

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF :

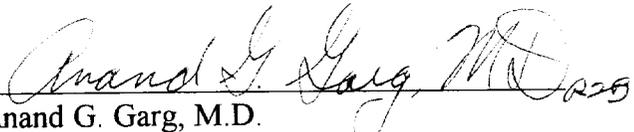
LEVENTE GUSTAV BATIZY, D.O. :

ORDER AND ENTRY

By letter dated March 10, 1999, the State Medical Board of Ohio notified Levente Gustav Batizy, D.O., that it proposed to take action against his license to practice medicine and surgery in the State of Ohio. The notice advised Dr. Batizy that he had a right to request a hearing with regard to that proposal, which right the doctor exercised in a timely manner. This matter was accordingly scheduled for hearing before an Attorney Hearing Examiner. To date, no presentation of evidence has commenced.

On behalf of the State Medical Board of Ohio, it is hereby ORDERED that the above referenced notice of opportunity for hearing be and is hereby DISMISSED WITHOUT PREJUDICE to future action.

So ORDERED this 20th day of July, 1999.


Anand G. Garg, M.D.
Secretary

cc: Peter Comodeca, Esq.
James M. McGovern, A.A.G.

CERTIFIED MAIL RECEIPT NO. Z 233 839 320
RETURN RECEIPT REQUESTED

PETER J. COMODECA, ESQ.
CERTIFIED MAIL RECEIPT NO. Z 233 839 319
RETURN RECEIPT REQUESTED

Mailed 7/23/99



State Medical Board of Ohio

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

March 10, 1999

Levente Gusztav Batizy, D.O.
2318 Lancaster Road
Akron, OH 44281

Dear Doctor Batizy:

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) On or about June 4, 1997, you were the Director of Medical Education at Meridia South Pointe Hospital in Cleveland, Ohio, and you completed a Verification of Postgraduate Medical Education form as a part of the Federation Credentials Verification Service ("FCVS") credential investigation of Mark E. Turner, D.O. in connection with Dr. Turner's application for licensure. You answered "No" in response to the following questions on the FCVS Verification of Postgraduate Medical Education form:
 - (a) Did this individual ever take a leave of absence or break from their medical education?
 - (b) Were any limitations or special requirements imposed on the individual because of questions or academic incompetence, disciplinary problems or any other reason?

In fact, in or about May 1994, you ordered Dr. Turner to obtain counseling to resolve Dr. Turner's domestic violence against his wife and to control Dr. Turner's violent temper.

- (2) In addition, on or about September 2, 1997, you were interviewed by an Investigator of the State Medical Board of Ohio regarding your responses on the FCVS Verification of Postgraduate Medical Education form for Dr. Turner as well as allegations that you were aware that Dr. Turner had tested positive for marijuana and cocaine on a urine screen taken during an Emergency Room visit by Dr. Turner for hypokalemia in December 1994. You denied having any knowledge that Dr. Turner had tested positive for marijuana and cocaine, despite the fact that you had been orally informed of the positive drug test results. In addition, you ordered Dr. Turner to be available for random drug screens after the positive drug test result from December 1994.

mailed 3/11/99

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 paragraphs (1) and (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 was committed in the course of practice," as that clause is used in Section 4731.22(B)(12), Ohio Revised Code, to wit: O.R.C. §2921.13, Falsification (as in effect after July 1, 1996).

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.

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Anand G. Garg, M.D.
Secretary

AGG/bjs
Enclosures

CERTIFIED MAIL #Z 395 591 084
RETURN RECEIPT REQUESTED

cc: Peter Comodeca, Esq.
CERTIFIED MAIL #Z 395 591 086
RETURN RECEIPT REQUESTED