO enters into this Consent Agreement in lieu of further formal proceedings based upon the Notice of Opportunity for Hearing dated August 9, 1990, a copy of which is attached hereto as "Exhibit A" and incorporated herein, and expressly reserves the right to institute formal proceedings based upon any other violations of Ohio Revised Code Chapter 4731, whether occurring before or after the effective date of this AGREEMENT.
- C. JAMES P. DAMBROGIO, D.O., is licensed to practice osteopathic medicine and surgery in the State of Ohio.
- D. JAMES P. DAMBROGIO, D.O., admits that he prescribed the medications as alleged in the Notice of Opportunity for Hearing, dated August 9, 1990, a copy of which is attached hereto as "Exhibit A" and incorporated herein.

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any further formal proceedings at this time, JAMES P. DAMBROGIO, D.O., knowingly and voluntarily agrees with the STATE MEDICAL BOARD OF OHIO to the following terms, conditions and limitations:

1. DR. DAMBROGIO is hereby REPRIMANDED;
2. DR. DAMBROGIO'S certificate shall be subject to the following probationary terms, conditions, and limitations for a period of three (3) years:
 - a. DR. DAMBROGIO shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio.
 - b. DR. DAMBROGIO shall submit quarterly declarations under penalty of perjury stating whether or not there has been compliance with all the provisions of probation, a sample copy of which is attached hereto as "Exhibit B."
 - c. DR. DAMBROGIO shall appear in person for interviews before the full Board or its designated representative at three (3) month intervals, or as otherwise requested by the BOARD.
 - d. In the event that DR. DAMBROGIO should leave Ohio for three (3) consecutive months, or reside or practice outside the State, he must notify the STATE MEDICAL BOARD in writing of the dates of departure and return. Periods of time spent outside of Ohio will not apply to the reduction of this probationary period.
 - e. DR. DAMBROGIO shall be ineligible to reapply for or to hold registration with the United States Drug Enforcement Administration to prescribe, dispense, or administer controlled substances in Schedule II without prior BOARD approval. DR. DAMBROGIO shall not seek such approval until twelve (12) months from the effective date of this

Agreement and until he has successfully completed the coursework described in subparagraph g. below.

- f. DR. DAMBROGIO shall keep a log of all controlled substances prescribed, dispensed or administered, a sample copy of which is attached hereto as "Exhibit C." Such log shall be submitted in the format approved by the BOARD thirty (30) days prior to his personal appearances before the BOARD or its designated representative or as otherwise directed by the BOARD.
- g. DR. DAMBROGIO shall attend at his expense the next available didactic and clinical sessions of the mini-residency entitled "The Proper Prescribing of Controlled Dangerous Substances," as offered by the University of Medicine and Dentistry of New Jersey, School of Osteopathic Medicine, or a similar course approved in advance by the Board. DR. DAMBROGIO shall provide acceptable documentation of successful completion of the course. This program shall be in addition to the Continuing Medical Education requirements contained in Chapter 4731, Ohio Revised Code.
- h. For the first twelve (12) months of this Agreement, DR. DAMBROGIO shall have a monitoring physician approved by the BOARD who shall review on a weekly basis all of DR. DAMBROGIO'S patient charts involving the prescription, dispensing or administration of controlled substances and ten percent (10%) of all other patient charts randomly selected. After the first twelve (12) months of this Agreement, the monitoring physician shall continue said review as directed by the Board. DR. DAMBROGIO shall ensure that said monitoring physician reports in writing to the Board on a quarterly basis concerning his/her review and DR. DAMBROGIO'S conformance to minimum standards of care of similar practitioners under the same or similar circumstances as determined by the

monitoring physician. In the event that the designated monitoring physician becomes unable or unwilling to serve in this capacity, DR. DAMBROGIO must immediately so notify the BOARD in writing, and make arrangements acceptable to the BOARD for another physician to monitor his progress and status as soon as practicable. The BOARD may consider elimination of this requirement, if requested by DR. DAMBROGIO, twelve (12) months after the effective date of this AGREEMENT.

DR. DAMBROGIO shall provide all employers and the Chief of Staff at each hospital where he has, applies for, or obtains privileges with a copy of this CONSENT AGREEMENT during the term of this AGREEMENT.

The above described terms, limitations and conditions may be amended or terminated in writing at any time upon the agreement of both parties.

If, in the discretion of the STATE MEDICAL BOARD OF OHIO, DR. DAMBROGIO appears to have violated or breached any terms or conditions of this AGREEMENT, the STATE MEDICAL BOARD OF OHIO reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this AGREEMENT.

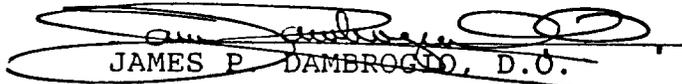
DR. DAMBROGIO acknowledges that he has had an opportunity to ask questions concerning the terms of this AGREEMENT and that all questions asked have been answered in a satisfactory manner.

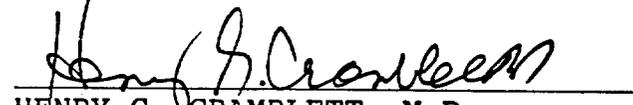
Any action initiated by the BOARD based on alleged violations of this CONSENT AGREEMENT shall comply with the

Administrative Procedure Act, Ohio Revised Code Chapter 119.

DR. DAMBROGIO hereby releases the STATE MEDICAL BOARD OF OHIO, it members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter. DR. DAMBROGIO specifically agrees to dismiss with prejudice the Complaint in Mandamus filed in the Common Pleas Court of Franklin County, Ohio, being Case No. 91CVH07-5577.

This CONSENT AGREEMENT shall be considered a public record as that term is used in Ohio Revised Code Section 149.43, and shall become effective upon the last date of signature below. Further, this information may be reported by the Board to appropriate organizations, data banks and governmental bodies.


JAMES P. DAMBROGIO, D.O.


HENRY G. CRAMBLETT, M.D.
Secretary

November 13, 1991
DATE

11/14/91
DATE


CLAIR M. CARLIN, Esq.
Attorney for James P. Dambrogio, D.O.


TIMOTHY S. JOST, Esq.
Supervising Member

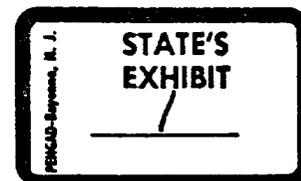
November 13, 1991
DATE

11/15/91
DATE


JOHN C. DOWLING
Assistant Attorney General

11/15/91
DATE

STATE OF OHIO
THE STATE MEDICAL BOARD
77 SOUTH HIGH STREET
17TH FLOOR
COLUMBUS OH 43215



August 8, 1990

James P. Dambrogio, D.O.
212 North Main Street
Hubbard, OH 44425

Dear Doctor Dambrogio:

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 osteopathic medicine and surgery, or to reprimand or place you on probation for one or more of the following reasons:

- (1) In the routine course of your practice, you kept inadequate patient records which did not properly reflect examinations performed, or physical findings made to justify the medications prescribed to your patients. You excessively and/or without proper medical indication prescribed controlled substance stimulants, narcotic analgesics, controlled substance depressants, controlled substance hypnotics and other controlled substances and dangerous drugs. This prescribing was frequently done without utilization of diagnostic testing or other methods of evaluating the validity of the complaints, or the nature or severity of the patients' reported pain, illness or injury. You prescribed controlled substance stimulants for weight loss over extended periods of time, whether or not a patient demonstrated weight loss. Additionally, you frequently failed to document the medications which were prescribed to your patients. Instances of such practices include, but are not necessarily limited to, the following patients, and the treatments rendered to them as disclosed by the patient record and/or the Prescription List by Patient Number (attached):

Mailed 8/9/90

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- a. Patient 1: long-term prescribing of controlled substance narcotic analgesics;
- b. Patient 2: long-term prescribing of controlled substance stimulants, while concomitantly prescribing controlled substance narcotic analgesics;
- c. Patient 3: long-term prescribing of controlled substance narcotic analgesics;
- d. Patient 4: long-term prescribing of controlled substance narcotic analgesics;
- e. Patient 5: long-term prescribing of controlled substance narcotic analgesics;
- f. Patient 7: long-term prescribing of controlled substance narcotic analgesics, while concomitantly prescribing controlled substance hypnotics and controlled substance depressants;
- g. Patient 8: long-term prescribing of controlled substance narcotics and prescribing controlled substance depressants;
- h. Patient 9: long-term prescribing of controlled substance narcotic analgesics;
- i. Patient 10: long-term prescribing of controlled substance narcotic analgesics;
- j. Patient 12: prescribing controlled substance narcotic analgesics without proper medical indication or documentation;
- k. Patient 13: excessive prescribing of controlled substance narcotic analgesics;
- l. Patient 14: long-term prescribing of controlled substance narcotic analgesics;
- m. Patient 15: long-term prescribing of controlled substance narcotic analgesics;
- n. Patient 16: prescribing controlled substance stimulants without proper documentation;

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- o. Patient 17: long-term prescribing of controlled substance narcotic analgesics;
- p. Patient 18: long-term prescribing of controlled substance stimulants, including periods when Patient 18 gained weight or failed to lose weight;
- q. Patient 19: long-term prescribing of controlled substance narcotic analgesics, while concomitantly prescribing controlled substance depressants;
- r. Patient 20: long-term prescribing of controlled substance narcotic analgesics, without proper evaluation and/or documentation;

Your acts, conduct, and/or omissions as alleged in paragraph (1) above, individually and/or collectively, constitute "failure to use reasonable care discrimination in the administration of drugs," and "failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease," as those clauses are used in Section 4731.22(B)(2), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (1) above, individually and/or collectively, constitute "selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes," as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (1) above, individually and/or collectively, constitute "a departure from, or the failure 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," as that clause is used in Section 4731.22(B)(6), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (1) above, individually and/or collectively, as pertaining to prescriptions written on or after November 17, 1986 for Patient 18, constitute "(v)iolating 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: Rule 4731-11-03(B), Ohio Administrative Code. Pursuant to Rule 4731-11-03(D), Ohio Administrative Code, a violation of any provision of Rule 4731-11-03, Ohio Administrative Code, also violates Sections 4731.22(B)(2), (3) and (6), Ohio Revised Code.

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Further, your acts, conduct, and/or omissions as alleged in paragraph (1) above, individually and/or collectively, as pertaining to prescriptions written on or after November 17, 1986, for Patients 14 and 17, constitute "(v)iolating 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: Rule 4731-11-02(C), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, a violation of any provision of Rule 4731-11-02, also violates Sections 4731.22(B)(2) and (6), Ohio Revised Code, and further, a violation of Rule 4731-11-02(C), Ohio Administrative Code, also constitutes a violation of Section 4731.22(B)(3), Ohio Revised Code, if such violation is committed purposely, knowingly or recklessly.

Further, your acts, conduct, and/or omissions as alleged in paragraph (1) above, individually and/or collectively, as pertaining to the patient records kept on or after November 17, 1986, for Patients 1 through 5, Patients 7 through 10, and Patients 12 through 20, constitute "(v)iolating 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: Rule 4731-11-02(D), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, a violation of any provision of Rule 4731-11-02, also violates Sections 4731.22(B)(2) and (6), Ohio Revised Code.

- (2) Instances in which your patient medical records failed to accurately reflect the utilization of controlled substances in the treatment of a patient, include, but are not necessarily limited to, the following prescriptions. This includes the failure to indicate the diagnosis and purpose for which the controlled substance is utilized and any additional information upon which the diagnosis is based and/or the amount of the controlled substance prescribed.

<u>Name</u>	<u>Date</u>	<u>Drug</u>	<u>DU</u>
a. Patient 1	03/31/88	Percodan	100
	06/28/88	Percodan	100
	08/09/88	Percodan	100
	09/07/88	Percodan	100
	09/30/88	Percodan	100
	10/25/88	Percodan	100
	11/25/88	Percodan	100

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<u>Name</u>	<u>Date</u>	<u>Drug</u>	<u>DU</u>
b. Patient 2	05/31/88	Biphetamine 20 mg.	30
	06/28/88	Biphetamine 20 mg.	30
	06/28/88	Percocet	50
	07/27/88	Biphetamine 20 mg.	30
	07/27/88	Percocet	100
	08/26/88	Biphetamine 20 mg.	30
	10/25/88	Percocet	100
c. Patient 3	11/02/87	Percocet	50
	01/13/88	Percocet	50
	01/28/88	Percocet	50
	03/04/88	Percocet	50
	04/13/88	Percocet	50
	05/03/88	Percodan	50
	06/01/88	Percodan	50
	06/15/88	Percocet	50
	08/03/88	Percodan	100
	08/17/88	Percodan	50
	09/13/88	Percocet	30
	09/23/88	Percodan	50
	10/07/88	Percodan	50
	10/19/88	Percodan	60
d. Patient 4	10/12/88	Percodan	50
	10/18/88	Percodan	50
	10/26/88	Percodan	50
	11/11/88	Percodan	50
	11/21/88	Percodan	50
	11/29/88	Percodan	100
e. Patient 5	05/29/87	Percocet	30
	06/12/87	Percodan	50
	07/13/87	Percodan	30
	07/31/87	Percodan	50
	08/25/87	Percodan	50
	12/01/87	Percodan	30
	02/08/88	Percocet	30
	02/15/88	Percodan	15
	02/22/88	Percodan	30
	03/10/88	Percodan	30
	06/10/88	Percodan	30
	06/28/88	Percodan	30
	07/12/88	Percodan	30

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<u>Name</u>	<u>Date</u>	<u>Drug</u>	<u>DU</u>
f. Patient 7	05/11/87	Percodan	15
	08/05/87	Fiorinal Tabs	100
	08/05/87	Percodan	50
	09/04/87	Percodan	50
	12/07/87	Percodan	50
	01/13/88	Percodan	50
	03/25/88	Percodan	50
	03/25/88	Fiorinal	100
	08/05/88	Percodan	100
	09/23/88	Percodan	50
	09/23/88	Fiorinal	100
	11/21/88	Percodan	100
g. Patient 8	07/24/87	Percodan	90
	08/24/87	Percodan	50
	09/16/87	Percodan	50
	11/13/87	Percodan	100
	12/21/87	Percodan	100
	01/15/88	Percodan	50
	02/26/88	Percodan	60
	04/04/88	Percodan	100
	04/26/88	Percodan	50
	05/27/88	Percodan	50
	05/27/88	Valium 10mg.	100
	06/18/88	Percodan	50
	07/15/88	Percodan	100
	08/05/88	Percodan	50
	08/18/88	Percodan	50
	08/31/88	Percodan	50
	09/23/88	Percodan	50
	10/28/88	Percodan	50
	11/18/88	Percodan	50
	11/18/88	Dalmane 30 mg.	30
h. Patient 9	07/03/87	Percodan	50
	07/29/87	Percodan	50
	08/17/87	Percodan	50
	09/30/87	Percodan	60
	10/21/87	Percodan	50
	11/06/87	Percodan	50
	11/20/87	Percodan	50
	12/02/87	Percodan	30
	12/14/87	Percodan	30
	12/28/87	Percodan	50
	02/29/88	Percodan	50
	03/18/88	Percodan	60
	04/06/88	Percodan	50
	04/26/88	Percodan	50
	05/13/88	Percodan	50
	05/27/88	Percodan	50
	06/18/88	Percodan	60
	07/11/88	Percodan	50
	07/29/88	Percodan	50
	08/12/88	Percodan	100
	09/26/88	Percodan	50

August 8, 1990

<u>Name</u>	<u>Date</u>	<u>Drug</u>	<u>DU</u>
i. Patient 10	01/28/88	Percodan	30
	02/23/88	Percodan	30
	03/07/88	Percodan	50
	04/04/88	Percodan	100
	04/27/88	Percodan	50
	05/25/88	Percodan	90
	06/14/88	Percodan	50
	07/22/88	Percodan	100
	08/05/88	Percodan	100
	08/18/88	Percodan	100
	08/29/88	Percodan	100
	09/16/88	Percodan	100
	09/27/88	Percodan	100
	11/11/88	Percodan	100
	11/21/88	Percodan	100
j. Patient 12	05/06/88	Percodan	100
	05/10/88	Percodan	100
	06/18/88	Percodan	100
	06/28/88	Percodan	100
k. Patient 13	05/10/88	Percodan	100
	05/19/88	Percodan	100
	06/05/88	Percodan	100
	06/18/88	Percodan	100
	06/28/88	Percodan	100
l. Patient 14	12/02/86	Percocet	50
	12/19/86	Percocet	50
	01/05/87	Halcion .5 mg.	30
	01/27/87	Percocet	50
	02/09/87	Percocet	50
	02/ /87	Percocet	50
m. Patient 15	10/19/87	Percocet	15
	10/30/87	Percocet	30
	02/03/88	Percocet	30
	03/07/88	Percocet	100
	05/16/88	Percocet	50
	06/17/88	Percocet	100
	08/03/88	Percocet	50
	09/23/88	Mepergan Forte	15
	11/02/88	Percocet	100
n. Patient 16	10/19/87	Ritalin S.R. 20 mg.	60
	04/08/88	Ritalin S.R. 20 mg.	60
	06/02/88	Ritalin S.R. 20 mg.	100
	07/27/88	Ritalin S.R. 20 mg.	100
	08/12/88	Ritalin S.R. 20 mg.	70
	09/21/88	Ritalin S.R. 20 mg.	60

August 8, 1990

	<u>Name</u>	<u>Date</u>	<u>Drug</u>	<u>DU</u>
o.	Patient 17	04/06/87	Percocet	50
		04/15/87	Percocet	50
		06/15/87	Percocet	60
p.	Patient 18	06/19/87	Dexedrine 15 mg.	30
q.	Patient 19	11/20/87	Percodan	30
		12/04/87	Valium 10 mg.	50
		12/04/87	Percodan	30
		12/21/87	Percodan	30
		12/21/87	Valium 10 mg.	100
		01/18/88	Valium 10 mg.	100
		02/12/88	Valium 10 mg.	100
		02/12/88	Percodan	30
		02/24/88	Percodan	30
		03/04/88	Percodan	50
		03/04/88	Valium 10 mg.	100
		03/18/88	Percodan	50
		04/14/88	Percodan	50
		04/14/88	Valium 10 mg.	100
		04/27/88	Valium 10 mg.	100
		04/27/88	Percodan	50
		05/13/88	Percodan	50
		06/15/88	Percodan	100
		06/15/88	Valium 10 mg.	100
		08/01/88	Percodan	100
		09/21/88	Percodan	50
		09/21/88	Valium 10 mg.	100
		10/14/88	Valium 10 mg.	100
r.	Patient 20	02/03/88	Percodan	50
		02/18/88	Percodan	30
		03/04/88	Percodan	50
		03/21/88	Percodan	50
		05/20/88	Percodan	30
		06/01/88	Percodan	50
		06/10/88	Percodan	100
		06/29/88	Percodan	50
		07/11/88	Percodan	100
		07/29/88	Percodan	100
		08/18/88	Percodan	100
		08/29/88	Percodan	100
		10/03/88	Percodan	100
		10/14/88	Percodan	100

Your acts, conduct, and/or omissions as alleged in paragraph (2) above, individually and/or collectively, constitute "failure to use reasonable care discrimination in the administration of drugs," and "failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease," as those clauses are used in Section 4731.22(B)(2), Ohio Revised Code.

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Your acts, conduct, and/or omissions as alleged in paragraph (2) above, individually and/or collectively, constitute "selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes," as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (2) above, individually and/or collectively, constitute "a departure from, or the failure 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," as that clause is used in Section 4731.22(B)(6), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (2) above, individually and/or collectively, constitute "(v)iolating 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: Rule 4731-11-02(D), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, a violation of any provision of Rule 4731-11-02, also violates Sections 4731.22(B)(2) and (B)(6), 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 of 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 osteopathic medicine and surgery or to reprimand or place you on probation.

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Copies of the applicable sections are enclosed for your information.

Very truly yours,



Henry G. Cramblett, M.D.
Secretary

HGC:jmb

Enclosures:

CERTIFIED MAIL #P 746 510 189
RETURN RECEIPT REQUESTED