



STATE MEDICAL BOARD OF OHIO

77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614)466-3934

July 14, 1995

Pietro J. Muscari, D.O.
514 N. Forest Ridge Blvd.,
Broken Arrow, OK 74014

Dear Doctor Muscari:

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 July 12, 1995.

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

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 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,

Thomas E. Gretter, M.D.
Secretary

TEG:em
Enclosures

CERTIFIED MAIL RECEIPT NO. P 741 124 444
RETURN RECEIPT REQUESTED

Mailed 7-18-95



STATE MEDICAL BOARD OF OHIO

77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614)466-3934

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 July 12, 1995, constitute a true and complete copy of the Findings, Order and Journal Entry in the matter of Pietro J. Muscari, 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 of Ohio and in its behalf.

(SEAL)

A handwritten signature in cursive script, appearing to read "T. E. Gretter, M.D.", written over a horizontal line.

Thomas E. Gretter, M.D.
Secretary

7/13/95

Date



STATE MEDICAL BOARD OF OHIO

77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614)466-3934

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

*

*

PIETRO J. MUSCARI, DO

*

FINDINGS, ORDER AND JOURNAL ENTRY

This matter came on for consideration after a citation letter was mailed to PIETRO J. MUSCARI, DO by the State Medical Board of Ohio on April 14, 1995.

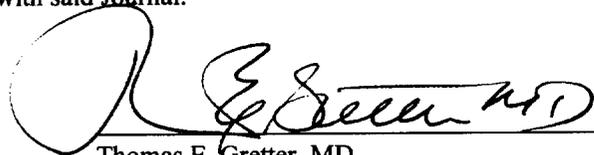
By letter dated April 12, 1995, notice was given to Pietro J. Muscari, DO, that the State Medical Board intended to consider disciplinary action regarding his license to practice medicine and surgery in Ohio, and that he was entitled to a hearing if such hearing was requested within thirty (30) days of the mailing of said notice. In accordance with Section 119.09, Ohio Revised Code, said notice was sent via certified mail, return receipt requested, to the last known address of Pietro J. Muscari, DO, that being 514 North Forest Blvd., Broken Arrow, OK 74014-2757.

No hearing request has been received from Pietro J. Muscari, DO, and more than thirty (30) days have now elapsed since the mailing of the aforesaid notice.

WHEREFORE, for the reasons outlined in the April 12, 1995 letter of notice, which is attached hereto and incorporated herein, it is hereby ORDERED that the license of Pietro J. Muscari, DO, to practice medicine and surgery in the State of Ohio be PERMANENTLY REVOKED.

This Order shall become effective IMMEDIATELY.

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



Thomas E. Gretter, MD

Secretary

(SEAL)

2/13/95
Date



STATE MEDICAL BOARD OF OHIO

77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

April 12, 1995

Pietro J. Muscari, D.O.
514 N. Forest Ridge Blvd.
Broken Arrow, OK 74014

Dear Doctor Muscari:

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 October 24, 1994, in the United States District Court, Southern District of Ohio, you entered a plea of guilty to one count of mail fraud, a felony, in violation of Title 18, United States Code, Section 1341. On or about March 24, 1995, you were adjudged guilty of such count and sentenced to twelve months imprisonment, two years supervised release upon release from imprisonment, and financial penalties. The acts underlying this conviction were committed in the course of practice.

Your acts, conduct, and/or omissions underlying the conviction as alleged in paragraph (1) above, individually and/or collectively, constitute "(t)he obtaining of, or attempting to obtain, money or anything of value by fraudulent misrepresentations in the course of practice," as that clause is used in Section 4731.22(B)(8), Ohio Revised Code.

Further, your plea of guilty and subsequent adjudication of guilt as alleged in paragraph (1) above, individually and/or collectively, constitute "(a) plea of guilty to, or a judicial finding of guilt of, a felony," as that clause is used in Section 4731.22(B)(9), 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.

Mailed 4/14/95

April 12, 1995

Pietro J. Muscari, D.O.

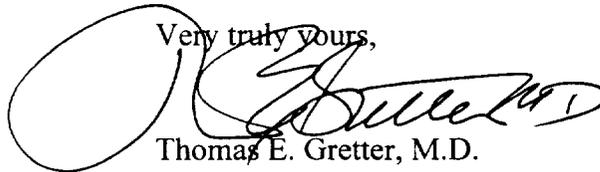
Page 2

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,

A handwritten signature in black ink, appearing to read "T. E. Gretter, M.D.", written over a large, loopy initial "T".

Thomas E. Gretter, M.D.
Secretary

TEG/bjm

Enclosures:

CERTIFIED MAIL #
RETURN RECEIPT REQUESTED