

STATE OF OHIO
THE STATE MEDICAL BOARD

Suite 1006
180 East Broad Street
Columbus, Ohio 43215

JANUARY 12, 1979

James C. Hardin, D.O.
2052 Cleveland Ave.,
Columbus, OH. 43211

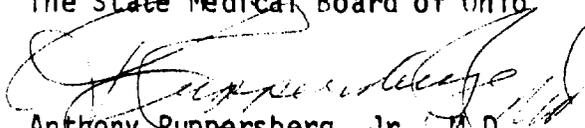
Dear Doctor Hardin:

Please find enclosed a certified copy of the Findings and Order as they have been entered in the Journal of the Ohio State Medical Board; a certified copy of the Motion approved by the State Medical Board, meeting in regular session on January 10, 1979, approving and confirming the Findings and Order; and a certified copy of the Motion approved by the State Medical Board meeting in regular session on January 11, 1979, establishing the effective date of the Order as March 1, 1979.

You are hereby notified that you may appeal this order to the Court of Common Pleas of the county in which your place of business is located, or the county in which you reside. If you are not a resident and have no place of business in this state, you may appeal to the Court of Common Pleas of Franklin County, Ohio.

To appeal as aforesaid, you must file a notice of appeal with the Board setting forth the order appealed from, and the grounds of the appeal. You must also file a copy of such notice with the court. Such notices of appeal shall be filed within fifteen days after the date of mailing of this letter, and in accordance with the requirements of Section 119.12, Revised Code.

The State Medical Board of Ohio



Anthony Ruppersberg, Jr., M.D.
Secretary

CERTIFIED MAIL #024993
RETURN RECEIPT REQUESTED

cc: John J. Duffey, Esq.

STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 1006
180 East Broad Street
Columbus, Ohio 43215

CERTIFICATION

DATE: JANUARY 12, 1979

I hereby certify that the attached copy of the Findings and Order of the Ohio State Medical Board, in the matter of James C. Hardin, D.O., is a true and complete copy of the Findings and Order as they appear in the Journal of the State Medical Board; and that the attached copy of the Motions approved by the State Medical Board, meeting in regular session on January 10 and January 11, 1979, are true and complete copies as they appear in the Journal of the State Medical Board.

This certification is made by authority of the Ohio State Medical Board and on its behalf.


ANTHONY RUPPERSBERG, JR., M.D.
SECRETARY
THE STATE MEDICAL BOARD OF OHIO

STATE OF OHIO
THE STATE MEDICAL BOARD

FINDINGS AND ORDER IN THE MATTER OF
James C. Hardin, D.O.

December 20, 1978

The matter of James C. Hardin, D.O., came on for hearing before me, Jerauld D. Ferritto, D.P.M., member, State Medical Board of Ohio, on November 1, 1978.

After consideration of all testimony and evidence presented at the hearing, and after having read and considered the transcript of the hearing and all exhibits introduced, I make the following findings:

Findings of Fact

1. On August 16, 1978 in the United States District Court, Southern District of Ohio, James C. Hardin, D.O., pleaded guilty to and was convicted of using the "...United States Mail for the purposes of executing a scheme and artifice to defraud. In violation of Title XVIII United States Code, Sections 1341 and 2...Count 9."
2. As a result of this conviction, he was given a sentence of three (3) years imprisonment, which was suspended and he was placed on probation for a period of three (3) years. He additionally was fined One Thousand (\$1,000) Dollars.
3. The basis for Dr. Hardin's conviction was his participation as a physician involving non-existent and/or exaggerated injuries resulting from auto-mishaps that were real and/or staged; Reference Paragraph 2 and 3 (a) Count No. 2, as incorporated in Count No. 9, Grand Jury Indictment.
4. Claims were made for injuries to people not even involved in the mishaps; Reference Paragraph 3 (c) Count No. 2, as incorporated in Count No. 9, Indictment.
5. That he used the United States Mail "...for the purpose of executing the aforesaid scheme and artifice to defraud..." Reference Paragraph 2 Count No. 9, Indictment.
6. On September 13, 1978 he was sent a letter by the Medical Board citing him for a possible violation of Section 4731.22 and advising him of his right to a hearing.
7. Dr. Hardin subsequently appeared and testified at a formal hearing held on November 1, 1978.
8. Dr. Hardin and his attorney did not deny his guilt. Reference Page 3 (16-21), Page 36 (16-19), Page 43 (21-25), Page 44 (1-12). Hearing Transcript.

- 9. Dr. Hardin, through his attorney, admitted he was aware of the scheme (Page 13: 23-25). Hearing Transcript.
- 10. Dr. Hardin, through his attorney, admitted participating in the scheme (Page 14: 1-5 and 14-25), (Page 44: 5-9). Hearing Transcript.
- 11. No testimony or evidence was presented showing a conviction of a felony committed NOT in the course of his practice. Section 4731.22 (B)(10).

Conclusions of Law

- 1. Dr. Hardin is not guilty of the charges as defined in Section 4731.22 (B)(10).
- 2. Dr. Hardin is guilty of the charges as defined in Section 4731.22 (B)(11).

Order

It is hereby ordered that the license of James C. Hardin, D.O., to practice osteopathic medicine and surgery in Ohio be indefinitely suspended.

All but ninety (90) days of this suspension is stayed provided that following the ninety (90) day suspension Dr. Hardin be on probation to the State Medical Board for a period of at least three (3) years and appear before the Board every six (6) months during that period, as requested by the Board, and provided that Dr. Hardin obey all laws of the United States, the State of Ohio, and all laws and regulations relating to the practice of medicine.

At the first regular Board meeting subsequent to this three (3) year period, the State Medical Board shall review this matter to determine necessity for continuing or altering the probation.

This order shall become effective on a date to be determined by the Board.



 Gerald D. Ferritto, D.P.M.
 Member
 State Medical Board of Ohio

STATE OF OHIO
THE STATE MEDICAL BOARD

January 10, 1979

RE: The motion regarding the Findings and Order
in the Matter of James C. Hardin, D.O.

Dr. Cover moved that the Findings and Order in the Matter of
James C. Hardin, D.O. as presented to the Board by Dr. Ferritto
be approved and confirmed. Dr. Lancione seconded the motion.

ROLL CALL VOTE: Dr. Cover - aye
Dr. Gandy - aye
Dr. Clarke - aye
Dr. Yut - aye
Dr. Lancione - aye
Mr. Paulo - aye
Dr. Ferritto - abstain
Dr. Ruppertsberg - aye

The motion carried.

STATE OF OHIO
THE STATE MEDICAL BOARD
JAN 10 1979

STATE OF OHIO
THE STATE MEDICAL BOARD

January 11, 1979

RE: The Motion regarding the Findings and Order
in the Matter of James C. Hardin, D.O.

Dr. Ferritto moved that the effective date of the Order be set
as March 1, 1979. Dr. Ruppertsberg seconded the motion.

ROLL CALL VOTE: Dr. Cover - aye
Dr. Gandy - aye
Dr. Clarke - aye
Dr. Yut - aye
Dr. Lancione - aye
Mr. Paulo - aye
Dr. Ferritto - aye
Dr. Ruppertsberg - aye

The motion carried.

RECEIVED
JAN 11 1979

STATE OF OHIO
THE STATE MEDICAL BOARD
180 E. Broad St., Ste. 1006
Columbus, Ohio 43215

September 13, 1978

James C. Hardin, D.O.
2052 Cleveland Avenue
Columbus, Ohio 43211

Dear Doctor Hardin:

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, reprimand, revoke, suspend, place on probation, refuse to register, or reinstate your certificate to practice osteopathic medicine and surgery under the provisions of Section 4731.22, Revised Code, for the following reason:

On or about August 16, 1978, you were convicted of using the United States Mail for the purpose of executing a scheme and artifice to defraud, in violation of Title 18 United States Code, Sections 1341 and 2, Count #9 of the Indictment filed in Case Number CR-2-78-36.

Pursuant to Section 4731.22(B)(10) and Section 4731.22(B)(11), Revised Code, conviction of a felony is grounds to limit, reprimand, revoke, suspend, place on probation, refuse to register, or reinstate your certificate to practice osteopathic medicine and surgery.

You are advised that you are entitled to a hearing in this matter if you request such hearing 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.

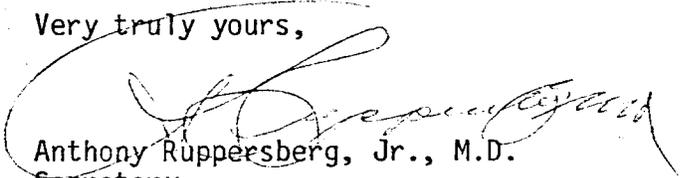
James C. Hardin, D.O.
September 13, 1978

Page 2

In the event 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, reprimand, revoke, suspend, place on probation, refuse to register, or reinstate your certificate to practice osteopathic medicine and surgery.

A copy of the Medical Practice Act is enclosed for your examination.

Very truly yours,



Anthony Ruppertsberg, Jr., M.D.
Secretary

AR:es
Enclosure

CERTIFIED MAIL # 580633
RETURN RECEIPT REQUESTED