BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF :

:

LARY RICHARD KORN, D.O. :

ENTRY OF ORDER

On January 10, 2009, Lary Richard Korn, D.O., executed a Surrender of his license to practice osteopathic medicine and surgery in Ohio with consent to revocation, which document is attached hereto and fully incorporated herein.

Wherefore, upon ratification by the Board of the surrender, it is hereby ORDERED that Certificate No. 34-003953 authorizing Lary Richard Korn, D.O., to practice osteopathic medicine and surgery in the state of Ohio be permanently REVOKED, effective January 14, 2009.

This Order is hereby entered upon the Journal of the State Medical Board of Ohio for the 14th day of January 2009, and the original thereof shall be kept with said Journal.

Lance A. Talmage, M.D.
Secretary

(SEAL)

January 14, 2009
Date

STATE MEDICAL BOARD
OF OHIO

2009 JAN 13 A 8:48

STATE OF OHIO
THE STATE MEDICAL BOARD
SURRENDER OF CERTIFICATE
TO PRACTICE OSTEOPATHIC MEDICINE AND SURGERY

I, Lary R. Korn, D.O., am aware of my rights to representation by counsel, the right of being formally charged and having a formal adjudicative hearing, and do hereby freely execute this document and choose to take the actions described herein.

I, Lary R. Korn, D.O., do hereby voluntarily, knowingly, and intelligently surrender my certificate to practice osteopathic medicine and surgery, License #34.003953, to the State Medical Board of Ohio [Board], thereby relinquishing all rights to practice osteopathic medicine and surgery in Ohio.

I admit that my certificate to practice osteopathic medicine and surgery in the State of Ohio expired due to non-renewal effective October 1, 2008, and acknowledge that I have not been legally authorized to practice since that time. I further understand that as a result of the surrender herein I will not be permitted to practice osteopathic medicine and surgery in any form or manner in the State of Ohio in the future.

I agree that I shall be ineligible for, and shall not apply for, reinstatement or restoration of certificate to practice osteopathic medicine and surgery License #34.003953, or issuance of any other certificate pursuant to the authority of the State Medical Board of Ohio, on or after the date of signing this Surrender of Certificate to Practice Osteopathic Medicine and Surgery. Any such attempted reapplication shall be considered null and void and shall not be processed by the Board.

I hereby authorize the State Medical Board of Ohio to enter upon its Journal an Order permanently revoking my certificate to practice osteopathic medicine and surgery, License #34.003953, in conjunction with which I expressly waive the provision of Section 4731.22(B), Ohio Revised Code, requiring that six (6) Board Members vote to revoke said certificate, and further expressly and forever waive all rights as set forth in Chapter 119., Ohio Revised Code, including but not limited to my right to counsel, right to a hearing, right to present evidence, right to cross-examine witnesses, and right to appeal the Order of the Board revoking my certificate to practice osteopathic medicine and surgery.

I, Lary R. Korn, D.O., hereby release the Board, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

Surrender of Certificate
Lary R. Korn, D.O.

This document shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code. Further, this information may be reported to appropriate organizations, data banks and governmental bodies. I, Lary R. Korn, D.O., acknowledge that my social security number will be used if this information is so reported and agree to provide my social security number to the Board for such purposes.

I admit all of the factual and legal allegations contained in the Board's March 12, 2008 Notice of Opportunity for Hearing, a copy of which is attached hereto and incorporated herein, and further stipulate and agree that I am taking the action described herein in lieu of formal disciplinary proceedings pursuant to the violations as set forth therein.

EFFECTIVE DATE

It is expressly understood that this Surrender of Certificate is subject to ratification by the Board prior to signature by the Secretary and Supervising Member and shall become effective upon the last date of signature below.

Lary Korn D.O
LARY R. KORN, D.O.

1/10/09
DATE

Lance A. Talmage MD
LANCE A. TALMAGE, M.D.
Secretary

1-14-09
DATE

RAYMOND J. ALBERT
Supervising Member

1/15/09
DATE

Rebecca J. Marshall
REBECCA J. MARSHALL
Chief Enforcement Attorney

January 13, 2009
DATE

STATE MEDICAL BOARD OF OHIO
2009 JAN 13 A 8:48

State Medical Board of Ohio

30 E. Broad Street, 3rd Floor, Columbus, OH 43215-6127

Richard A. Whitehouse, Esq.
Executive Director

(614) 466-3934
med.ohio.gov

March 12, 2008

Case number: 08-CRF-025

Lary R. Korn, D.O.
P.O. Box 278
Duncan, SC 29334

Dear Doctor Korn:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio [Board] intends to determine whether or not to limit, revoke, permanently revoke, suspend, refuse to register or reinstate your certificate to practice osteopathic medicine and surgery, or to reprimand you or place you on probation for one or more of the following reasons:

(1) In your renewal application for the biennium registration of your certificate to practice osteopathic medicine and surgery for the October 2, 2006 to October 1, 2008 period, you certified that you had completed or would complete during the 2004 to 2006 (July 2, 2004 to July 1, 2006) the requisite hours of Continuing Medical Education [CME] as required by Section 4731.281, Ohio Revised Code.

(2) By certified mail letter dated March 22, 2007, the Board informed you that you were required to complete and submit a log demonstrating that you had completed at least one hundred hours of CME during the 2004 to 2006 CME period and to provide documentation that you had actually completed at least forty hours of Category 1 CME credits. Despite your certification that you had completed your CME requirements, you stated in a letter to the Board dated April 10, 2007, that you had not completed forty hours of Category 1 CME credits.

Your acts, conduct, and/or omissions as alleged in paragraph (1) above, individually and/or collectively, constitute "[m]aking a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatry, or a limited branch of medicine; or in securing or attempting to secure any certificate to practice or certificate of registration issued by the board," as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.

Your acts, conduct, and/or omissions as alleged in paragraph (2) above, individually and/or collectively, constitute "violating 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,

Mailed 3-13-08

to wit: Section 4731.281, Ohio Revised Code, and Rules 4731-10-03, 4731-10-05 and 4731-10-08, Ohio Administrative 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 days of the time of mailing of this notice.

You are further advised that, if you timely request a hearing, 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 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, permanently revoke, suspend, refuse to register or reinstate your certificate to practice osteopathic medicine and surgery or to reprimand you or place you on probation.

Please note that, whether or not you request a hearing, Section 4731.22(L), Ohio Revised Code, provides that "[w]hen the board refuses to grant a certificate to an applicant, revokes an individual's certificate to practice, refuses to register an applicant, or refuses to reinstate an individual's certificate to practice, the board may specify that its action is permanent. An individual subject to a permanent action taken by the board is forever thereafter ineligible to hold a certificate to practice and the board shall not accept an application for reinstatement of the certificate or for issuance of a new certificate."

Copies of the applicable sections are enclosed for your information.

Very truly yours,

Lance A. Talmage, M.D.
Secretary

LAT/LLS/flb

Enclosures

CERTIFIED MAIL #91 7108 2133 3934 3690 5487
RETURN RECEIPT REQUESTED

State Medical Board of Ohio

30 E. Broad Street, 3rd Floor, Columbus, OH 43215-6127

Richard A. Whitehouse, Esq.
Executive Director

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March 12, 2008

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