

STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 510
65 South Front Street
Columbus, Ohio ~~43215~~ 43266-0315

January 16, 1987

C. R. Starsiak, D.O.
3731 Gurion Rd., Suite B
Indianapolis, Indiana 46222

Dear Doctor Starsiak:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of Lauren Lubow, Esq., Hearing Examiner, Medical Board; a certified copy of the Motions by the State Medical Board, meeting in regular session on January 15, 1987, approving and confirming said Report and Recommendation as the Findings and Order of the State Medical Board.

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 stated above, 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 (15) days after the date of mailing of this letter and in accordance with Section 119.12, Revised Code.

THE STATE MEDICAL BOARD OF OHIO


Henry G. Cramblett, M.D.
Secretary

HGC:em

Enclosures

CERTIFIED MAIL NO. P 569 365 673
RETURN RECEIPT REQUESTED

Mailed 1/22/87

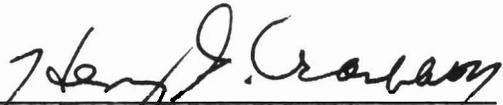
STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 510
65 South Front Street
Columbus, Ohio 43215

CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; attached copy of the Report and Recommendation of Lauren Lubow, Esq., Hearing Examiner, State Medical Board of Ohio; and the attached copy of the Motions by the State Medical Board, meeting in regular session on January 15, 1987, approving and confirming said Report and Recommendation as the Findings and Order of the State Medical Board, constitutes a true and complete copy of the Findings and Order of the State Medical Board in the matter of C. R. Starsiak, D.O., as it appears in the Journal of the State Medical Board of Ohio.

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

(SEAL)


Henry G. Gramblett, M.D.
Secretary

January 16, 1987

Date

BEFORE THE STATE MEDICAL BOARD
OF OHIO

IN THE MATTER OF *
 *
C. R. STARSIK, D.O. *

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio the 15th day of January, 1987

Upon the Report and Recommendation of Lauren Lubow, Esq., Hearing Examiner, in this matter designated pursuant to R.C. 119.09, a true copy of which is attached hereto and incorporated herein, which Report and Recommendation was approved and confirmed by vote of the Board on the above date, the following Order is hereby entered on the Journal of the State Medical Board for the 15th day of January, 1987.

It is hereby ORDERED:

That the license of Casimir Starsiak, D.O., to practice osteopathic medicine and surgery in the State of Ohio be suspended for an indefinite terms, which shall last a minimum of 30 days, provided that he complies with the following terms and conditions:

1. Prior to reinstatement, Dr. Starsiak shall:
 - A. Provide documentation acceptable to the Board of satisfactory completion of 100 hours of approved Continuing Medical Education, at least 40 hours of which shall be in Category I, for the 1985-1986 biennium, and for each additional biennium during which his license is suspended for more than one year; and
 - B. Submit an application for reinstatement and pay all appropriate fees.
2. Subsequent to reinstatement of his license, Dr. Starsiak shall remain on probation for three biennial registration periods. During this probationary term, Dr. Starsiak shall:
 - A. Obey all federal, state and local laws and all rules governing the practice of medicine in Ohio; and

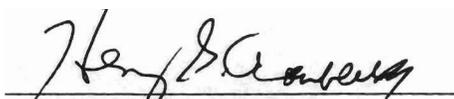
C. R. Starsiak, D.O.

Entry of Order

- B. Submit documentation acceptable to the Board of satisfactory completion of the requisite hours of Continuing Medical Education for each of the three biennial registration periods.

This Order shall become effective 30 days from the date of mailing of notification of approval by the State Medical Board of Ohio.

(SEAL)


Henry G. Cramblett, M.D.
Secretary

January 16, 1987

Date

REPORT AND RECOMMENDATION
IN THE MATTER OF CASIMIR STARSIAK, D.O.

This matter came before me, Lauren Lubow, Hearing Examiner for the State Medical Board of Ohio, on July 10, 1986.

INTRODUCTION AND SUMMARY OF EVIDENCE

1. By letter of April 10, 1986 (State's Exhibit A), the State Medical Board of Ohio notified Dr. Casimir Starsiak that it proposed to take disciplinary action against his license to practice osteopathic medicine and surgery. The Board charged that on two occasions, one or about August 1, 1985 and on or about October, 4, 1985, Dr. Starsiak was notified by the Board by certified letter that he would be required to provide the Board with documentation that he completed the requisite number of Continuing Medical Education (hereinafter, CME) hours, as required by Section 4731.281, Ohio Revised Code. Dr. Starsiak received these letters, as evidenced by his signature on certified mail receipts, but failed to provide the Board with CME documentation in a timely manner. Dr. Starsiak's acts or omissions were alleged to violate the following provisions:
 - A. Rule 4731-10-08(A)(1), Ohio Administrative Code, which specifies, "The Board may randomly select applications for verification that all CME requirements have been met. Licensees whose applications are selected shall submit additional documentation of compliance with CME requirements as the Board may require."
 - B. Section 4731.281, Ohio Revised Code, which specifies, "every doctor of osteopathic medicine licensed to practice osteopathic medicine and surgery . . . within this State shall certify to the Board that in the preceding two years the practitioner has completed one hundred hours of continuing medical education."
 - C. Section 4731.22(B)(16), Ohio Revised Code, which establishes as grounds for discipline, "Violating or attempting to violate, directly or indirectly . . . any provision of this chapter or any rule promulgated by the Board," to wit: Section 4731.281, Ohio Revised Code, and Ohio Administrative Rule 4731-10-08(A)(1).

2. In response, Dr. Starsiak petitioned the Board for a hearing concerning these charges by letter dated April 24, 1986 (State's Exhibit B). Attached to Dr. Starsiak's hearing request was a list of courses which Dr. Starsiak contended he had completed.
3. Although duly notified of the July 10, 1986 hearing, Dr. Starsiak did not appear personally or through an attorney. Yvette McGee, Assistant Attorney General, appeared on behalf of the State.
4. In addition to State's Exhibits A and B, identified above, the following exhibits were identified by Ms. McGee and admitted to the record:
 - A. State's Exhibit C - April 29, 1986 letter from the State Medical Board to Dr. Starsiak scheduling his hearing and postponing same pursuant to Section 119.09, Ohio Revised Code.
 - B. State's Exhibit D - May 9, 1986 letter from the State Medical Board to Dr. Starsiak scheduling his hearing for Thursday, July 10, 1986.
 - C. State's Exhibit E - July 30, 1985 letter from the State Medical Board to Dr. Starsiak requesting that he provide documentation of his compliance with the CME requirement. Certified mail receipts are attached.
 - D. State's Exhibit F - October 2, 1985 letter from the State Medical Board to Dr. Starsiak advising him that he had not responded to the Board's request for documentation, and asking him to comply. Certified mail receipts are attached.

FINDINGS OF FACT

1. Dr. Casimir Starsiak failed to respond to two requests by the State Medical Board of Ohio that he document his compliance with the Continuing Medical Education requirements, as provided for by Section 4731.281, Ohio Revised Code, and Rule 4731-10-08(A)(1), Ohio Administrative Code.
2. The certified mail receipts accompanying both requests for documentation were signed and returned to the State Medical Board.

3. A review of the listing of CME credits submitted by Dr. Starsiak along with his hearing request indicates that he completed sufficient hours to satisfy the CME requirement for the 1983-1984 biennium.

CONCLUSIONS

1. Dr. Casimir Starsiak's failure to timely comply with the Board's request for documentation of his CME credits on two occasions constitutes a violation of Section 4731.281, Ohio Revised Code, and Rule 4731-10-08(A)(1), Ohio Administrative Code.
2. Dr. Starsiak's violation of Section 4731.281, Ohio Revised Code, and Rule 4731-10-08(A)(1), Ohio Administrative Code, further constitutes grounds for disciplinary action pursuant to Section 4731.22(B)(16), Ohio Revised Code, "Violating or attempting to violate, directly or indirectly any provisions of . . . chapter [4731.] or any rule promulgated by the Board."
3. Dr. Starsiak's documentation of completion of sufficient CME hours, received almost seven months after the Board's second request and then only in response to the Board's citation letter, does not negate his responsibility for complying timely with the statutes and regulations governing the practice of medicine in this state.

PROPOSED ORDER

It is hereby ORDERED that the license of Casimir Starsiak, D.O., to practice osteopathic medicine and surgery in the State of Ohio be suspended for an indefinite term, which shall last a minimum of 30 days, provided that he complies with the following terms and conditions:

1. Prior to reinstatement, Dr. Starsiak shall:
 - A. Provide documentation acceptable to the Board of satisfactory completion of 100 hours of approved

Continuing Medical Education, at least 40 hours of which shall be in Category I, for the 1985-1986 biennium, and for each additional biennium during which his license is suspended for more than one year; and

- B. Submit an application for reinstatement and pay all appropriate fees.
2. Subsequent to reinstatement of his license, Dr. Starsiak shall remain on probation for three biennial registration periods. During this probationary term, Dr. Starsiak shall:
- A. Obey all federal, state and local laws and all rules governing the practice of medicine in Ohio; and
 - B. Submit documentation acceptable to the Board of satisfactory completion of the requisite hours of Continuing Medical Education for each of the three biennial registration periods.

This Order shall become effective 30 days from the date of mailing of notification of approval by the State Medical Board of Ohio.



Lauren Lubow, Esq.
Hearing Examiner
State Medical Board of Ohio

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REC'D
DEC 23 1986

EXCERPT FROM THE MINUTES OF JANUARY 15, 1987

REPORT AND RECOMMENDATION IN THE MATTER OF CASIMIR STARSIK, D.O.

Dr. Stephens asked if each member of the Board had received, read, and considered the hearing record, the proposed findings and order, and any objections filed to the proposed findings and order in the matter of Casimir Starsiak, D.O. A roll call was taken:

ROLL CALL:	Dr. Cramblett	- aye
	Dr. Lancione	- aye
	Dr. Barnes	- aye
	Dr. Buchan	- aye
	Dr. Lovshin	- aye
	Dr. O'Day	- aye
	Ms. Rolfes	- aye
	Mr. Johnston	- aye
	Dr. Stephens	- aye

DR. LOVSHIN MOVED TO APPROVE AND CONFIRM MS. LUBOW'S FINDINGS OF FACT AND CONCLUSIONS IN THE MATTER OF CASIMIR STARSIK, M.D. DR. BARNES SECONDED THE MOTION. A roll call vote was taken:

ROLL CALL VOTE:	Dr. Cramblett	- abstain
	Dr. Lancione	- aye
	Dr. Barnes	- aye
	Dr. Buchan	- aye
	Dr. Lovshin	- aye
	Dr. O'Day	- aye
	Ms. Rolfes	- aye
	Mr. Johnston	- abstain

The motion carried.

.....

MS. ROLFES MOVED TO APPROVE AND CONFIRM MS. LUBOW'S PROPOSED ORDER IN THE MATTER OF CASIMIR STARSIK, M.D. DR. BARNES SECONDED THE MOTION.

.....

A roll call vote was taken on Ms. Rolfes' motion:

ROLL CALL VOTE:	Dr. Cramblett	- abstain
	Dr. Lancione	- aye
	Dr. Barnes	- aye
	Dr. Buchan	- aye

. Excerpt from the Minutes of January 15, 1987
‣ RE: Casimir Starsiak, D.O.

Page 2

Dr. Lovshin	- aye
Dr. O'Day	- aye
Ms. Rolfes	- aye
Mr. Johnston	- abstain

The motion carried.

STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 510
65 South Front Street
Columbus, Ohio 43215

April 10, 1986

Casimir Starsiak, D.O.
3520 Guion Road #103
Indianapolis, IN 46222

Dear Doctor Starsiak:

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

1. On or about August 1, 1985 you received a letter by certified mail from the State Medical Board of Ohio informing you that you would be required to provide the Board with documentation that you had completed the requisite number of Continuing Medical Education hours as required by Section 4731.281, Ohio Revised Code. You failed to provide the Board with said documentation.
2. On or about October 4, 1985 you received a letter by certified mail from the State Medical Board of Ohio informing you that you would be required to provide the Board with documentation that you had completed the requisite number of Continuing Medical Education hours as required by Section 4731.281, Ohio Revised Code. You failed to provide the Board with said documentation.

The acts or omissions set forth in paragraphs 1 and 2 constitute violations of Ohio Administrative Code Rule 4731-10-08(A)(1), to wit: The board may randomly select applications for verification that all CME requirements have been met. Licensees whose applications are selected shall submit additional documentation of compliance with CME requirements as the Board may require.

Further, the acts or omissions set forth in paragraphs 1 and 2 constitute violations of Section 4731.281, Ohio Revised Code, to wit: "every doctor of osteopathic medicine licensed to practice osteopathic medicine and surgery. . .within this state shall certify to the board that in the preceding two years the practitioner has completed one hundred hours of continuing medical education."

April 10, 1986

Further, the acts or omissions set forth in paragraphs 1 and 2 constitute violations of Section 4731.22(B)(16) of the Ohio Revised Code, to wit: Violating or attempting to violate, directly or indirectly any provisions of this chapter or any rule promulgated by the Board, to wit: Section 4731.281, Ohio Revised Code, and Ohio Administrative Code Rule 4731-10-08(A)(1).

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 that request must be made 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.

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

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 569 363 419
RETURN RECEIPT REQUESTED