



# 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

February 26, 2010

Peter S. Stanos, D.O.  
184 S. Stanwood Road  
Bexley, OH 43209

## **NOTICE OF SUSPENSION/NON-RENEWAL** **PURSUANT TO R.C. 3123.47 & 4731.76**

The State Medical Board of Ohio has received notice pursuant to Section 3123.43 of the Ohio Revised Code from the Franklin County Child Support Enforcement Agency that you have been determined in default under a child support order. Pursuant to Ohio Revised Code Sections 3123.47 and 4731.76, this Board is prohibited from issuing a license, permit, certificate or other authorization as a result of this determination. The Board is also required to suspend any license that has been issued. This decision to suspend, or refuse to reinstate or restore a license, will remain in effect until the Board receives notice from the Franklin County Child Support Enforcement Agency that you are no longer determined to be in default.

Please note that our records indicate that your license to practice medicine and surgery in Ohio lapsed on January 1, 2008, for non-payment of fees.

### **When will the Board reinstate/restore my license?**

Before a license can be reinstated or restored, the Board must receive notice from the Franklin County Child Support Enforcement Agency that you are no longer in default. The Franklin County Child Support Enforcement Agency will issue such a notice when payment of the determined arrearage has been paid in full, or when a new, or appropriate, order has been issued for the collection of current support and arrearage.

### **Once I am determined not to be in default, how long will it take to get my license?**

Once the Board receives notice from the Franklin County Child Support Enforcement Agency that you are no longer in default, you will be eligible to apply to reinstate or restore your license. Please note that you will be required to submit an application and appropriate fee, should you decide that you wish to reactivate your Ohio medical license.

**Can I appeal this decision to the Board?**

This suspension or refusal to reinstate or restore a license is not subject to any hearing or review process of the Board. You must be determined not in default by the Franklin County Child Support Enforcement Agency. Once they make this determination, they will notify the Board and you will be eligible to reinstate or restore your license should you wish to do so.

**What do I do now?**

You need to contact the Franklin County Child Support Enforcement Agency. They will be able to tell you what you need to do in order to bring your child support payments up to date.

Pursuant to Sections 3123.47 and 4731.76, Ohio Revised Code, you are hereby notified that the Board will not reinstate or restore your license to practice medicine and surgery in the state of Ohio. Practicing medicine and surgery in Ohio without a valid license shall be considered a violation of Section 4731.41, Ohio Revised Code.

Sincerely,

Handwritten signature of Lance A. Talmage, M.D. in black ink, with the initials 'LAT' and 'RW' written below the signature.

Lance A. Talmage, M.D.  
Secretary

LAT/baj

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RETURN RECEIPT REQUESTED

IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO  
CIVIL DIVISION

PETER S. STANOS, D.O. :  
Appellant, : Case No. 04CVF-12-13360  
vs. : JUDGE GUY REECE  
STATE MEDICAL BOARD OF OHIO :  
Appellee. :

TERMINATION NO. 10  
BY: ard 3-29-06

**JUDGMENT ENTRY AFFIRMING ORDER OF  
THE OHIO STATE MEDICAL BOARD**

For the reasons contained in the February 21, 2006 decision, it is **ORDERED, ADJUDGED AND DECREED** that the Ohio State Medical Board's November 10, 2004 order suspending Dr. Stanos' certificate to practice medicine and surgery in Ohio for a minimum of one year is **AFFIRMED**.

This is a final entry.

Judge Guy L. Reece II

Judge Guy L. Reece, II

Approved By:

*Kevin P. Byers* (per telephone authority by Damion M. Clifford 007777)  
KEVIN P. BYERS (0040253)  
KEVIN P BYERS CO., L.P.A.  
Fifth Third Center  
21 East State Street, Suite 220  
Columbus, Ohio 43215-4297  
Phone: (614) 228-6283  
Facsimile: (614) 228-6425  
Counsel for Appellant

JIM PETRO (0022096)  
Attorney General  
*Damion M. Clifford*  
DAMION M. CLIFFORD (007777)  
Assistant Attorney General  
Health and Human Services Section  
30 East Broad Street, 26th Floor  
Columbus, Ohio 43215-3428  
Phone: (614) 466-8600  
Facsimile: (614) 466-6090  
Counsel for Appellee

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IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO  
CIVIL DIVISION

PETER S STANOS, D.O.,

CASE NO. 04CVF-12-13360

APPELLANT,

JUDGE REECE

VS.

STATE MEDICAL BOARD OF OHIO,

APPELLEE.

HEALTH & HUMAN  
SERVICES SECTION  
FEB 27 2005  
CLERK OF COURTS  
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FILED IN COURT

DECISION ON MERITS OF APPEAL

Entered this 21<sup>st</sup> day of February, 2006.

Reece, J.

This action comes before the court upon appeal filed December 20, 2004 by Peter Stamos, D.O.. Appellant has appealed the suspension of his license to practice medicine for at least one year as pursuant to the decision of the State Medical Board (Board) dated November 10, 2004. The Board, after a hearing, modified its Hearing Examiner's recommendation to permanently revoke Appellant's license and instead suspended Appellant's license to practice medicine for a minimum of one year with probation for at least three years after reinstatement. Appellant seeks review of the Board's Order under the provisions of Chapter 119. The court granted a stay of the revocation of Appellant's license to practice pending appeal. The Court, after considering the record, the grounds for appeal set forth by Appellant, and applicable statutory and case law, finds that the decision of the Board must be affirmed.

## PROCEDURAL AND FACTUAL HISTORY

Most of the facts and circumstances giving rise to this appeal are not in dispute. Appellant is a pain management specialist. He received notification from the Board, issued November 4, 2003, that due to failure to pay child support his license was immediately suspended. After rectification of the arrearage, the Board notified Appellant of his license reinstatement as of February 2, 2004. Dr. Stanos has admitted that he continued to practice during the interval of suspension. He does not dispute that the notice of suspension informed him that if he continued to practice it would constitute practicing without a license.

Appellant was notified in March that the Board intended to pursue the charge of practicing without a license, a violation of R.C. 4731.22(B)(15). A hearing was requested and a Hearing Examiner for the Board conducted a hearing on August 25, 2004, rendering her Report and Recommendation October 5, 2004. The Board met November 10, 2004, considered Appellant's objections to the Report and issued its Order of revocation, with revocation stayed and suspension as noted above.

### Review Standard

R.C. 119.12 and the multitude of cases addressing that section govern the Court's review of a decision of an administrative agency, such as the Commission. The most often cited case is that of *Univ. of Cincinnati v.*

*Conrad*<sup>1</sup>. The *Conrad* decision states that in an administrative appeal filed pursuant to R.C. 119.12, the trial court must review the agency's order to determine whether it is supported by reliable, probative and substantial evidence and is in accordance with law.

The Court states at pages 111 and 112 that “In undertaking this hybrid form of review, the Court of Common Pleas must give due deference to the administrative resolution of evidentiary conflicts. For example, when the evidence before the court consists of conflicting testimony of approximately equal weight, the court should defer to the determination of the administrative body, which, as the fact-finder, had the opportunity to observe the demeanor of the witnesses and weigh their credibility. The findings of the agency are not conclusive. Where the court, in its appraisal of the evidence, determines that there exist legally significant reasons for discrediting certain evidence relied upon by the administrative body, the court may reverse, vacate or modify the administrative order. Where it appears that the administrative determination rests upon inferences improperly drawn from the evidence adduced, the court may reverse the administrative order.

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<sup>1</sup> 63 Ohio St. 2d 108, 407 N.E.2d 1265, (1980)

The *Conrad* case has been cited with approval numerous times.<sup>2</sup>

Although a review of applicable law is de novo, the reviewing court should defer to the agency's factual findings.<sup>3</sup>

## ANALYSIS

Dr. Stanos has based his appeal on the grounds that the Board's order is not in accordance with law. Appellant acknowledges that in this case is the threshold circumstance of license suspension from a Child Support Enforcement Agency (CSEA) license suspension for failure to maintain child support payments. It is posited that other cases should be considered where physicians have continued to practice after their licenses has lapsed.

Appellant has offered three cases in a claim of disparate treatment.

*McCarthy v. Ohio State Medical Board*; *Stewart v. Ohio State Medical Board*; and *Smith v. State Medical Board*<sup>4</sup>. A review of the above cases and the Board actions taken as to various doctors, attached to Appellant's objections to the Hearing Examiner Report illustrates the difficulty in examining separate circumstances and coming to a general conclusion. In the cases listed supra, the Board and Courts were addressing failure to renew licenses under R.C. 4731.281. In the *Smith* case, it was determined that there was no

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<sup>2</sup> *City of Hamilton v. State Employment Relations Bd.* (1994), 70 Ohio St. 3d 210, 638 N.E.2d 522; *Ohio Historical Soc. v. State Emp. Relations Bd.* (1993), 66 Ohio St. 3d 466, 471, 613 N.E.2d 591

<sup>3</sup> *Pons v. Ohio State Med. Bd.* (1993), 66 Ohio St.3d 619, 614 N.E.2d 748. Rehearing denied by: *Pons v. State Medical Bd.* (1993), 67 Ohio St. 3d 1439, 617 N.E.2d 688.

<sup>4</sup> (1989), 63 Ohio App.3d 543; (March 12, 1991), Franklin App.No. 89AP-721; and (March 21, 2002), Franklin App.No. 01AP-863

willful or intentional failure on the doctor's part. In *McCarthy*, it was determined that the failure to renew was due to an oversight and the doctor, upon recognition of the failure, immediately applied for reinstatement. The *Stewart* ruling is more problematic in that the doctor practiced without a license by failing to renew, for a period of seven years. However, it was the trial court and the court of appeals that reversed a revocation, finding that the record did not support any finding of blatant or unmitigated conduct or any lack of good moral character. This Court would note that the case was a 1991 case and the scrutiny of such failure in present time might result in a different outcome. It must also be noted that the CSEA license suspension is levied, ostensibly, in an attempt to facilitate payment of arrearages for child support. It should be evident that if a licensed professional in her or his area may simply ignore the suspension and continue with her or his practice, the efficacy of the suspension would be in doubt.

The Board actions taken as to the various doctors, cited by Appellant in his objections warrant some attention. The following is a list of and synopsis of the various Board actions. A Consent Agreement with Napoleon V. Carandang, M.D. in 1996 allowed reinstatement of his license despite practicing with lapsed license during the period of January through April 1996. As to Mazen B. Hamadeh, M.D., the Board, in October 1997, allowed licensure despite practicing without an Ohio license as House Officer doing histories and physical examinations from October 1992 to August 1993.

Regarding Candace Jean Galat, M.D., in November 1999, her failure to renew her license and continued practice for five years resulted in one year prohibition against a renewal application. In the matter of Susan R. Krish, M.D., she had practiced without active license for ten days. A reprimand was the penalty imposed in June 2000. The circumstances relating to Larry Smith, D.O. were that he had failed to renew, and as a result also had misdemeanor conviction for practicing without license. Board levied a reprimand in September 2000. This was judicially reversed in the above *Smith* case. It must be observed that the specific circumstances giving rise to the various Board actions noted above are not enumerated, nor were there administrative hearings in two of the matters.

The case of *Rossiter v. State Med. Bd.*<sup>5</sup> follows other cases addressing the claim of disparate treatment and concludes that where a physician offers no evidence to support a claim of discrimination other than a list of other physicians who received lesser sanctions, no equal protection violation is shown.<sup>6</sup>

The *Rossiter* case also affirms the holdings in numerous other cases that restrict the Court's ability to invade the province of the Board as to sanctions. The litany of cases following the holding of *Henry's Cafe, Inc. v. Board of Liquor Control*<sup>7</sup>, even when beseeching the legislature for some latitude, cement the determination that the trial court is limited to

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<sup>5</sup> 155 Ohio App. 3d 689, 2004-Ohio-128, 802 N.E.2d 1149

<sup>6</sup> See also *Instanbooly v. Ohio State Med. Bd.* (Franklin App.No. 04AP-76), 2004-Ohio-3696

<sup>7</sup> (1959), 170 Ohio St. 233, 163 N.E.2d 678

determining whether the sanction is within the range of acceptable choices.<sup>8</sup> Appellant has offered that *Brost v. Ohio State Med. Bd.*<sup>9</sup> grants some discretion to the Court to modify a penalty. The Court in *Schechter v. Ohio State Med. Bd.*<sup>10</sup> stated that it found a dearth of support for the argument and rejected it as “wholly contrary to the express language and intent of R.C. 4731.22.”¶75

The record of proceedings also reflects that Appellant on August 10, 1994 entered into a Consent Agreement with the Board relating to failure to advise Ohio of action against him by Kentucky. While the action was related to educational requirements related to HIV continuing education, the instant matter is not Appellant’s first time acquaintance with the Board.

The uncontested facts establish that Appellant chose to practice after notice of suspension. While the best interest of his patients should be a paramount concern, Appellant did not contact the Board as to resolutions for their continued care. There is no probative evidence that Appellant made any attempt to arrange other care, he, instead, consciously and knowingly continued with his practice. Whether his arguably laudable basis for continuing to practice should have weighed more in mitigation of the penalty imposed falls beyond the confines of this Court’s review.

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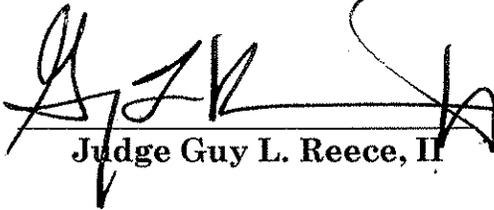
<sup>8</sup> See also *Ross v. State Med. Bd.* (Franklin App.No. 03AP-971), 2004-Ohio-2130

<sup>9</sup> (1991), 62 Ohio St.3d 218, 581 N.E.2d 515

<sup>10</sup> (Franklin App. No. 04AP-1115), 2005-Ohio-4062

CONCLUSION

After considering the record and the arguments of counsel, it must be concluded that there is reliable, probative, and substantial evidence to support the Board and the Order is in accordance with law. Counsel for Appellee shall prepare a Judgment Entry pursuant to Local Rule Counsel shall prepare and submit a Judgment Entry consistent with this decision pursuant to Local Rule 25.01.



Judge Guy L. Reece, II

Appearances:

Kevin P. Byers  
Fifth Third Center  
21 East State Street, Suite 220  
Columbus, OH 43215  
Attorney for Appellant

Rebecca J. Albers  
Assistant Attorney General  
30 East Broad Street, 26<sup>th</sup> Floor  
Columbus, OH 43215-3428  
Attorney for Appellee

**FILED**  
**IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO**  
17  
at 12-22-04

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CLERK OF COURTS

Peter S. Stanos, DO,  
Appellant,

Case No. 04CVF 1336D

v.

The State Medical Board of Ohio,  
Appellee.

Judge Reece

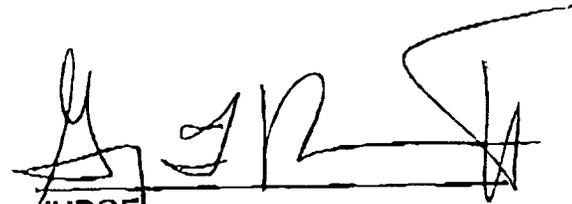
**DECISION AND ENTRY GRANTING APPELLANT'S MOTION FOR  
SUSPENSION OF AGENCY ORDER FILED DECEMBER 20, 2004.**

Rendered this 22 day of December, 2004.

This matter is before the Court on motion of Appellant Peter S. Stanos, D.O., for a suspension of the agency order against him. The Court finds that the order will cause Appellant unusual hardship and the public health, safety, and welfare will not be jeopardized by staying execution of the Medical Board order during the pendency of this appeal.

WHEREFORE, the motion for stay is GRANTED and execution of the December 3, 2004, order of the State Medical Board of Ohio is hereby STAYED pursuant to RC 119.12.

IT IS SO ORDERED.

  
JUDGE

Copies to:  
KP Byers for appellant  
RJ Albers for appellee

STATE MEDICAL BOARD  
OF OHIO  
2005 JAN -4 P 2:16

IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO  
CIVIL DIVISION

Peter S. Stanos, DO,  
1680 Watermark Drive, Suite 200  
Columbus, Ohio 43215-1034  
Appellant,

v.

State Medical Board of Ohio,  
77 South High St., 17th Floor  
Columbus, Ohio ~~43266-0315~~ 43215 \*  
Appellee.

\* 04CVF12 13360

CASE NO. \_\_\_\_\_

JUDGE \_\_\_\_\_

Appeal from the State Medical Board of Ohio

STATE MEDICAL BOARD  
OF OHIO  
2005 JAN -3 P 1:37

APPELLANT'S NOTICE OF APPEAL

Pursuant to RC 119.12, notice is hereby given that Appellant, Peter S. Stanos, DO, appeals the order of the State Medical Board dated November 10, 2004, and mailed December 3, 2004, (copy attached as *Exhibit A*.) The Medical Board order is not supported by the necessary quantum of reliable, probative and substantial evidence nor is it in accordance with law.

Respectfully submitted,

KEVIN P. BYERS CO., L.P.A.

KPB/EAS

Kevin P. Byers 0040253  
Fifth Third Center  
21 East State Street, Suite 220  
Columbus, Ohio 43215  
614.228.6283 Fax 228.6425

Attorney for Peter S. Stanos, DO

CPC original

Certificate of Service

I certify that an original of the foregoing document was hand delivered this 20th day of December, 2004, to the State Medical Board, 77 South High Street, 17th Floor, Columbus, Ohio 43266-0315 and also a copy was placed in first class U.S. Mail this same date addressed to Assistant Attorney General Rebecca J. Albers, Health & Human Services Section, 30 East Broad Street, 26th Floor, Columbus, Ohio 43215-3428.

KPB/er S

Kevin P. Byers

STATE MEDICAL BOARD  
OF OHIO  
2005 JAN -3 P 1:38



# State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: [www.med.ohio.gov](http://www.med.ohio.gov)

November 10, 2004

Peter Steven Stanos, D.O.  
1680 Watermark Drive, Suite 200  
Columbus, OH 43215-1034

Dear Doctor Stanos:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of Siobhan R. Clovis, Attorney Hearing Examiner, State Medical Board of Ohio; and an excerpt of draft Minutes of the State Medical Board, meeting in regular session on November 10, 2004, including motions approving and confirming the Findings of Fact and Conclusions of the Hearing Examiner, and adopting an amended Order.

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

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. Any such appeal must be filed within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12, Ohio Revised Code.

THE STATE MEDICAL BOARD OF OHIO

*Lance A. Talmage, M.D.*  
Lance A. Talmage, M.D.  
Secretary *ATAD*

LAT:jam  
Enclosures

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RETURN RECEIPT REQUESTED

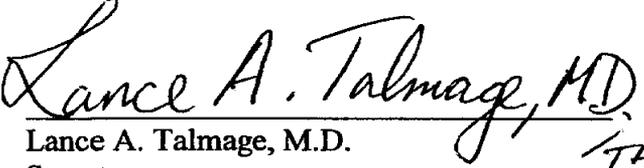
Cc: Kevin P. Byers, Esq.  
CERTIFIED MAIL NO. 7000 0600 0024 5149 9061  
RETURN RECEIPT REQUESTED

MAILED 12-03-04

CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; Report and Recommendation of Siobhan R. Clovis, State Medical Board Attorney Hearing Examiner; and excerpt of draft Minutes of the State Medical Board, meeting in regular session on November 10, 2004, including motions approving and confirming the Findings of Fact and Conclusions of the Hearing Examiner, and adopting an amended Order; constitute a true and complete copy of the Findings and Order of the State Medical Board in the Matter of Peter Steven Stanos, 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.

  
Lance A. Talmage, M.D.  
Secretary

(SEAL)

November 10, 2004

Date

**BEFORE THE STATE MEDICAL BOARD OF OHIO**

IN THE MATTER OF

\*

\*

PETER STEVEN STANOS, D.O.

\*

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio on November 10, 2004.

Upon the Report and Recommendation of Siobhan R. Clovis, State Medical Board Attorney Hearing Examiner, designated in this Matter pursuant to R.C. 4731.23, a true copy of which Report and Recommendation is attached hereto and incorporated herein, and upon the modification, approval and confirmation by vote of the Board on the above date, the following Order is hereby entered on the Journal of the State Medical Board of Ohio for the above date.

It is hereby ORDERED that:

- A. **PERMANENT REVOCATION, STAYED; SUSPENSION:** The certificate of Peter Stanos, D.O., to practice osteopathic medicine and surgery in the State of Ohio shall be PERMANENTLY REVOKED. Such permanent revocation is STAYED, and Dr. Stanos' certificate shall be SUSPENDED for an indefinite period of time, but not less than twelve months.
- B. **CONDITIONS FOR REINSTATEMENT OR RESTORATION:** The Board shall not consider reinstatement or restoration of Dr. Stanos' certificate to practice osteopathic medicine and surgery until all of the following conditions have been met:
  - 1. **Application for Reinstatement or Restoration:** Dr. Stanos shall submit an application for reinstatement or restoration, accompanied by appropriate fees, if any.
  - 2. **Personal Ethics Course:** At the time he submits his application for reinstatement or restoration, Dr. Stanos shall provide acceptable documentation of successful completion of a course or courses dealing with

personal ethics. The exact number of hours and the specific content of the course or courses shall be subject to the prior approval of the Board or its designee. Any courses taken in compliance with this provision shall be in addition to the Continuing Medical Education requirements for relicensure for the Continuing Medical Education period(s) in which they are completed.

3. **Additional Evidence of Fitness To Resume Practice:** In the event that Dr. Stanos has not been engaged in the active practice of medicine and surgery for a period in excess of two years prior to application for reinstatement or restoration, the Board may exercise its discretion under Section 4731.222 of the Revised Code to require additional evidence of his fitness to resume practice.
- C. **PROBATION:** Upon reinstatement or restoration, Dr. Stanos' certificate shall be subject to the following PROBATIONARY terms, conditions, and limitations for a period of at least three years:
1. **Obey the Law:** Dr. Stanos shall obey all federal, state, and local laws, and all rules governing the practice of medicine and surgery in Ohio.
  2. **Declarations of Compliance:** Dr. Stanos shall submit quarterly declarations under penalty of Board disciplinary action or criminal prosecution, stating whether there has been compliance with all the conditions of this Order. The first quarterly declaration must be received in the Board's offices on or before the first day of the third month following the month in which Dr. Stanos' certificate is restored or reinstated. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.
  3. **Personal Appearances:** Dr. Stanos shall appear in person for an interview before the full Board or its designated representative during the third month following the month in which Dr. Stanos' certificate is restored or reinstated, or as otherwise directed by the Board. Subsequent personal appearances must occur every three months thereafter, and/or as otherwise requested by the Board. If an appearance is missed or is rescheduled for any reason, ensuing appearances shall be scheduled based on the appearance date as originally scheduled.
  4. **Noncompliance Will Not Reduce Probationary Period:** In the event Dr. Stanos is found by the Secretary of the Board to have failed to comply with any provision of this Order, and is so notified of that deficiency in writing, such period(s) of noncompliance will not apply to the reduction of the probationary period under this Order.
- D. **TERMINATION OF PROBATION:** Upon successful completion of probation, as evidenced by a written release from the Board, Dr. Stanos' certificate will be fully restored.

This Order shall become effective thirty days following the mailing of notification of approval by the State Medical Board of Ohio.

(SEAL)

  
Lance A. Talmage, M.D.  
Secretary /TAD

November 10, 2004

Date

2004 OCT -5 A 11: 26

**REPORT AND RECOMMENDATION  
IN THE MATTER OF PETER STEVEN STANOS, D.O.**

The Matter of Peter Steven Stanos, D.O., was heard by Siobhan R. Clovis, Esq., Hearing Examiner for the State Medical Board of Ohio, on August 25, 2004.

**INTRODUCTION**

**I. Basis for Hearing**

- A. By letter dated March 10, 2004, the State Medical Board of Ohio [Board] notified Peter Steven Stanos, D.O., that it had proposed to take disciplinary action against his certificate to practice osteopathic medicine and surgery in Ohio. The Board based its proposed action on allegations that Dr. Stanos had practiced osteopathic medicine while his license had been suspended due to nonpayment of child support.

The Board alleged that the acts, conduct, and/or omissions of Dr. Stanos, individually and/or collectively, constitute:

- “[c]ommission of an act that constitutes a felony in this state, regardless of the jurisdiction in which the act was committed,’ as that clause is used in Section 4731.22(B)(10), Ohio Revised Code, to wit: Practicing Osteopathy Without a Certificate, Section 4731.43, Ohio Revised Code, to wit: Penalties, Section 4731.99, Ohio Revised Code.”
- “[c]ommission of an act that constitutes a felony in this state, regardless of the jurisdiction in which the act was committed,’ as that clause is used in Section 4731.22(B)(10), Ohio Revised Code, to wit: Illegal Processing of Drug Documents, Section 2925.03, Ohio Revised Code, and/or Trafficking in Drugs, Section 2925.03, Ohio Revised Code.”
- a “[v]iolation of the conditions of limitation placed by the board upon a certificate to practice,’ as that clause is used in Section 4731.22(B)(15), Ohio Revised Code.”

Accordingly, the Board advised Dr. Stanos of his right to request a hearing in this matter. (State’s Exhibit 2A).

- B. On April 7, 2004, Kevin P. Byers, Esq., submitted a written hearing request on behalf of Dr. Stanos. (State’s Exhibit 2B).

II. Appearances

- A. On behalf of the State of Ohio: Jim Petro, Attorney General, by Rebecca J. Albers, Assistant Attorney General.
- B. On behalf of the Respondent: Kevin P. Byers, Esq.

**EVIDENCE EXAMINED**

I. Testimony Heard

- A. Presented by the State  
  
Peter Steven Stanos, D.O.
- B. Presented by the Respondent
  - 1. Ann Shivers
  - 2. William David Leak, M.D.
  - 3. Dr. Stanos

II. Exhibits Examined

- A. Presented by the State
  - \* 1. State's Exhibit 1: Patient records for Patient 1.
  - 2. State's Exhibits 2A through 2T: Procedural exhibits. (Note: State's Exhibits 2K, 2P, and 2Q have been sealed because they include confidential patient information. Further note: The Hearing Examiner page-numbered State's Exhibit 2A.)
  - 3. State's Exhibit 3: Copies of documents maintained by the Board concerning Peter Steven Stanos, D.O.
  - \* 4. State's Exhibit 4: January 29, 2004, Affidavit of Dr. Stanos, with attached computer-generated "Appointments Detail Report."
  - \* 5. State's Exhibit 5: Patient records for Patient 5.
  - \* 6. State's Exhibit 6: Copies of prescriptions.

7. State's Exhibit 7: Copy of a February 5, 2004, written statement of Dr. Stanos to the State of Ohio Board of Pharmacy [Pharmacy Board].
- \* 8. State's Exhibit 9: Patient records for Patient 9.
- \* 9. State's Exhibit 12: Patient records for Patient 12.
- \* 10. State's Exhibit 14: Patient records for Patient 14.
- \* 11. State's Exhibit 18: Patient records for Patient 18.
- \* 12. State's Exhibit 24: Patient records for Patient 24.
- \* 13. State's Exhibit 26: Patient records for Patient 26.
- \* 14. State's Exhibit 31: Patient records for Patient 31.
- \* 15. State's Exhibit 32: Patient records for Patient 32.
- \* 16. State's Exhibit 40: Patient records for Patient 40.
- \* 17. State's Exhibit 44: Patient records for Patient 44.
- \* 18. State's Exhibit 117: Patient records for Patient 117.
- \* 19. State's Exhibit 204: Patient records for Patient 204.
- \* 20. State's Exhibit 293: Patient records for Patient 293.

Note: All exhibits marked with an asterisk [\*] have been sealed to protect patient confidentiality.

### **SUMMARY OF THE EVIDENCE**

All exhibits and transcripts of testimony, even if not specifically mentioned, were thoroughly reviewed and considered by the Hearing Examiner before preparing this Report and Recommendation.

1. Peter Steven Stanos, D.O., testified that he had received his bachelor's degree in biopsychology from the University of Cincinnati in 1986, and his osteopathy degree from Ohio University in 1990. He further testified that he had completed an osteopathic internship in 1991, and that he had been a resident in physical medicine and rehabilitation at the University of Kentucky from 1991 through 1994. (Hearing Transcript [Tr.] at 24).

Dr. Stanos testified that, after his residency, he had practiced with one other person in Columbus for two years, until 1996, when he had started his own practice. Dr. Stanos testified that he currently has a private practice of about 800 to 900 patients. (Tr. at 24-25, 76). He described his practice:

I practice physical medicine and rehabilitation, and the major portion of that practice is pain management practice. We see basically muscle and nerve injury patients, patients who are not candidates for surgery or have undergone surgeries before and have had bad outcomes and have continued resulting pain.

(Tr. at 24).

2. Dr. Stanos stipulated to the factual allegations in the Board's March 10, 2004, Notice of Opportunity for Hearing.<sup>1</sup> (Tr. at 8-11; State's Exhibit [St. Ex.] 2A). Specifically, Dr. Stanos stipulated to the following:
  - On or about June 15, 1994, the Board issued to Dr. Stanos a Notice of Opportunity for Hearing, in which the Board proposed to deny Dr. Stanos's application to practice osteopathic medicine and surgery in Ohio. The Board's proposal was based upon Dr. Stanos's alleged failure to advise the Board about an action initiated against Dr. Stanos by the Kentucky Board of Medical Licensure which related to a mandated HIV/AIDS education requirement. (See also St. Ex. 3 at 26).
  - On or about August 10, 1994, Dr. Stanos entered into a Consent Agreement with the Board, in which the Board reprimanded Dr. Stanos and granted him a license, subject to certain probationary terms, conditions, and limitations for at least two years. The Board terminated Dr. Stanos's probation on or about November 14, 1996. (See also St. Ex. 3 at 22).
  - On or about November 4, 2003, the Board issued to Dr. Stanos a "Notice of Suspension Pursuant to R.C. 3123.47 & 4731.76." The Notice advised that Dr. Stanos's medical license had been immediately suspended because of a determination by the Franklin County Child Support Enforcement Agency that Dr. Stanos was in default under a child support order. The Notice further advised that Dr. Stanos's continued practice would be considered practicing without a certificate.

Dr. Stanos's license was suspended from on or about November 4, 2003, through on or about February 2, 2004. On February 2, 2004, the Board issued a letter to

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<sup>1</sup> There was one exception to the stipulation: The State conceded that the allegation that Dr. Stanos had prescribed Dilaudid on November 24, 2003, had been an error. Dr. Stanos also clarified that he was not stipulating that he had practiced throughout the entire period of his suspension. (Tr. at 8-11).

Dr. Stanos advising him of the reinstatement of his license. (See also St. Ex. 3 at 16-21).

- Despite the suspension of his certificate, Dr. Stanos continued to practice osteopathic medicine and surgery in Ohio, by rendering medical services and/or issuing prescriptions to Patients 1 through 305. Specifically, Dr. Stanos rendered medical services to patients on or about the following dates:

<u>Date:</u>	<u>Type of Service:</u>	<u>Patient:</u>
11-06-03	Follow-up medical office appointment	Patient 303
11-06-03	Follow-up medical office appointment	Patient 304
11-06-03	Follow-up medical office appointment	Patient 162
11-06-03	Follow-up medical office appointment	Patient 46
11-06-03	Follow-up medical office appointment	Patient 47
11-07-03	Follow-up medical office appointment	Patient 48
11-07-03	Follow-up medical office appointment	Patient 49
11-07-03	Follow-up medical office appointment	Patient 50
11-07-03	Follow-up medical office appointment	Patient 51
11-07-03	Follow-up medical office appointment	Patient 52
11-07-03	Follow-up medical office appointment	Patient 53
11-07-03	Follow-up medical office appointment	Patient 12
11-07-03	Follow-up medical office appointment	Patient 54
11-07-03	Follow-up medical office appointment	Patient 55
11-10-03	Follow-up medical office appointment	Patient 56
11-10-03	New patient medical office appointment	Patient 57
11-10-03	New patient medical office appointment	Patient 58
11-10-03	Follow-up medical office appointment	Patient 59
11-10-03	Follow-up medical office appointment	Patient 60
11-10-03	New patient medical office appointment	Patient 61
11-10-03	New patient medical office appointment	Patient 62
11-10-03	Follow-up medical office appointment	Patient 63
11-10-03	Follow-up medical office appointment	Patient 64
11-10-03	New patient medical office appointment	Patient 65
11-11-03	New patient medical office appointment	Patient 66
11-11-03	Follow-up medical office appointment	Patient 67
11-11-03	EMG	Patient 68
11-11-03	Follow-up medical office appointment	Patient 69
11-11-03	Follow-up medical office appointment	Patient 70
11-12-03	Follow-up medical office appointment	Patient 71
11-12-03	Follow-up medical office appointment	Patient 72
11-12-03	Follow-up medical office appointment	Patient 73
11-12-03	Follow-up medical office appointment	Patient 74
11-12-03	Follow-up medical office appointment	Patient 75

11-12-03	Follow-up medical office appointment	Patient 76
11-12-03	Injection - Block	Patient 77
11-12-03	Follow-up medical office appointment	Patient 78
11-12-03	Follow-up medical office appointment	Patient 79
11-12-03	Follow-up medical office appointment	Patient 80
11-12-03	Follow-up medical office appointment	Patient 81
11-12-03	Follow-up medical office appointment	Patient 82
11-12-03	Follow-up medical office appointment	Patient 83
11-12-03	Follow-up medical office appointment	Patient 84
11-12-03	Follow-up medical office appointment	Patient 85
11-12-03	Follow-up medical office appointment	Patient 86
11-12-03	Follow-up medical office appointment	Patient 87
11-12-03	Follow-up medical office appointment	Patient 88
11-13-03	Follow-up medical office appointment	Patient 89
11-13-03	Follow-up medical office appointment	Patient 90
11-13-03	Follow-up medical office appointment	Patient 91
11-13-03	Follow-up medical office appointment	Patient 92
11-13-03	Follow-up medical office appointment	Patient 93
11-13-03	Follow-up medical office appointment	Patient 94
11-13-03	Follow-up medical office appointment	Patient 95
11-13-03	Follow-up medical office appointment	Patient 96
11-13-03	Follow-up medical office appointment	Patient 97
11-13-03	Follow-up medical office appointment	Patient 98
11-13-03	Follow-up medical office appointment	Patient 99
11-13-03	Follow-up medical office appointment	Patient 100
11-13-03	Follow-up medical office appointment	Patient 101
11-13-03	Follow-up medical office appointment	Patient 102
11-13-03	Follow-up medical office appointment	Patient 103
11-13-03	Follow-up medical office appointment	Patient 104
11-13-03	Follow-up medical office appointment	Patient 105
11-13-03	Follow-up medical office appointment	Patient 106
11-13-03	Follow-up medical office appointment	Patient 107
11-13-03	Follow-up medical office appointment	Patient 5
11-14-03	Follow-up medical office appointment	Patient 108
11-14-03	Follow-up medical office appointment	Patient 109
11-14-03	Follow-up medical office appointment	Patient 110
11-14-03	Follow-up medical office appointment	Patient 111
11-14-03	Follow-up medical office appointment	Patient 112
11-14-03	Follow-up medical office appointment	Patient 113
11-14-03	Follow-up medical office appointment	Patient 114
11-14-03	Follow-up medical office appointment	Patient 115
11-14-03	Follow-up medical office appointment	Patient 116
11-15-03	New patient medical office appointment	Patient 117
11-17-03	Follow-up medical office appointment	Patient 118

11-17-03	New patient medical office appointment	Patient 119
11-17-03	Follow-up medical office appointment	Patient 120
11-17-03	Follow-up medical office appointment	Patient 121
11-17-03	New patient medical office appointment	Patient 122
11-17-03	New patient medical office appointment	Patient 123
11-17-03	Follow-up medical office appointment	Patient 124
11-17-03	EMG	Patient 15
11-17-03	Follow-up medical office appointment	Patient 125
11-17-03	Follow-up medical office appointment	Patient 126
11-17-03	Follow-up medical office appointment	Patient 16
11-17-03	Injection - Block	Patient 127
11-18-03	EMG	Patient 17
11-18-03	New patient medical office appointment	Patient 128
11-18-03	Follow-up medical office appointment	Patient 129
11-18-03	New patient medical office appointment	Patient 130
11-18-03	Follow-up medical office appointment	Patient 131
11-18-03	New patient medical office appointment	Patient 132
11-18-03	Follow-up medical office appointment	Patient 133
11-18-03	Follow-up medical office appointment	Patient 134
11-18-03	Follow-up medical office appointment	Patient 135
11-18-03	Injection – Block	Patient 136
11-18-03	Follow-up medical office appointment	Patient 137
11-18-03	Follow-up medical office appointment	Patient 30
11-18-03	Follow-up medical office appointment	Patient 138
11-19-03	Follow-up medical office appointment	Patient 139
11-19-03	Follow-up medical office appointment	Patient 140
11-19-03	Follow-up medical office appointment	Patient 18
11-19-03	Follow-up medical office appointment	Patient 141
11-19-03	Follow-up medical office appointment	Patient 142
11-19-03	Follow-up medical office appointment	Patient 143
11-19-03	Follow-up medical office appointment	Patient 6
11-19-03	Follow-up medical office appointment	Patient 144
11-19-03	Follow-up medical office appointment	Patient 145
11-19-03	Follow-up medical office appointment	Patient 146
11-19-03	Follow-up medical office appointment	Patient 147
11-19-03	Follow-up medical office appointment	Patient 148
11-19-03	Follow-up medical office appointment	Patient 149
11-19-03	Follow-up medical office appointment	Patient 150
11-19-03	Follow-up medical office appointment	Patient 151
11-19-03	Follow-up medical office appointment	Patient 152
11-19-03	Follow-up medical office appointment	Patient 153
11-20-03	Follow-up medical office appointment	Patient 154
11-20-03	Follow-up medical office appointment	Patient 155
11-20-03	Follow-up medical office appointment	Patient 156

11-20-03	Follow-up medical office appointment	Patient 157
11-20-03	Follow-up medical office appointment	Patient 158
11-20-03	Follow-up medical office appointment	Patient 159
11-20-03	Follow-up medical office appointment	Patient 160
11-20-03	Follow-up medical office appointment	Patient 161
11-20-03	Follow-up medical office appointment	Patient 162
11-20-03	Follow-up medical office appointment	Patient 163
11-20-03	Follow-up medical office appointment	Patient 4
11-20-03	Follow-up medical office appointment	Patient 164
11-20-03	Follow-up medical office appointment	Patient 165
11-20-03	Follow-up medical office appointment	Patient 166
11-20-03	Follow-up medical office appointment	Patient 167
11-20-03	Follow-up medical office appointment	Patient 168
11-20-03	Injection – Block	Patient 54
11-20-03	Follow-up medical office appointment	Patient 169
11-20-03	Follow-up medical office appointment	Patient 170
11-20-03	Follow-up medical office appointment	Patient 171
11-20-03	Follow-up medical office appointment	Patient 172
11-21-03	Follow-up medical office appointment	Patient 173
11-21-03	Follow-up medical office appointment	Patient 174
11-21-03	Follow-up medical office appointment	Patient 32
11-21-03	Follow-up medical office appointment	Patient 175
11-21-03	Follow-up medical office appointment	Patient 34
11-21-03	Follow-up medical office appointment	Patient 176
11-21-03	Follow-up medical office appointment	Patient 177
11-21-03	Injection – Block	Patient 178
11-21-03	Follow-up medical office appointment	Patient 179
11-21-03	Follow-up medical office appointment	Patient 180
11-21-03	Follow-up medical office appointment	Patient 181
11-21-03	Follow-up medical office appointment	Patient 182
11-21-03	Follow-up medical office appointment	Patient 183
11-21-03	Follow-up medical office appointment	Patient 184
11-21-03	Follow-up medical office appointment	Patient 185
11-21-03	Injection – Block	Patient 186
11-21-03	Follow-up medical office appointment	Patient 187
11-24-03	New patient medical office appointment	Patient 188
11-24-03	Follow-up medical office appointment	Patient 189
11-24-03	Follow-up medical office appointment	Patient 190
11-24-03	EMG	Patient 31
11-24-03	Follow-up medical office appointment	Patient 191
11-24-03	New patient medical office appointment	Patient 192
11-24-03	Follow-up medical office appointment	Patient 193
11-24-03	Follow-up medical office appointment	Patient 194
11-24-03	Follow-up medical office appointment	Patient 195

11-24-03	Follow-up medical office appointment	Patient 196
11-24-03	Follow-up medical office appointment	Patient 197
11-24-03	New patient medical office appointment	Patient 198
11-25-03	EMG	Patient 199
11-25-03	Follow-up medical office appointment	Patient 200
11-25-03	Follow-up medical office appointment	Patient 201
11-25-03	Follow-up medical office appointment	Patient 202
11-25-03	Follow-up medical office appointment	Patient 203
11-25-03	New patient medical office appointment	Patient 204
11-25-03	Follow-up medical office appointment	Patient 205
11-25-03	Follow-up medical office appointment	Patient 206
11-25-03	Follow-up medical office appointment	Patient 207
11-25-03	New patient medical office appointment	Patient 208
11-26-03	Injection - Block	Patient 209
11-26-03	Follow-up medical office appointment	Patient 210
11-26-03	Follow-up medical office appointment	Patient 211
11-26-03	Follow-up medical office appointment	Patient 212
11-26-03	Follow-up medical office appointment	Patient 213
11-26-03	Follow-up medical office appointment	Patient 214
12-01-03	New patient medical office appointment	Patient 44
12-01-03	Follow-up medical office appointment	Patient 215
12-01-03	Follow-up medical office appointment	Patient 216
12-01-03	Follow-up medical office appointment	Patient 217
12-01-03	Follow-up medical office appointment	Patient 162
12-01-03	Follow-up medical office appointment	Patient 219
12-01-03	Follow-up medical office appointment	Patient 220
12-01-03	New patient medical office appointment	Patient 221
12-01-03	Follow-up medical office appointment	Patient 222
12-01-03	EMG	Patient 223
12-02-03	Injection – Block	Patient 224
12-02-03	New patient medical office appointment	Patient 225
12-02-03	Follow-up medical office appointment	Patient 226
12-02-03	Follow-up medical office appointment	Patient 227
12-02-03	Follow-up medical office appointment	Patient 228
12-02-03	Follow-up medical office appointment	Patient 229
12-02-03	EMG	Patient 230
12-02-03	Follow-up medical office appointment	Patient 231
12-02-03	New patient medical office appointment	Patient 232
12-03-03	Follow-up medical office appointment	Patient 233
12-04-03	Follow-up medical office appointment	Patient 234
12-06-03	New patient medical office appointment	Patient 218
12-06-03	New patient medical office appointment	Patient 235
12-06-03	Follow-up medical office appointment	Patient 236
12-08-03	New patient medical office appointment	Patient 237

12-08-03	Follow-up medical office appointment	Patient 238
12-08-03	Follow-up medical office appointment	Patient 50
12-08-03	Follow-up medical office appointment	Patient 239
12-08-03	New patient medical office appointment	Patient 240
12-08-03	Injection – Block	Patient 178
12-09-03	Follow-up medical office appointment	Patient 58
12-09-03	New patient medical office appointment	Patient 241
12-09-03	Follow-up medical office appointment	Patient 242
12-09-03	New patient medical office appointment	Patient 243
12-09-03	Follow-up medical office appointment	Patient 244
12-09-03	Follow-up medical office appointment	Patient 245
12-09-03	Follow-up medical office appointment	Patient 246
12-09-03	New patient medical office appointment	Patient 247
12-09-03	Follow-up medical office appointment	Patient 248
12-09-03	Follow-up medical office appointment	Patient 249
12-10-03	Follow-up medical office appointment	Patient 250
12-10-03	Follow-up medical office appointment	Patient 251
12-10-03	Follow-up medical office appointment	Patient 252
12-10-03	Follow-up medical office appointment	Patient 253
12-10-03	Follow-up medical office appointment	Patient 254
12-10-03	Follow-up medical office appointment	Patient 255
12-10-03	Follow-up medical office appointment	Patient 256
12-10-03	Follow-up medical office appointment	Patient 257
12-10-03	Follow-up medical office appointment	Patient 258
12-10-03	Follow-up medical office appointment	Patient 259
12-10-03	Follow-up medical office appointment	Patient 260
12-10-03	Follow-up medical office appointment	Patient 261
12-10-03	Follow-up medical office appointment	Patient 262
12-10-03	Follow-up medical office appointment	Patient 263
12-10-03	Follow-up medical office appointment	Patient 264
12-10-03	Follow-up medical office appointment	Patient 265
12-10-03	Follow-up medical office appointment	Patient 38
12-10-03	Follow-up medical office appointment	Patient 266
12-10-03	Follow-up medical office appointment	Patient 267
12-11-03	Follow-up medical office appointment	Patient 268
12-11-03	Follow-up medical office appointment	Patient 35
12-11-03	Follow-up medical office appointment	Patient 269
12-11-03	Follow-up medical office appointment	Patient 270
12-11-03	Follow-up medical office appointment	Patient 271
12-11-03	Follow-up medical office appointment	Patient 272
12-12-03	Follow-up medical office appointment	Patient 273
12-12-03	Follow-up medical office appointment	Patient 274
12-12-03	Follow-up medical office appointment	Patient 104
12-12-03	Follow-up medical office appointment	Patient 275

12-12-03	Follow-up medical office appointment	Patient 276
12-12-03	Follow-up medical office appointment	Patient 277
12-12-03	Follow-up medical office appointment	Patient 278
12-12-03	Follow-up medical office appointment	Patient 279
12-12-03	Follow-up medical office appointment	Patient 280
12-12-03	Follow-up medical office appointment	Patient 281
12-12-03	Follow-up medical office appointment	Patient 282
12-12-03	Follow-up medical office appointment	Patient 283
12-12-03	Follow-up medical office appointment	Patient 284
12-12-03	Follow-up medical office appointment	Patient 285
12-15-03	Follow-up medical office appointment	Patient 26
12-15-03	Follow-up medical office appointment	Patient 286
12-15-03	Follow-up medical office appointment	Patient 287
12-15-03	Follow-up medical office appointment	Patient 288
12-15-03	Follow-up medical office appointment	Patient 289
12-15-03	EMG	Patient 290
12-15-03	Follow-up medical office appointment	Patient 291
12-15-03	Follow-up medical office appointment	Patient 292
12-16-03	Follow-up medical office appointment	Patient 40
12-16-03	New patient medical office appointment	Patient 293
12-16-03	Follow-up medical office appointment	Patient 294
12-16-03	Follow-up medical office appointment	Patient 295
12-16-03	Follow-up medical office appointment	Patient 296
12-16-03	New patient medical office appointment	Patient 297
12-16-03	Follow-up medical office appointment	Patient 298
12-16-04	Follow-up medical office appointment	Patient 299
12-16-03	Follow-up medical office appointment	Patient 300
12-16-03	Follow-up medical office appointment	Patient 301
12-16-03	Injection – Block	Patient 169
12-18-03	Follow-up medical office appointment	Patient 10
12-18-03	Follow-up medical office appointment	Patient 302

(See also St. Ex. 4).

Further, Dr. Stanos issued prescriptions to patients on or about the following dates for the drugs and amounts listed below:

<u>Date:</u>	<u>Medication Prescribed:</u>	<u>Amount:</u>	<u>Patient:</u>
11-06-03	Roxicodone 15 mg.	90	Patient 1
11-06-03	Oxycontin 80 mg.	180	Patient 1
11-07-03	Methadone 10 mg.	300	Patient 10
11-07-03	Percocet 5 mg.	180	Patient 11
11-07-03	Oxycontin 20 mg.	90	Patient 12

11-11-03	Roxicodone 5 mg.	240	Patient 2
11-12-03	Percocet 10/650	180	Patient 3
11-12-03	Clonidine 0.2 mg.	90	Patient 30
11-12-03	Ibuprofen 800 mg.	90	Patient 30
11-13-03	Oxycodone 5 mg.	120	Patient 13
11-14-03	Oxycodone 5 mg. fill 11-18-03	120	Patient 13
11-14-03	Oxycodone 5 mg. fill 11-24-03	120	Patient 13
11-14-03	Oxycontin 80 mg. fill 11-24-03	90	Patient 13
11-14-03	Methadone 10 mg.	333	Patient 14
11-14-03	Oxycontin 40 mg.	90	Patient 31
11-14-03	Percocet 7.5/500	120	Patient 31
11-17-03	Morphine Sulfate IR 15 mg.	90	Patient 15
11-17-03	MS Contin 30 mg.	90	Patient 15
11-17-03	Reglan 5 mg.	120	Patient 15
11-17-03	Skelaxin 400 mg.	120	Patient 16
11-18-03	Oxycontin 20 mg.	90	Patient 17
11-18-03	Oxycontin 40 mg.	90	Patient 17
11-18-03	Percocet 10/325	120	Patient 17
11-18-03	Ativan 1 mg.	30	Patient 17
11-18-03	Vioxx 25 mg.	60	Patient 17
11-18-03	Oxycontin 20 mg.	90	Patient 32
11-18-03	Oxycodone 5 mg.	90	Patient 32
11-18-03	Klonopin 2 mg.	30	Patient 32
11-18-03	Methadone 5 mg.	180	Patient 30
11-19-03	Oxycontin 40 mg.	90	Patient 33
11-19-03	Morphine Sulfate IR 15 mg.	90	Patient 18
11-19-03	MS Contin 30 mg.	90	Patient 18
11-19-03	Neurontin 300 mg.	60	Patient 18
11-19-03	Clonidine 0.1 mg.	60	Patient 18
11-19-03	Zandflex 4 mg.	90	Patient 18
11-19-03	Morphine Sulfate IR 15 mg.	90	Patient 19
11-20-03	Actiq 600 mcg.	90	Patient 4
11-21-03	Lortab 10 mg.	60	Patient 34
11-21-03	Miralax Powder 527 gm.	1	Patient 34
11-21-03	Methadone 10 mg.	240	Patient 35
11-21-03	Oxycontin 80 mg. fill 11-24-03	90	Patient 35
11-21-03	Percocet 5 mg.	120	Patient 35
11-24-03	Oxycontin 40 mg.	90	Patient 20
11-24-03	Oxycodone 5 mg.	120	Patient 20
11-24-03	Percocet 10/650	180	Patient 21
11-24-03	Oxycontin 40 mg.	60	Patient 22
11-24-03	Percocet 10/650	120	Patient 31
11-24-03	Clonidine 0.1 mg.	60	Patient 31
11-24-03	Oxycontin 40 mg. fill 12-11-03	90	Patient 31

11-24-03	Oxycontin 40 mg.	90	Patient 36
11-24-03	Xanax 0.5 mg.	120	Patient 36
11-24-03	Lidoderm patches 5%	3 boxes of 30	Patient 36
11-24-03	Oxycontin 40 mg. fill 12-23-03	90	Patient 36
11-24-03	Percocet 5 mg.	120	Patient 37
11-25-03	Methylprednisolone DP 4 mg.	1	Patient 18
11-26-03	Oxycontin 20 mg.	60	Patient 38
12-01-03	Oxycodone 5 mg.	180	Patient 23
12-01-03	Oxycontin 80 mg.	90	Patient 24
12-01-03	Roxicodone 5 mg. (Rx 356034)	120	Patient 24
12-01-03	Roxicodone 5 mg. (Rx 362369)	120	Patient 24
12-01-03	Oxycodone 5 mg.	120	Patient 13
12-01-03	Oxycodone 5 mg. fill 12-07-03	120	Patient 13
12-01-03	Oxycodone 5 mg. fill 12-13-03	120	Patient 13
12-01-03	Roxicodone 15 mg.	90	Patient 39
12-01-03	Oxycontin 40 mg.	90	Patient 39
12-01-03	Oxycontin 20 mg.	90	Patient 39
12-02-03	Duragesic 100 mcg.	30	Patient 5
12-02-03	Roxicodone 15 mg.	60	Patient 5
12-03-03	Oxycontin 20 mg.	60	Patient 6
12-03-03	Oxycontin 20 mg.	120	Patient 8
12-03-03	Oxy IR 5 mg.	120	Patient 8
12-03-03	Medrol Dose Pack	1	Patient 8
12-03-03	Percocet 5 mg. fill 12-08-03	120	Patient 37
12-03-03	Neurontin 400 mg.	90	Patient 37
12-03-03	Voltaren 75 mg.	60	Patient 37
12-03-03	Lidoderm patches 5%	3 boxes of 30	Patient 37
12-05-03	Dexadrine 10 mg. spansules	60	Patient 40
12-05-03	Methadone 10 mg.	300	Patient 14
12-08-03	Oxycontin 80 mg.	180	Patient 1
12-08-03	Roxicodone 15 mg.	90	Patient 1
12-08-03	Percocet 10/325	240	Patient 2
12-08-03	Roxicodone 15 mg.	120	Patient 25
12-08-03	Oxycontin 40 mg.	90	Patient 25
12-08-03	Topamax 25 mg.	60	Patient 25
12-10-03	Duragesic patches 50 mcg.	15	Patient 45
12-09-03	Oxycontin 20 mg.	90	Patient 26
12-09-03	Oxy IR 5 mg.	120	Patient 26
12-10-03	Duragesic patches 100 mcg	15	Patient 9
12-10-03	Duragesic patches 50 mcg	15	Patient 9
12-10-03	Methadone 10 mg.	360	Patient 9
12-10-03	Actiq 1200 mcg.	120	Patient 9
12-10-03	Oxycontin 20 mg.	90	Patient 38
12-10-03	Percocet 10/325	120	Patient 38

12-11-03	Duragesic patches 25 mcg.	10	Patient 2
12-11-03	Roxicodone 5 mg.	120	Patient 27
12-11-03	Roxicodone 5 mg. fill 12-26-03	120	Patient 27
12-11-03	Percocet 5 mg.	120	Patient 35
12-11-03	Methadone 10 mg. fill 12-23-03	240	Patient 35
12-11-03	Oxycontin 80 mg. fill 12-23-03	90	Patient 35
12-11-03	Percocet 5 mg. fill 12-30-03	120	Patient 35
12-12-03	Actiq 1200 mcg.	120	Patient 5
12-12-03	Oxycodone 5 mg.	120	Patient 6
12-12-03	Duragesic patches 75 mcg.	15	Patient 41
12-12-03	Norco 10 mg.	120	Patient 41
12-15-03	Medrol DP 4 mg.	1	Patient 26
12-15-03	Oxycontin 40 mg. fill 12-17-03	90	Patient 17
12-15-03	Oxycontin 20 mg. fill 12-17-03	90	Patient 17
12-15-03	Percocet 10/325 fill 12-28-03	120	Patient 17
12-15-03	Oxycontin 20 mg.	85	Patient 42
12-16-03	Actiq 600 mcg.	90	Patient 4
12-16-03	Morphine Sulfate IR 15 mg.	150	Patient 40
12-16-03	Dexadrine 10 mg. fill 01-03-04	60	Patient 40
12-17-03	Oxycodone 5 mg. (Rx 360751)	120	Patient 13
12-17-03	Oxycodone 5 mg. (Rx 363272)	120	Patient 13
12-17-03	Restoril 15 mg.	30	Patient 13
12-17-03	Oxycontin 80 mg. fill 12-23-03	90	Patient 13
12-18-03	Oxycodone 5 mg. fill 12-30-03	120	Patient 13
12-18-03	Valium 10 mg.	90	Patient 13
12-18-03	Neurontin 800 mg.	120	Patient 13
12-18-03	Morphine Sulfate IR 15 mg.	90	Patient 18
12-18-03	MS Contin 30 mg.	90	Patient 18
12-18-03	Percocet 10/325 fill 12-23-03	120	Patient 31
12-19-03	Percocet 5 mg.	120	Patient 37
12-19-03	Oxycodone 5 mg.	120	Patient 32
12-19-03	Oxycontin 20 mg.	90	Patient 32
12-22-03	Percocet 10/650	180	Patient 21
12-22-03	Methadone 10 mg.	600	Patient 14
12-22-03	Oxycontin 40 mg.	60	Patient 22
12-22-03	Methadone 10 mg.	180	Patient 22
12-22-03	Oxycontin 80 mg. fill 01-05-04	126	Patient 28
12-22-03	Oxycontin 40 mg.	90	Patient 20
12-22-03	Oxycodone 5 mg.	120	Patient 20
12-23-03	Dilaudid 4 mg.	300	Patient 9
12-23-03	Percocet 5 mg.	180	Patient 11
12-23-03	Oxycodone 5 mg.	120	Patient 29
12-29-03	Roxicodone 5 mg. (Rx 365502)	120	Patient 24
12-29-03	Roxicodone 5 mg. (not dispensed)	120	Patient 24

12-29-03	Oxycontin 80 mg.	90	Patient 24
12-29-03	Norco 10 mg	90	Patient 14
12-29-03	Roxicodone 15 mg.	90	Patient 39
12-29-03	Oxycontin 40 mg.	90	Patient 39
12-29-03	Oxycontin 20 mg.	90	Patient 39
12-30-03	Actiq 1200 mcg.	120	Patient 5
12-30-03	Duragesic patches 100 mcg.	30	Patient 5
12-30-03	Roxicodone 15 mg.	60	Patient 5
12-30-03	Oxycontin 10 mg.	90	Patient 7
12-30-03	Oxycodone 5 mg.	180	Patient 23
12-30-03	Roxicodone 5 mg.	240	Patient 43
12-30-03	Oxycontin 20 mg. fill 01-08-04	90	Patient 38
01-03-04	Oxycodone 5 mg.	120	Patient 6
01-03-04	Oxycontin 20 mg.	60	Patient 6
01-05-04	Roxicodone 15 mg.	90	Patient 1
01-05-04	Oxycontin 80 mg.	180	Patient 1
01-05-04	Oxycontin 20 mg.	60	Patient 44
01-08-04	Oxycodone 5 mg.	120	Patient 8
01-08-04	Oxycontin 40 mg.	90	Patient 3
01-08-04	Dexadrine 10 mg. spansules	60	Patient 40
01-08-04	Morphine Sulfate IR 15 mg.	150	Patient 40
01-08-04	Oxycontin 20 mg.	120	Patient 8
01-09-04	Oxycontin 40 mg.	90	Patient 31
01-09-04	Percocet 10/325	120	Patient 31
01-12-04	Duragesic patches 100 mcg.	15	Patient 9
01-12-04	Duragesic patches 50 mcg.	15	Patient 9
01-12-04	Actiq 1200 mcg.	120	Patient 9

(See also St. Ex. 6).

3. Dr. Stanos testified that he has been paying child support for his six-year-old daughter since she was nine months old. He further testified that he had never been behind in his payments until about July of 2003, because of an interruption in payments received from insurance companies. He explained that, in May 2003, his practice had begun billing in-house, rather than through a collection agency. He stated that, because of this change, the practice had had to recredential with insurance companies and that he had not received payments from the insurance companies during the recredentialing process. (Tr. at 77-78).

Dr. Stanos testified that, prior to his suspension, he had known that he was delinquent in his child support payments, and that his delinquency could result in the suspension of his license. He acknowledged, however, that it had taken him two months after being suspended to find other physicians to cover his patients. (Tr. at 34-35).

4. Dr. Stanos testified that he had been notified of his suspension on “either November 5<sup>th</sup> or November 6<sup>th</sup>.” He admitted that he had continued to practice medicine despite the suspension. He testified that he had stopped seeing patients the week before Christmas and that he had stopped writing prescriptions on January 8 or 9, 2004. Dr. Stanos further testified that during his suspension, in an effort “not to be seen,” he had canceled appointments for patients who had been stable on their medications. Dr. Stanos admitted, however, that he had prescribed medication for those patients. (Tr. at 8-11, 25, 28, 32-33, 79).

Dr. Stanos testified that he had complied with the suspension of his license from the first week of January through February 2, 2004, when his license had been reinstated. (Tr. at 82-83).

Dr. Stanos explained that “one major reason” that he had defied his suspension was that he had been concerned about his patients’ suffering withdrawal from the abrupt cessation of their controlled substances prescriptions. He testified that he had decided that it was in the best interests of his patients if he continued to prescribe to them until they were placed with other physicians who would treat their pain. He advised that many physicians will not write prescriptions for Schedule II narcotics. For instance, the records of Patients 14 and 31 demonstrate that these patients’ primary physicians were unwilling to prescribe as Dr. Stanos had. (Tr. at 30, 33-34, 45-46, 52, 79; St. Ex. 7; St. Ex. 14 at 11; St. Ex. 31 at 7).

Dr. Stanos explained why he had not advised his patients to seek emergency room care while he was suspended:

Well, two problems there. Number one, most patients, if they are a pain patient, they sign an opiate consent agreement. That part of the consent agreement, which most emergency room physicians are aware of, stipulate they are not to receive medicines when they go to the emergency room. So a patient goes most of the time if they have a flare-up, say, of their pain, and they need to go to the emergency room at night. Their emergency room doctor will treat them just with IV medicines in the emergency room, discharge them back to their pain management doctor, and tell them to follow up within 48 to 72 hours. So to essentially dump these patients into the emergency room, they would not most likely get the medications they were on.

(Tr. at 35-36).

5. Ann Shivers testified that she has worked as a nurse for Dr. Stanos’s practice for about seven years and that she deals directly with most of the patients. She testified that Dr. Stanos’s typical patient has been referred by a family physician for pain management. Ms. Shivers further testified that, in her experience, family physicians are not comfortable writing prescriptions for opiates or Schedule II controlled substances. (Tr. at 57, 59-60).

Ms. Shivers testified that she had not learned of Dr. Stanos's suspension until December 2003, and that she had subsequently assisted in the efforts to refer the patients to other physicians. (Tr. at 61-62).

6. William David Leak, M.D., testified on behalf of Dr. Stanos. Dr. Leak testified that he has been licensed to practice in Ohio since 1979. He advised that he is a board-certified anesthesiologist, and that he is certified in pain management by the American Board of Medical Specialties, the American Academy of Pain Management, and the American Board of Pain Medicine. He stated that he has practiced pain management since 1974 in private practice. (Tr. at 66, 68-69).

Dr. Leak stated that the typical pain-management patient has seen 11 physicians prior to a referral to a pain specialist, and that such patients suffer from a wide variety of conditions. He testified that it can be difficult to refer a patient back to the patient's primary physician for pain treatment. He explained that many physicians are not prepared to deal with pain patients, and that this lack of preparedness is complicated by the perception that it is legally inappropriate to prescribe pain medication on a continuing basis. (Tr. at 69-72).

Dr. Leak further testified that the average wait for a new patient to see a pain specialist is at least three months. Dr. Leak stated that he had covered about 100 of Dr. Stanos's patients during Dr. Stanos's suspension. He explained that he had seen as many patients as he could, as quickly as he could, but that he had already had a busy practice. (Tr. at 73-74).

Dr. Leak also testified that he does not believe that a physician whose license is suspended should continue to write prescriptions for patients. (Tr. at 75).

7. Despite Dr. Stanos's contention that the reason that he had continued to practice was out of concern for his patients' potential withdrawal from controlled substances, he admitted that he had seen new patients, and that he had seen patients for reasons other than continuing their medication. Specifically, Dr. Stanos admitted the following at hearing:
  - He had seen 31 new patients during his suspension. (Tr. at 8-11; St. Ex. 2A at 2-8).
  - On eight occasions, he had performed electromyography [EMG] on patients. Dr. Stanos testified that an EMG is a diagnostic test for muscle and nerve damage, and that it is not an emergency procedure. (Tr. at 8-11, 27, 47; St. Ex. 2A at 2-8).
  - On November 12, 2003, he had seen a patient for the purpose of providing a Lidocaine injection. (Tr. at 27-28; St. Ex. 4 at 5).
  - On December 22, 2003, he had completed an unemployment compensation form for a patient. (Tr. at 46; St. Ex. 31 at 117-119).

8. Dr. Stanos admitted that he had known that practicing without a license is a serious offense. He acknowledged that he had not contacted the Board to discuss his options and concerns. However, he denied that he had decided to defy the law despite the consequences. (Tr. at 30, 82).

Q. [Mr. Byers]: Doctor, when you decided to continue practicing notwithstanding the license suspension, did you consciously sit down and just decide this law didn't apply to you, that you were going to plunder ahead, no matter the consequences?

A. [Dr. Stanos]: No; I mean, I had every intention of getting out of arrears with child support, and I felt that if I could just do that, then the suspension, once whatever the number was on when you went over that arrears, that my license would be reinstated at that time.

(Tr. at 82).

9. Dr. Stanos testified that he had not billed for patient appointments during his suspension, but that he had collected copays. (Tr. at 86-87).
10. Dr. Stanos testified that if his license were suspended again, he would respond differently. He explained that he had previously practiced alone in his own "physical space." He testified that, while he is still the sole physician in his practice, he now rents space within an existing pain practice. He advised that he now has "somebody to back [him] up or to assume care of [his] patients." (Tr. at 80-81).

### **FINDINGS OF FACT**

1. On June 15, 1994, the Board issued to Peter Steven Stanos, D.O., a Notice of Opportunity for Hearing in which it proposed to deny his application to practice osteopathic medicine and surgery in Ohio. The proposed denial was based upon Dr. Stanos's alleged failure to advise the Board of an action initiated against him by the Kentucky Board of Medical Licensure pertaining to HIV/AIDS education mandated in Kentucky as a condition of licensure. Thereafter, on August 10, 1994, Dr. Stanos entered into a Consent Agreement through which the Board reprimanded Dr. Stanos and granted him licensure subject to certain probationary terms, conditions and limitations for not less than two years. On or about November 14, 1996, the Board terminated the probation.
2. On November 4, 2003, the Board issued to Dr. Stanos a "Notice of Suspension Pursuant to R.C. 3123.47 & 4731.76," which notified Dr. Stanos that his license to practice was immediately suspended based upon a determination by the Franklin County Child Support Enforcement Agency that he was in default under a child support order. The notice informed Dr. Stanos that continued practice after such suspension would be considered

practicing without a certificate. Dr. Stanos's license to practice osteopathic medicine and surgery in Ohio remained suspended from November 4, 2003, until being reinstated on February 2, 2004.

3. Despite the suspension of Dr. Stanos's certificate from November 4, 2003, through February 2, 2004, Dr. Stanos continued to practice osteopathic medicine and surgery in Ohio, including rendering medical services and/or issuing prescriptions to Patients 1 through 305, as set forth below:

- a. Dr. Stanos rendered medical services to patients on or about the following dates of service:

<u>Date:</u>	<u>Type of Service:</u>	<u>Patient:</u>
11-06-03	Follow-up medical office appointment	Patient 303
11-06-03	Follow-up medical office appointment	Patient 304
11-06-03	Follow-up medical office appointment	Patient 162
11-06-03	Follow-up medical office appointment	Patient 46
11-06-03	Follow-up medical office appointment	Patient 47
11-07-03	Follow-up medical office appointment	Patient 48
11-07-03	Follow-up medical office appointment	Patient 49
11-07-03	Follow-up medical office appointment	Patient 50
11-07-03	Follow-up medical office appointment	Patient 51
11-07-03	Follow-up medical office appointment	Patient 52
11-07-03	Follow-up medical office appointment	Patient 53
11-07-03	Follow-up medical office appointment	Patient 12
11-07-03	Follow-up medical office appointment	Patient 54
11-07-03	Follow-up medical office appointment	Patient 55
11-10-03	Follow-up medical office appointment	Patient 56
11-10-03	New patient medical office appointment	Patient 57
11-10-03	New patient medical office appointment	Patient 58
11-10-03	Follow-up medical office appointment	Patient 59
11-10-03	Follow-up medical office appointment	Patient 60
11-10-03	New patient medical office appointment	Patient 61
11-10-03	New patient medical office appointment	Patient 62
11-10-03	Follow-up medical office appointment	Patient 63
11-10-03	Follow-up medical office appointment	Patient 64
11-10-03	New patient medical office appointment	Patient 65
11-11-03	New patient medical office appointment	Patient 66
11-11-03	Follow-up medical office appointment	Patient 67
11-11-03	EMG	Patient 68
11-11-03	Follow-up medical office appointment	Patient 69
11-11-03	Follow-up medical office appointment	Patient 70

11-12-03	Follow-up medical office appointment	Patient 71
11-12-03	Follow-up medical office appointment	Patient 72
11-12-03	Follow-up medical office appointment	Patient 73
11-12-03	Follow-up medical office appointment	Patient 74
11-12-03	Follow-up medical office appointment	Patient 75
11-12-03	Follow-up medical office appointment	Patient 76
11-12-03	Injection - Block	Patient 77
11-12-03	Follow-up medical office appointment	Patient 78
11-12-03	Follow-up medical office appointment	Patient 79
11-12-03	Follow-up medical office appointment	Patient 80
11-12-03	Follow-up medical office appointment	Patient 81
11-12-03	Follow-up medical office appointment	Patient 82
11-12-03	Follow-up medical office appointment	Patient 83
11-12-03	Follow-up medical office appointment	Patient 84
11-12-03	Follow-up medical office appointment	Patient 85
11-12-03	Follow-up medical office appointment	Patient 86
11-12-03	Follow-up medical office appointment	Patient 87
11-12-03	Follow-up medical office appointment	Patient 88
11-13-03	Follow-up medical office appointment	Patient 89
11-13-03	Follow-up medical office appointment	Patient 90
11-13-03	Follow-up medical office appointment	Patient 91
11-13-03	Follow-up medical office appointment	Patient 92
11-13-03	Follow-up medical office appointment	Patient 93
11-13-03	Follow-up medical office appointment	Patient 94
11-13-03	Follow-up medical office appointment	Patient 95
11-13-03	Follow-up medical office appointment	Patient 96
11-13-03	Follow-up medical office appointment	Patient 97
11-13-03	Follow-up medical office appointment	Patient 98
11-13-03	Follow-up medical office appointment	Patient 99
11-13-03	Follow-up medical office appointment	Patient 100
11-13-03	Follow-up medical office appointment	Patient 101
11-13-03	Follow-up medical office appointment	Patient 102
11-13-03	Follow-up medical office appointment	Patient 103
11-13-03	Follow-up medical office appointment	Patient 104
11-13-03	Follow-up medical office appointment	Patient 105
11-13-03	Follow-up medical office appointment	Patient 106
11-13-03	Follow-up medical office appointment	Patient 107
11-13-03	Follow-up medical office appointment	Patient 5
11-14-03	Follow-up medical office appointment	Patient 108
11-14-03	Follow-up medical office appointment	Patient 109
11-14-03	Follow-up medical office appointment	Patient 110
11-14-03	Follow-up medical office appointment	Patient 111
11-14-03	Follow-up medical office appointment	Patient 112
11-14-03	Follow-up medical office appointment	Patient 113

11-14-03	Follow-up medical office appointment	Patient 114
11-14-03	Follow-up medical office appointment	Patient 115
11-14-03	Follow-up medical office appointment	Patient 116
11-15-03	New patient medical office appointment	Patient 117
11-17-03	Follow-up medical office appointment	Patient 118
11-17-03	New patient medical office appointment	Patient 119
11-17-03	Follow-up medical office appointment	Patient 120
11-17-03	Follow-up medical office appointment	Patient 121
11-17-03	New patient medical office appointment	Patient 122
11-17-03	New patient medical office appointment	Patient 123
11-17-03	Follow-up medical office appointment	Patient 124
11-17-03	EMG	Patient 15
11-17-03	Follow-up medical office appointment	Patient 125
11-17-03	Follow-up medical office appointment	Patient 126
11-17-03	Follow-up medical office appointment	Patient 16
11-17-03	Injection - Block	Patient 127
11-18-03	EMG	Patient 17
11-18-03	New patient medical office appointment	Patient 128
11-18-03	Follow-up medical office appointment	Patient 129
11-18-03	New patient medical office appointment	Patient 130
11-18-03	Follow-up medical office appointment	Patient 131
11-18-03	New patient medical office appointment	Patient 132
11-18-03	Follow-up medical office appointment	Patient 133
11-18-03	Follow-up medical office appointment	Patient 134
11-18-03	Follow-up medical office appointment	Patient 135
11-18-03	Injection – Block	Patient 136
11-18-03	Follow-up medical office appointment	Patient 137
11-18-03	Follow-up medical office appointment	Patient 30
11-18-03	Follow-up medical office appointment	Patient 138
11-19-03	Follow-up medical office appointment	Patient 139
11-19-03	Follow-up medical office appointment	Patient 140
11-19-03	Follow-up medical office appointment	Patient 18
11-19-03	Follow-up medical office appointment	Patient 141
11-19-03	Follow-up medical office appointment	Patient 142
11-19-03	Follow-up medical office appointment	Patient 143
11-19-03	Follow-up medical office appointment	Patient 6
11-19-03	Follow-up medical office appointment	Patient 144
11-19-03	Follow-up medical office appointment	Patient 145
11-19-03	Follow-up medical office appointment	Patient 146
11-19-03	Follow-up medical office appointment	Patient 147
11-19-03	Follow-up medical office appointment	Patient 148
11-19-03	Follow-up medical office appointment	Patient 149
11-19-03	Follow-up medical office appointment	Patient 150
11-19-03	Follow-up medical office appointment	Patient 151

11-19-03	Follow-up medical office appointment	Patient 152
11-19-03	Follow-up medical office appointment	Patient 153
11-20-03	Follow-up medical office appointment	Patient 154
11-20-03	Follow-up medical office appointment	Patient 155
11-20-03	Follow-up medical office appointment	Patient 156
11-20-03	Follow-up medical office appointment	Patient 157
11-20-03	Follow-up medical office appointment	Patient 158
11-20-03	Follow-up medical office appointment	Patient 159
11-20-03	Follow-up medical office appointment	Patient 160
11-20-03	Follow-up medical office appointment	Patient 161
11-20-03	Follow-up medical office appointment	Patient 162
11-20-03	Follow-up medical office appointment	Patient 163
11-20-03	Follow-up medical office appointment	Patient 4
11-20-03	Follow-up medical office appointment	Patient 164
11-20-03	Follow-up medical office appointment	Patient 165
11-20-03	Follow-up medical office appointment	Patient 166
11-20-03	Follow-up medical office appointment	Patient 167
11-20-03	Follow-up medical office appointment	Patient 168
11-20-03	Injection – Block	Patient 54
11-20-03	Follow-up medical office appointment	Patient 169
11-20-03	Follow-up medical office appointment	Patient 170
11-20-03	Follow-up medical office appointment	Patient 171
11-20-03	Follow-up medical office appointment	Patient 172
11-21-03	Follow-up medical office appointment	Patient 173
11-21-03	Follow-up medical office appointment	Patient 174
11-21-03	Follow-up medical office appointment	Patient 32
11-21-03	Follow-up medical office appointment	Patient 175
11-21-03	Follow-up medical office appointment	Patient 34
11-21-03	Follow-up medical office appointment	Patient 176
11-21-03	Follow-up medical office appointment	Patient 177
11-21-03	Injection – Block	Patient 178
11-21-03	Follow-up medical office appointment	Patient 179
11-21-03	Follow-up medical office appointment	Patient 180
11-21-03	Follow-up medical office appointment	Patient 181
11-21-03	Follow-up medical office appointment	Patient 182
11-21-03	Follow-up medical office appointment	Patient 183
11-21-03	Follow-up medical office appointment	Patient 184
11-21-03	Follow-up medical office appointment	Patient 185
11-21-03	Injection – Block	Patient 186
11-21-03	Follow-up medical office appointment	Patient 187
11-24-03	New patient medical office appointment	Patient 188
11-24-03	Follow-up medical office appointment	Patient 189
11-24-03	Follow-up medical office appointment	Patient 190
11-24-03	EMG	Patient 31

11-24-03	Follow-up medical office appointment	Patient 191
11-24-03	New patient medical office appointment	Patient 192
11-24-03	Follow-up medical office appointment	Patient 193
11-24-03	Follow-up medical office appointment	Patient 194
11-24-03	Follow-up medical office appointment	Patient 195
11-24-03	Follow-up medical office appointment	Patient 196
11-24-03	Follow-up medical office appointment	Patient 197
11-24-03	New patient medical office appointment	Patient 198
11-25-03	EMG	Patient 199
11-25-03	Follow-up medical office appointment	Patient 200
11-25-03	Follow-up medical office appointment	Patient 201
11-25-03	Follow-up medical office appointment	Patient 202
11-25-03	Follow-up medical office appointment	Patient 203
11-25-03	New patient medical office appointment	Patient 204
11-25-03	Follow-up medical office appointment	Patient 205
11-25-03	Follow-up medical office appointment	Patient 206
11-25-03	Follow-up medical office appointment	Patient 207
11-25-03	New patient medical office appointment	Patient 208
11-26-03	Injection - Block	Patient 209
11-26-03	Follow-up medical office appointment	Patient 210
11-26-03	Follow-up medical office appointment	Patient 211
11-26-03	Follow-up medical office appointment	Patient 212
11-26-03	Follow-up medical office appointment	Patient 213
11-26-03	Follow-up medical office appointment	Patient 214
12-01-03	New patient medical office appointment	Patient 44
12-01-03	Follow-up medical office appointment	Patient 215
12-01-03	Follow-up medical office appointment	Patient 216
12-01-03	Follow-up medical office appointment	Patient 217
12-01-03	Follow-up medical office appointment	Patient 162
12-01-03	Follow-up medical office appointment	Patient 219
12-01-03	Follow-up medical office appointment	Patient 220
12-01-03	New patient medical office appointment	Patient 221
12-01-03	Follow-up medical office appointment	Patient 222
12-01-03	EMG	Patient 223
12-02-03	Injection – Block	Patient 224
12-02-03	New patient medical office appointment	Patient 225
12-02-03	Follow-up medical office appointment	Patient 226
12-02-03	Follow-up medical office appointment	Patient 227
12-02-03	Follow-up medical office appointment	Patient 228
12-02-03	Follow-up medical office appointment	Patient 229
12-02-03	EMG	Patient 230
12-02-03	Follow-up medical office appointment	Patient 231
12-02-03	New patient medical office appointment	Patient 232
12-03-03	Follow-up medical office appointment	Patient 233

12-04-03	Follow-up medical office appointment	Patient 234
12-06-03	New patient medical office appointment	Patient 218
12-06-03	New patient medical office appointment	Patient 235
12-06-03	Follow-up medical office appointment	Patient 236
12-08-03	New patient medical office appointment	Patient 237
12-08-03	Follow-up medical office appointment	Patient 238
12-08-03	Follow-up medical office appointment	Patient 50
12-08-03	Follow-up medical office appointment	Patient 239
12-08-03	New patient medical office appointment	Patient 240
12-08-03	Injection – Block	Patient 178
12-09-03	Follow-up medical office appointment	Patient 58
12-09-03	New patient medical office appointment	Patient 241
12-09-03	Follow-up medical office appointment	Patient 242
12-09-03	New patient medical office appointment	Patient 243
12-09-03	Follow-up medical office appointment	Patient 244
12-09-03	Follow-up medical office appointment	Patient 245
12-09-03	Follow-up medical office appointment	Patient 246
12-09-03	New patient medical office appointment	Patient 247
12-09-03	Follow-up medical office appointment	Patient 248
12-09-03	Follow-up medical office appointment	Patient 249
12-10-03	Follow-up medical office appointment	Patient 250
12-10-03	Follow-up medical office appointment	Patient 251
12-10-03	Follow-up medical office appointment	Patient 252
12-10-03	Follow-up medical office appointment	Patient 253
12-10-03	Follow-up medical office appointment	Patient 254
12-10-03	Follow-up medical office appointment	Patient 255
12-10-03	Follow-up medical office appointment	Patient 256
12-10-03	Follow-up medical office appointment	Patient 257
12-10-03	Follow-up medical office appointment	Patient 258
12-10-03	Follow-up medical office appointment	Patient 259
12-10-03	Follow-up medical office appointment	Patient 260
12-10-03	Follow-up medical office appointment	Patient 261
12-10-03	Follow-up medical office appointment	Patient 262
12-10-03	Follow-up medical office appointment	Patient 263
12-10-03	Follow-up medical office appointment	Patient 264
12-10-03	Follow-up medical office appointment	Patient 265
12-10-03	Follow-up medical office appointment	Patient 38
12-10-03	Follow-up medical office appointment	Patient 266
12-10-03	Follow-up medical office appointment	Patient 267
12-11-03	Follow-up medical office appointment	Patient 268
12-11-03	Follow-up medical office appointment	Patient 35
12-11-03	Follow-up medical office appointment	Patient 269
12-11-03	Follow-up medical office appointment	Patient 270
12-11-03	Follow-up medical office appointment	Patient 271

12-11-03	Follow-up medical office appointment	Patient 272
12-12-03	Follow-up medical office appointment	Patient 273
12-12-03	Follow-up medical office appointment	Patient 274
12-12-03	Follow-up medical office appointment	Patient 104
12-12-03	Follow-up medical office appointment	Patient 275
12-12-03	Follow-up medical office appointment	Patient 276
12-12-03	Follow-up medical office appointment	Patient 277
12-12-03	Follow-up medical office appointment	Patient 278
12-12-03	Follow-up medical office appointment	Patient 279
12-12-03	Follow-up medical office appointment	Patient 280
12-12-03	Follow-up medical office appointment	Patient 281
12-12-03	Follow-up medical office appointment	Patient 282
12-12-03	Follow-up medical office appointment	Patient 283
12-12-03	Follow-up medical office appointment	Patient 284
12-12-03	Follow-up medical office appointment	Patient 285
12-15-03	Follow-up medical office appointment	Patient 26
12-15-03	Follow-up medical office appointment	Patient 286
12-15-03	Follow-up medical office appointment	Patient 287
12-15-03	Follow-up medical office appointment	Patient 288
12-15-03	Follow-up medical office appointment	Patient 289
12-15-03	EMG	Patient 290
12-15-03	Follow-up medical office appointment	Patient 291
12-15-03	Follow-up medical office appointment	Patient 292
12-16-03	Follow-up medical office appointment	Patient 40
12-16-03	New patient medical office appointment	Patient 293
12-16-03	Follow-up medical office appointment	Patient 294
12-16-03	Follow-up medical office appointment	Patient 295
12-16-03	Follow-up medical office appointment	Patient 296
12-16-03	New patient medical office appointment	Patient 297
12-16-03	Follow-up medical office appointment	Patient 298
12-16-04	Follow-up medical office appointment	Patient 299
12-16-03	Follow-up medical office appointment	Patient 300
12-16-03	Follow-up medical office appointment	Patient 301
12-16-03	Injection – Block	Patient 169
12-18-03	Follow-up medical office appointment	Patient 10
12-18-03	Follow-up medical office appointment	Patient 302

b. Further, Dr. Stanos issued prescriptions to patients on or about the following dates for the drugs and amounts listed below:

<u>Date:</u>	<u>Medication Prescribed:</u>	<u>Amount:</u>	<u>Patient:</u>
11-06-03	Roxicodone 15 mg.	90	Patient 1
11-06-03	Oxycontin 80 mg.	180	Patient 1

11-07-03	Methadone 10 mg.	300	Patient 10
11-07-03	Percocet 5 mg.	180	Patient 11
11-07-03	Oxycontin 20 mg.	90	Patient 12
11-11-03	Roxicodone 5 mg.	240	Patient 2
11-12-03	Percocet 10/650	180	Patient 3
11-12-03	Clonidine 0.2 mg.	90	Patient 30
11-12-03	Ibuprofen 800 mg.	90	Patient 30
11-13-03	Oxycodone 5 mg.	120	Patient 13
11-14-03	Oxycodone 5 mg. fill 11-18-03	120	Patient 13
11-14-03	Oxycodone 5 mg. fill 11-24-03	120	Patient 13
11-14-03	Oxycontin 80 mg. fill 11-24-03	90	Patient 13
11-14-03	Methadone 10 mg.	333	Patient 14
11-14-03	Oxycontin 40 mg.	90	Patient 31
11-14-03	Percocet 7.5/500	120	Patient 31
11-17-03	Morphine Sulfate IR 15 mg.	90	Patient 15
11-17-03	MS Contin 30 mg.	90	Patient 15
11-17-03	Reglan 5 mg.	120	Patient 15
11-17-03	Skelaxin 400 mg.	120	Patient 16
11-18-03	Oxycontin 20 mg.	90	Patient 17
11-18-03	Oxycontin 40 mg.	90	Patient 17
11-18-03	Percocet 10/325	120	Patient 17
11-18-03	Ativan 1 mg.	30	Patient 17
11-18-03	Vioxx 25 mg.	60	Patient 17
11-18-03	Oxycontin 20 mg.	90	Patient 32
11-18-03	Oxycodone 5 mg.	90	Patient 32
11-18-03	Klonopin 2 mg.	30	Patient 32
11-18-03	Methadone 5 mg.	180	Patient 30
11-19-03	Oxycontin 40 mg.	90	Patient 33
11-19-03	Morphine Sulfate IR 15 mg.	90	Patient 18
11-19-03	MS Contin 30 mg.	90	Patient 18
11-19-03	Neurontin 300 mg.	60	Patient 18
11-19-03	Clonidine 0.1 mg.	60	Patient 18
11-19-03	Zandflex 4 mg.	90	Patient 18
11-19-03	Morphine Sulfate IR 15 mg.	90	Patient 19
11-20-03	Actiq 600 mcg.	90	Patient 4
11-21-03	Lortab 10 mg.	60	Patient 34
11-21-03	Miralax Powder 527 gm.	1	Patient 34
11-21-03	Methadone 10 mg.	240	Patient 35
11-21-03	Oxycontin 80 mg. fill 11-24-03	90	Patient 35
11-21-03	Percocet 5 mg.	120	Patient 35
11-24-03	Oxycontin 40 mg.	90	Patient 20
11-24-03	Oxycodone 5 mg.	120	Patient 20
11-24-03	Percocet 10/650	180	Patient 21
11-24-03	Oxycontin 40 mg.	60	Patient 22

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11-24-03	Percocet 10/650	120	Patient 31
11-24-03	Clonidine 0.1 mg.	60	Patient 31
11-24-03	Oxycontin 40 mg. fill 12-11-03	90	Patient 31
11-24-03	Oxycontin 40 mg.	90	Patient 36
11-24-03	Xanax 0.5 mg.	120	Patient 36
11-24-03	Lidoderm patches 5% 3 boxes of 30		Patient 36
11-24-03	Oxycontin 40 mg. fill 12-23-03	90	Patient 36
11-24-03	Percocet 5 mg.	120	Patient 37
11-25-03	Methylprednisolone DP 4 mg.	1	Patient 18
11-26-03	Oxycontin 20 mg.	60	Patient 38
12-01-03	Oxycodone 5 mg.	180	Patient 23
12-01-03	Oxycontin 80 mg.	90	Patient 24
12-01-03	Roxicodone 5 mg. (Rx 356034)	120	Patient 24
12-01-03	Roxicodone 5 mg. (Rx 362369)	120	Patient 24
12-01-03	Oxycodone 5 mg.	120	Patient 13
12-01-03	Oxycodone 5 mg. fill 12-07-03	120	Patient 13
12-01-03	Oxycodone 5 mg. fill 12-13-03	120	Patient 13
12-01-03	Roxicodone 15 mg.	90	Patient 39
12-01-03	Oxycontin 40 mg.	90	Patient 39
12-01-03	Oxycontin 20 mg.	90	Patient 39
12-02-03	Duragesic 100 mcg.	30	Patient 5
12-02-03	Roxicodone 15 mg.	60	Patient 5
12-03-03	Oxycontin 20 mg.	60	Patient 6
12-03-03	Oxycontin 20 mg.	120	Patient 8
12-03-03	Oxy IR 5 mg.	120	Patient 8
12-03-03	Medrol Dose Pack	1	Patient 8
12-03-03	Percocet 5 mg. fill 12-08-03	120	Patient 37
12-03-03	Neurontin 400 mg.	90	Patient 37
12-03-03	Voltaren 75 mg.	60	Patient 37
12-03-03	Lidoderm patches 5% 3 boxes of 30		Patient 37
12-05-03	Dexadrine 10 mg. spansules	60	Patient 40
12-05-03	Methadone 10 mg.	300	Patient 14
12-08-03	Oxycontin 80 mg.	180	Patient 1
12-08-03	Roxicodone 15 mg.	90	Patient 1
12-08-03	Percocet 10/325	240	Patient 2
12-08-03	Roxicodone 15 mg.	120	Patient 25
12-08-03	Oxycontin 40 mg.	90	Patient 25
12-08-03	Topamax 25 mg.	60	Patient 25
12-10-03	Duragesic patches 50 mcg.	15	Patient 45
12-09-03	Oxycontin 20 mg.	90	Patient 26
12-09-03	Oxy IR 5 mg.	120	Patient 26
12-10-03	Duragesic patches 100 mcg	15	Patient 9
12-10-03	Duragesic patches 50 mcg	15	Patient 9
12-10-03	Methadone 10 mg.	360	Patient 9

12-10-03	Actiq 1200 mcg.	120	Patient 9
12-10-03	Oxycontin 20 mg.	90	Patient 38
12-10-03	Percocet 10/325	120	Patient 38
12-11-03	Duragesic patches 25 mcg.	10	Patient 2
12-11-03	Roxicodone 5 mg.	120	Patient 27
12-11-03	Roxicodone 5 mg. fill 12-26-03	120	Patient 27
12-11-03	Percocet 5 mg.	120	Patient 35
12-11-03	Methadone 10 mg. fill 12-23-03	240	Patient 35
12-11-03	Oxycontin 80 mg. fill 12-23-03	90	Patient 35
12-11-03	Percocet 5 mg. fill 12-30-03	120	Patient 35
12-12-03	Actiq 1200 mcg.	120	Patient 5
12-12-03	Oxycodone 5 mg.	120	Patient 6
12-12-03	Duragesic patches 75 mcg.	15	Patient 41
12-12-03	Norco 10 mg.	120	Patient 41
12-15-03	Medrol DP 4 mg.	1	Patient 26
12-15-03	Oxycontin 40 mg. fill 12-17-03	90	Patient 17
12-15-03	Oxycontin 20 mg. fill 12-17-03	90	Patient 17
12-15-03	Percocet 10/325 fill 12-28-03	120	Patient 17
12-15-03	Oxycontin 20 mg.	85	Patient 42
12-16-03	Actiq 600 mcg.	90	Patient 4
12-16-03	Morphine Sulfate IR 15 mg.	150	Patient 40
12-16-03	Dexadrine 10 mg. fill 01-03-04	60	Patient 40
12-17-03	Oxycodone 5 mg. (Rx 360751)	120	Patient 13
12-17-03	Oxycodone 5 mg. (Rx 363272)	120	Patient 13
12-17-03	Restoril 15 mg.	30	Patient 13
12-17-03	Oxycontin 80 mg. fill 12-23-03	90	Patient 13
12-18-03	Oxycodone 5 mg. fill 12-30-03	120	Patient 13
12-18-03	Valium 10 mg.	90	Patient 13
12-18-03	Neurontin 800 mg.	120	Patient 13
12-18-03	Morphine Sulfate IR 15 mg.	90	Patient 18
12-18-03	MS Contin 30 mg.	90	Patient 18
12-18-03	Percocet 10/325 fill 12-23-03	120	Patient 31
12-19-03	Percocet 5 mg.	120	Patient 37
12-19-03	Oxycodone 5 mg.	120	Patient 32
12-19-03	Oxycontin 20 mg.	90	Patient 32
12-22-03	Percocet 10/650	180	Patient 21
12-22-03	Methadone 10 mg.	600	Patient 14
12-22-03	Oxycontin 40 mg.	60	Patient 22
12-22-03	Methadone 10 mg.	180	Patient 22
12-22-03	Oxycontin 80 mg. fill 01-05-04	126	Patient 28
12-22-03	Oxycontin 40 mg.	90	Patient 20
12-22-03	Oxycodone 5 mg.	120	Patient 20
12-23-03	Dilaudid 4 mg.	300	Patient 9
12-23-03	Percocet 5 mg.	180	Patient 11

12-23-03	Oxycodone 5 mg.	120	Patient 29
12-29-03	Roxicodone 5 mg. (Rx 365502)	120	Patient 24
12-29-03	Roxicodone 5 mg. (not dispensed)	120	Patient 24
12-29-03	Oxycontin 80 mg.	90	Patient 24
12-29-03	Norco 10 mg	90	Patient 14
12-29-03	Roxicodone 15 mg.	90	Patient 39
12-29-03	Oxycontin 40 mg.	90	Patient 39
12-29-03	Oxycontin 20 mg.	90	Patient 39
12-30-03	Actiq 1200 mcg.	120	Patient 5
12-30-03	Duragesic patches 100 mcg.	30	Patient 5
12-30-03	Roxicodone 15 mg.	60	Patient 5
12-30-03	Oxycontin 10 mg.	90	Patient 7
12-30-03	Oxycodone 5 mg.	180	Patient 23
12-30-03	Roxicodone 5 mg.	240	Patient 43
12-30-03	Oxycontin 20 mg. fill 01-08-04	90	Patient 38
01-03-04	Oxycodone 5 mg.	120	Patient 6
01-03-04	Oxycontin 20 mg.	60	Patient 6
01-05-04	Roxicodone 15 mg.	90	Patient 1
01-05-04	Oxycontin 80 mg.	180	Patient 1
01-05-04	Oxycontin 20 mg.	60	Patient 44
01-08-04	Oxycodone 5 mg.	120	Patient 8
01-08-04	Oxycontin 40 mg.	90	Patient 3
01-08-04	Dexadrine 10 mg. spansules	60	Patient 40
01-08-04	Morphine Sulfate IR 15 mg.	150	Patient 40
01-08-04	Oxycontin 20 mg.	120	Patient 8
01-09-04	Oxycontin 40 mg.	90	Patient 31
01-09-04	Percocet 10/325	120	Patient 31
01-12-04	Duragesic patches 100 mcg.	15	Patient 9
01-12-04	Duragesic patches 50 mcg.	15	Patient 9
01-12-04	Actiq 1200 mcg.	120	Patient 9

### CONCLUSIONS OF LAW

1. The acts, conduct, and/or omissions of Peter Steven Stanos, D.O., as set forth in Findings of Fact 3, individually and/or collectively constitute “[c]ommission of an act that constitutes a felony in this state, regardless of the jurisdiction in which the act was committed,” as that clause is used in Section 4731.22(B)(10), Ohio Revised Code, to wit: Practicing Osteopathy Without a Certificate, in violation of Section 4731.43, Ohio Revised Code, to wit: Penalties, Section 4731.99, Ohio Revised Code.
2. The acts, conduct, and/or omissions of Dr. Stanos, as set forth in Findings of Fact 3.b., individually and/or collectively constitute “[c]ommission of an act that constitutes a felony in this state, regardless of the jurisdiction in which the act was committed,” as that clause is

used in Section 4731.22(B)(10), Ohio Revised Code, to wit: Illegal Processing of Drug Documents, Section 2925.23, Ohio Revised Code, and/or Trafficking in Drugs, Section 2925.03, Ohio Revised Code.

3. The acts, conduct, and/or omissions of Dr. Stanos, as set forth in Findings of Fact 3, individually and/or collectively constitute a “[v]iolation of the conditions of limitation placed by the board upon a certificate to practice,” as that clause is used in Section 4731.22(B)(15), Ohio Revised Code.

\* \* \* \* \*

Instead of addressing his concerns about his patients in an appropriate manner, Dr. Stanos flagrantly violated the suspension of his license. This egregious misconduct demonstrates that Dr. Stanos cannot be effectively regulated or trusted to comply with the law. Accordingly, permanent revocation is warranted.

#### **PROPOSED ORDER**

It is hereby ORDERED that:

The certificate of Peter Steven Stanos, D.O., to practice osteopathic medicine and surgery in the State of Ohio shall be PERMANENTLY REVOKED.

This Order shall become effective thirty days from the date of mailing of notification of approval by the Board. In the thirty-day interim, Dr. Stanos shall not undertake the care or treatment of any patient not already under his care.



Siobhan R. Clovis, Esq.  
Hearing Examiner



# State Medical Board of Ohio

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## EXCERPT FROM THE DRAFT MINUTES OF NOVEMBER 10, 2004

### REPORTS AND RECOMMENDATIONS

Ms. Sloan announced that the Board would now consider the findings and orders appearing on the Board's agenda. She asked whether each member of the Board had received, read, and considered the hearing records, the proposed findings, conclusions, and orders, and any objections filed in the matters of: Fred Andrew Brindle, M.D.; William W. Hunter, Jr., M.D.; Alberto Leon, M.D.; Jack E. Slingluff, D.O.; Peter Steven Stanos, D.O.; and Hsiang Lee Tseng, M.D. A roll call was taken:

ROLL CALL:	Dr. Egner	- aye
	Dr. Bhati	- aye
	Dr. Buchan	- aye
	Dr. Kumar	- aye
	Mr. Browning	- aye
	Dr. Davidson	- aye
	Dr. Robbins	- aye
	Dr. Garg	- aye
	Dr. Steinbergh	- aye
	Ms. Sloan	- aye

Ms. Sloan asked whether each member of the Board understands that the disciplinary guidelines do not limit any sanction to be imposed, and that the range of sanctions available in each matter runs from dismissal to permanent revocation. A roll call was taken:

ROLL CALL:	Dr. Egner	- aye
	Dr. Bhati	- aye
	Dr. Buchan	- aye
	Dr. Kumar	- aye
	Mr. Browning	- aye
	Dr. Davidson	- aye
	Dr. Robbins	- aye
	Dr. Garg	- aye
	Dr. Steinbergh	- aye
	Ms. Sloan	- aye

Ms. Sloan noted that, in accordance with the provision in Section 4731.22(F)(2), Revised Code, specifying that no member of the Board who supervises the investigation of a case shall participate in further

adjudication of the case, the Secretary and Supervising Member must abstain from further participation in the adjudication of these matters.

Ms. Sloan stated that if there were no objections, the Chair would dispense with the reading of the proposed findings of fact, conclusions and orders in the above matters. No objections were voiced by Board members present.

The original Reports and Recommendations shall be maintained in the exhibits section of this Journal.

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PETER STEVEN STANOS, D.O.

Ms. Sloan directed the Board's attention to the matter of Peter Steven Stanos, D.O. She advised that objections were filed to Hearing Examiner Clovis' Report and Recommendation and were previously distributed to Board members. She noted that both Dr. Garg and Dr. Talmage served as Secretary in this case.

Ms. Sloan continued that a request to address the Board has been timely filed on behalf of Dr. Stanos. Five minutes would be allowed for that address.

Dr. Stanos was accompanied by his attorney, Kevin P. Byers.

Mr. Byers stated that Dr. Stanos sits before the Board today, he believes, as a case of first impression for this Board. He is sitting here, looking at a permanent license revocation because he was behind in his child support. Dr. Stanos testified at the hearing that he never received the notices from the Child Support Enforcement Agency where you have a cursory hearing right when you're in arrears. All of a sudden he was hit with a notice of license suspension from this Board in November 2003. That was the first he knew there was an issue about the arrears. Dr. Stanos knew that he was in arrears, he'd gone through some billing issues with his office, and he explained that at hearing. The bottom line was that, at that point, he had the choice to either comply with his license suspension, shut his doors, and abandon his patients, or ignore the license suspension for the time being, and try to refer these people elsewhere for continuity of care for the good of the patient, and that's what he tried to do.

Mr. Byers stated that Dr. Stanos made the error of continuing to take new patients, even though he was aware of the suspension, which somewhat undermines his version of events or his rationale for continuing to practice. Dr. Stanos did non-emergent diagnostic studies. Granted, that was a huge mistake. If he was going to ignore the suspension, he had to treat only the essential core patients. Dr. Stanos has a pain management practice. Mr. Byers stated that he thinks pain management physicians are often the physicians of last resort. The Board heard discussion earlier in the meeting about people with pain visiting emergency rooms, and how they're looked at, and all that. That's the totality of Dr. Stanos' patient load.

Mr. Byers stated that the bottom line was that Dr. Stanos has accepted responsibility for his mistake in ignoring the suspension. He did shut down his practice on January 12, approximately 60 days after the notice of suspension. He shut down through February. When the arrears were paid, his license was reinstated. He practiced, and now he's before the Board after a hearing where the Hearing Examiner proposes a permanent revocation of his license.

Dr. Stanos stated that, last November 6, he received a notice from the Board with regard to suspension of his license. That was the first time he'd heard about the suspension. Dr. Stanos stated that he has a physical medicine, pain management practice here in Columbus. He's practiced here for ten years. He has a patient base of 500 to 700 patients actively. During that time, he contacted family physicians, internists, primary care physicians who had referred the patients in. The majority of the patients referred to him are referred due to the fact that their primary care physicians are not comfortable writing their medicines, so they send the patients to him. These people have exhausted all other options. These people are dependent upon their medications. His decision was that, to pull these medications away abruptly from them, would be deleterious to these patients. He did see some new patients, but he did not prescribe new medicines for those new patients. He continued the patients on the medications they were previously getting. He did not change their treatment program from the treatment they were getting when they came in.

Dr. Stanos stated that he had realized when he was suspended that there he had to make a decision whether to: a.) Do what was right for the patients and cause no harm to his patients; or b.) Avoid sitting before the Board at this time. Dr. Stanos stated that he understands the severity of what he did for those two months. He fully takes responsibility for that; however, again, in the best interests of his patients, this was something that he felt had to be done.

Ms. Sloan asked whether the Assistant Attorney General wished to respond.

Ms. Albers stated that she takes issue with Dr. Stanos' statement that his license is being permanently revoked because he didn't pay child support. The proposal to permanently revoke his license arose because he basically thumbed his nose at an order from this Board telling him to stop practicing. While he tells the Board that this was for the safety of the patients and that he tried to get help for them, the testimony at the hearing was clear that he did not bother to call the Board or Board staff for assistance in referring his patients. Ms. Albers added that Dr. Stanos' statement that he continued to practice only for the safety of his patients is completely undercut by the fact that he continued to see new patients. He performed EMGs and other diagnostic tests. The scripts outlined in the Report and Recommendation were written into the middle of January. Dr. Stanos' license was suspended November 5 or 6, yet he continued to see patients through December and he continued to write scripts into January.

Ms. Albers stated that she agrees with the Hearing Examiner's statement that this is a doctor who apparently has no regard for the laws regarding the practice of medicine. For this reason, she has great concern as to how Dr. Stanos would practice in the future.

**DR. DAVIDSON MOVED TO APPROVE AND CONFIRM MS. CLOVIS' PROPOSED FINDINGS**

**OF FACT, CONCLUSIONS, AND ORDER IN THE MATTER OF PETER STEVEN STANOS,  
D.O. DR. STEINBERGH SECONDED THE MOTION.**

Ms. Sloan stated that she would now entertain discussion in the above matter.

Dr. Egner stated that there are a couple of things she wants to bring to light about Dr. Stanos that bother her a little bit. The first is the allegation that Dr. Stanos is being permanently revoked for lack of child support. That is absolutely not the reason, and it offends her when a case such as this is misrepresented like that.

Dr. Egner continued that the other problem is that, in Dr. Stanos' testimony, he was not forthcoming about the events. Dr. Stanos stated that he was behind on his child support payments because he changed his billing practice in his office. He used to have outside billing and then he changed to in-office billing. That required him to be recredentialed with all insurers and he had this period of time when he wasn't reimbursed. Therefore, he didn't have the money to pay his child support. Dr. Egner stated that she doesn't know of any insurance company that requires recredentiaing when you change the way you submit your claims. Those two are completely separate issues. She feels that this is just a made-up excuse, which goes to Dr. Stanos' truthfulness. Dr. Egner stated that when you change your method of billing, you may have some delay in your reimbursements coming back, but you don't go through a recredentiaing process for that.

Dr. Egner stated that Dr. Stanos received a notice of immediate suspension and he just continued to practice. She stated that she would be more inclined to buy his argument if she saw some evidence that it really was true about his trying to get other people to take over his practice, or if he had notified the Board. She stated that she'd bet that Dr. Stanos notified an attorney pretty much right away, but he didn't notify the Board. She added that she's not talking about two or three weeks, but a very long period of time. She questioned his thinking that he could continue to practice and the Board could add the suspension time later and it would count.

Dr. Egner stated that the final thing is that this wasn't Dr. Stanos' first time to have dealings with the Board. The Board has seen over and over again that, when a physician has had any interaction with the Medical Board, it is just a great wakeup call. Physicians realize that there is a Medical Board that has rules that they must follow. Dr. Stanos had interaction with the Medical Board in 1994, related to the HIV/AIDS education, which was required in Kentucky, and which he didn't take. So when Dr. Stanos got the notice of immediate suspension from the Board, it should have clicked with him immediately that this was serious and he had better comply, and if he couldn't get his patients taken care of, he should have known to notify the Board.

Dr. Steinbergh agreed with Dr. Egner. This physician had a suspension because of his inability to pay child support. He was suspended and should not have practiced. It was an egregious mistake. Dr. Stanos had other avenues. He had avenues to consult with other physicians, ask them to take over for a three-month period of time. The Board sees physicians every day whose licenses have been suspended. They

immediately stop practicing; they have remedies. At the very least he should have consulted with the Medical Board, described the kind of practice he has, and why his patients couldn't be taken off the medications he was prescribing. There are remedies.

Dr. Steinbergh stated that she agreed with all the reasons Dr. Egner outlined that support the Proposed Order of permanent revocation, but she disagrees that permanent revocation is appropriate in this case.

**DR. STEINBERGH MOVED TO AMEND THE PROPOSED ORDER TO STAY THE PERMANENT REVOCATION AND SUSPEND DR. STANOS' LICENSE FOR SIX (6) MONTHS.**

Dr. Kumar asked to clarify one comment Dr. Egner made about a change in billing not requiring recredentialing. He stated that that is true, but if a physician changes his or her electronic billing from agency A to agency B, Medicare requires a new electronic submission number. That can sometimes take six to seven weeks. It's not recredentialing, but you're getting a new vendor, and that can delay the payment system.

Dr. Steinbergh stated that there would be a recredentialing process if he was leaving a practice and going out on his own.

Dr. Egner stated that that's true, but that's not what Dr. Stanos stated.

Dr. Kumar stated that one of the things that bothered him was that Dr. Stanos saw new patients, but only took co-payments from the new patients. Dr. Stanos obviously knew that he couldn't bill because his license was suspended and the insurance company wouldn't pay for it, but he continued to collect co-pays during that time frame. Dr. Kumar stated that that also bothered him. He stated that there has to be a significant sanction for this, other than a straight six-month suspension.

Dr. Steinbergh stated that she believes that Dr. Stanos' accepting co-payments violates insurance contracts.

Dr. Steinbergh stated that she did make a motion to amend the Proposed Order to stay the permanent revocation and suspend Dr. Stanos' license for six months.

Dr. Buchan asked whether there are any terms.

Dr. Steinbergh stated that there are not. She advised that she didn't feel that there was anything that she wanted to monitor in terms of probation. He has violated his suspension. He practiced without a license. In this particular case, and the documentation of other cases in his objections, she felt that a stayed permanent revocation with a six-month suspension was appropriate. She doesn't see the need for monitoring. Dr. Steinbergh added that she's open to other suggestions in terms of length of time of his suspension.

Ms. Sloan asked for a second to Dr. Steinbergh's motion.

**DR. BUCHAN SECONDED DR. STEINBERGH'S MOTION.**

Dr. Davidson stated that she didn't know many Medical Board rules before joining the Board, but one she did know was that a law was passed that said that if you don't pay your child support, your license is in jeopardy. To say that Dr. Stanos had to take these actions because he didn't even know he was going to be suspended until the day he got suspended she doesn't find credible for multiple reasons. It was Dr. Stanos' responsibility to read his mail. He said he knew that he was in arrears. Even if he had a cash flow problem for six weeks, she can't see Dr. Stanos knowingly putting himself in this kind of trouble. She stated that she is extremely troubled by his seeing new patients and ordering ongoing diagnostic tests. Dr. Davidson stated that she agrees with the statement that Dr. Stanos thumbed his nose at the Board's rules and hopes to get out of it by saying that he has a unique practice. Dr. Davidson stated that if the Board considers anything less than a permanent revocation, it would have to be a pretty lengthy suspension and include an ethics course requirement. Dr. Davidson commented that, when the Board has repeat customers here that are just plain violating Medical Board rules, the Board needs to do what it can to make an impression that there's a little more required of them than showing up and seeing patients.

Dr. Robbins stated that it bothered him that after an Order suspending his license, Dr. Stanos continued to see patients, and even today says that it's because of the patients' best interests. Dr. Robbins stated that if he felt that way, he would never charge the patient at all. It seems to him that the reason the patients were seen was because of economic problems and Dr. Stanos needed the cash, not because of the best interests of the patient.

Dr. Bhati expressed concern about sending the message that someone can practice without a license for two months and the Board will only impose a six-month suspension. The Board sent Dr. Stanos an Order suspending his license and this was the second time he had a problem with regulatory boards, but Dr. Stanos just ignored the Order because he's the only doctor who could take care of those patients --there are no other doctors in Columbus to take care of these patients.

Dr. Buchan stated that he agrees with part of the comments he heard that this is an extraordinarily difficult patient population. He respects that. What he doesn't respect at all is the notion that the Board is supposed to buy into the concept that Dr. Stanos was doing this for the patients' best interests. He stated that he's sat on the Board too long and heard too many stories that that just doesn't sound credible to him. Dr. Buchan added that he's disappointed in that claim, adding that, had Dr. Stanos come forth, he would have felt more in line with Dr. Steinbergh's recommendation. Dr. Stanos is trying to sell this notion that it was for the patients' best interests and that's why he did what he did. That's just not believable. Dr. Buchan stated that he understands the Hearing Examiner's Proposed Order, but would lean more toward Dr. Steinbergh's amendment because he does believe that Dr. Stanos is redeemable. He would add an ethics course requirement because he feels that Dr. Stanos has a problem with telling the truth. That might give the Board some sense that he will learn. In addition, he would lean toward a longer suspension period.

**DR. STEINBERGH CHANGED HER MOTION TO INCREASE THE SUSPENSION PERIOD TO ONE (1) YEAR, AND TO INCLUDE A THREE-YEAR PROBATION, WITH AN ETHICS COURSE REQUIREMENT.**

Dr. Steinbergh asked whether any other stipulations are necessary.

Dr. Bhati stated that he wants a lot more than that in the Order.

Dr. Buchan stated that Dr. Steinbergh's suggestion is more appropriate. He added that this was a significant offense committed by Dr. Stanos.

Dr. Steinbergh stated that she is more lenient in this case. She respects Dr. Davidson's comments that Dr. Stanos should have known that he needed to maintain his child care payments. That being said, that is what the suspension was for. Dr. Stanos then practiced during his suspension period, which is really why the Board is here today. Dr. Steinbergh stated that she just does not believe that permanent revocation in this case is appropriate. She stated that the Board has had egregious cases which it had to remedy with permanent revocation. She believes that a substantial suspension time gets this doctor's attention. It's a punishment for what he's done. Dr. Steinbergh stated that she thought a flat suspension would be appropriate, but if Board members want to place him on probation, she would do that. If the Board wants him to just have a one-year suspension, it could include terms for reinstatement which might include an ethics course or anything else the Board members want. Does the Board believe that he needs to be under probation and that the Board needs to watch him for a period of time?

Mr. Browning returned to the meeting during the previous discussion.

Dr. Bhati at this time reviewed the facts of the case concerning Dr. Stanos for Mr. Browning.

Mr. Browning stated that he is familiar with the case.

Dr. Kumar asked for a three-year probationary term.

**DR. STEINBERGH MOVED TO TABLE THIS MATTER FOR PREPARATION OF AN ALTERNATIVE ORDER. DR. KUMAR SECONDED THE MOTION.** All members voted aye.  
The motion carried.

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**DR. BUCHAN MOVED TO REMOVE THE MATTER OF PETER STEVEN STANOS, D.O., FROM THE TABLE. DR. ROBBINS SECONDED THE MOTION.** All members voted aye. The motion carried.

**DR. STEINBERGH MOVED TO AMEND THE PROPOSED ORDER IN THE MATTER OF**

**PETER STEVEN STANOS, D.O., BY SUBSTITUTING THE FOLLOWING:**

It is hereby ORDERED that:

- A. **PERMANENT REVOCATION, STAYED; SUSPENSION:** The certificate of Peter Stanos, D.O., to practice osteopathic medicine and surgery in the State of Ohio shall be PERMANENTLY REVOKED. Such permanent revocation is STAYED, and Dr. Stanos' certificate shall be SUSPENDED for an indefinite period of time, but not less than one year.
- B. **CONDITIONS FOR REINSTATEMENT OR RESTORATION:** The Board shall not consider reinstatement or restoration of Dr. Stanos' certificate to practice osteopathic medicine and surgery until all of the following conditions have been met:
1. **Application for Reinstatement or Restoration:** Dr. Stanos shall submit an application for reinstatement or restoration, accompanied by appropriate fees, if any.
  2. **Personal Ethics Course:** At the time he submits his application for reinstatement or restoration, Dr. Stanos shall provide acceptable documentation of successful completion of a course or courses dealing with personal ethics. The exact number of hours and the specific content of the course or courses shall be subject to the prior approval of the Board or its designee. Any courses taken in compliance with this provision shall be in addition to the Continuing Medical Education requirements for relicensure for the Continuing Medical Education period(s) in which they are completed.
  3. **Additional Evidence of Fitness To Resume Practice:** In the event that Dr. Stanos has not been engaged in the active practice of medicine and surgery for a period in excess of two years prior to application for reinstatement or restoration, the Board may exercise its discretion under Section 4731.222 of the Revised Code to require additional evidence of his fitness to resume practice.
- C. **PROBATION:** Upon reinstatement or restoration, Dr. Stanos' certificate shall be subject to the following PROBATIONARY terms, conditions, and limitations for a period of at least three years:
1. **Obey the Law:** Dr. Stanos shall obey all federal, state, and local laws, and all rules governing the practice of medicine and surgery in Ohio.
  2. **Declarations of Compliance:** Dr. Stanos shall submit quarterly declarations

under penalty of Board disciplinary action or criminal prosecution, stating whether there has been compliance with all the conditions of this Order. The first quarterly declaration must be received in the Board's offices on or before the first day of the third month following the month in which Dr. Stanos' certificate is restored or reinstated. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.

3. **Personal Appearances:** Dr. Stanos shall appear in person for an interview before the full Board or its designated representative during the third month following the month in which Dr. Stanos' certificate is restored or reinstated, or as otherwise directed by the Board. Subsequent personal appearances must occur every three months thereafter, and/or as otherwise requested by the Board. If an appearance is missed or is rescheduled for any reason, ensuing appearances shall be scheduled based on the appearance date as originally scheduled.
4. **Noncompliance Will Not Reduce Probationary Period:** In the event Dr. Stanos is found by the Secretary of the Board to have failed to comply with any provision of this Order, and is so notified of that deficiency in writing, such period(s) of noncompliance will not apply to the reduction of the probationary period under this Order.

D. **TERMINATION OF PROBATION:** Upon successful completion of probation, as evidenced by a written release from the Board, Dr. Stanos' certificate will be fully restored.

This Order shall become effective thirty days following the mailing of notification of approval by the State Medical Board of Ohio.

**DR. BUCHAN SECONDED THE MOTION.**

Dr. Buchan stated that he believes that the proposed amendment speaks to the Board's earlier conversation, and he supports it.

Dr. Kumar asked whether tolling requirements should be included.

Dr. Steinbergh stated that since there are no terms such as drug screen requirements, a tolling requirement is not necessary.

A vote was taken on Dr. Steinbergh's motion to amend:

Vote: Dr. Egner - aye

Dr. Bhati	- nay
Dr. Buchan	- aye
Dr. Kumar	- aye
Mr. Browning	- aye
Dr. Robbins	- aye
Dr. Steinbergh	- aye

The motion carried.

**DR. STEINBERGH MOVED TO APPROVE AND CONFIRM MS. CLOVIS' PROPOSED FINDINGS OF FACT, CONCLUSIONS, AND ORDER, AS AMENDED, IN THE MATTER OF PETER STEVEN STANOS, D.O. DR. EGNER SECONDED THE MOTION. A vote was taken:**

Vote:	Dr. Egner	- aye
	Dr. Bhati	- nay
	Dr. Buchan	- aye
	Dr. Kumar	- aye
	Mr. Browning	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

The motion carried.



# State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: [www.med.ohio.gov](http://www.med.ohio.gov)

March 10, 2004

Peter Steven Stanos, D.O.  
1335 Dublin Road  
Suite 122D  
Columbus, Ohio 43215

Dear Doctor Stanos:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio [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 or place you on probation for one or more of the following reasons:

- (1) On or about June 15, 1994, the Ohio Board issued to you a Notice of Opportunity for Hearing through which it proposed to deny your application to practice osteopathic medicine and surgery in Ohio. Such notice was based upon your alleged failure to advise the Ohio Board of an action initiated against you by the Kentucky Board of Medical Licensure pertaining to HIV/AIDS education mandated in that state as a condition of licensure. Thereafter, on or about August 10, 1994, you entered into a Consent Agreement, a copy of which is attached hereto and fully incorporated herein, through which the Ohio Board reprimanded you and granted you licensure subject to certain probationary terms, conditions and limitations for not less than two years. On or about November 14, 1996, the Ohio Board terminated such aforementioned probation.
- (2) On or about November 4, 2003, the Ohio Board issued to you a "Notice of Suspension Pursuant to R.C. 3123.47 & 4731.76," which notified you that your license to practice was immediately suspended based upon a determination by the Franklin County Child Support Enforcement Agency that you were in default under a child support order. Such notice, a copy of which is attached hereto and fully incorporated herein, informed you that continued practice after such suspension would be considered practicing without a certificate. Further, pursuant to the Ohio Board's aforementioned November 4, 2003, notice, your license to practice osteopathic medicine and surgery in Ohio remained suspended from on or

*Mailed 3-11-04  
Second mailing 3-17-04*

about November 4, 2003, until being reinstated effective on or about February 2, 2004. A copy of the Ohio Board's letter dated February 2, 2004, which notified you of such reinstatement, is attached hereto and fully incorporated herein.

- (3) Despite the aforementioned suspension of your certificate, effective on or about November 4, 2003, through on or about February 2, 2004, you continued to practice osteopathic medicine and surgery in Ohio, including rendering medical services and/or issuing prescriptions to Patients 1 through 305, as identified on the attached confidential Patient Key (Patient Key to be withheld from public disclosure), as set forth below:

- (a) You rendered medical services to patients on or about the following dates of service:

<u>Date:</u>	<u>Type of Service:</u>	<u>Patient:</u>
11-06-03	Follow-up medical office appointment	Patient 303
11-06-03	Follow-up medical office appointment	Patient 304
11-06-03	Follow-up medical office appointment	Patient 162
11-06-03	Follow-up medical office appointment	Patient 46
11-06-03	Follow-up medical office appointment	Patient 47
11-07-03	Follow-up medical office appointment	Patient 48
11-07-03	Follow-up medical office appointment	Patient 49
11-07-03	Follow-up medical office appointment	Patient 50
11-07-03	Follow-up medical office appointment	Patient 51
11-07-03	Follow-up medical office appointment	Patient 52
11-07-03	Follow-up medical office appointment	Patient 53
11-07-03	Follow-up medical office appointment	Patient 12
11-07-03	Follow-up medical office appointment	Patient 54
11-07-03	Follow-up medical office appointment	Patient 55
11-10-03	Follow-up medical office appointment	Patient 56
11-10-03	New patient medical office appointment	Patient 57
11-10-03	New patient medical office appointment	Patient 58
11-10-03	Follow-up medical office appointment	Patient 59
11-10-03	Follow-up medical office appointment	Patient 60
11-10-03	New patient medical office appointment	Patient 61
11-10-03	New patient medical office appointment	Patient 62
11-10-03	Follow-up medical office appointment	Patient 63
11-10-03	Follow-up medical office appointment	Patient 64
11-10-03	New patient medical office appointment	Patient 65
11-11-03	New patient medical office appointment	Patient 66
11-11-03	Follow-up medical office appointment	Patient 67
11-11-03	EMG	Patient 68

11-11-03	Follow-up medical office appointment	Patient 69
11-11-03	Follow-up medical office appointment	Patient 70
11-12-03	Follow-up medical office appointment	Patient 71
11-12-03	Follow-up medical office appointment	Patient 72
11-12-03	Follow-up medical office appointment	Patient 73
11-12-03	Follow-up medical office appointment	Patient 74
11-12-03	Follow-up medical office appointment	Patient 75
11-12-03	Follow-up medical office appointment	Patient 76
11-12-03	Injection - Block	Patient 77
11-12-03	Follow-up medical office appointment	Patient 78
11-12-03	Follow-up medical office appointment	Patient 79
11-12-03	Follow-up medical office appointment	Patient 80
11-12-03	Follow-up medical office appointment	Patient 81
11-12-03	Follow-up medical office appointment	Patient 82
11-12-03	Follow-up medical office appointment	Patient 83
11-12-03	Follow-up medical office appointment	Patient 84
11-12-03	Follow-up medical office appointment	Patient 85
11-12-03	Follow-up medical office appointment	Patient 86
11-12-03	Follow-up medical office appointment	Patient 87
11-12-03	Follow-up medical office appointment	Patient 88
11-13-03	Follow-up medical office appointment	Patient 89
11-13-03	Follow-up medical office appointment	Patient 90
11-13-03	Follow-up medical office appointment	Patient 91
11-13-03	Follow-up medical office appointment	Patient 92
11-13-03	Follow-up medical office appointment	Patient 93
11-13-03	Follow-up medical office appointment	Patient 94
11-13-03	Follow-up medical office appointment	Patient 95
11-13-03	Follow-up medical office appointment	Patient 96
11-13-03	Follow-up medical office appointment	Patient 97
11-13-03	Follow-up medical office appointment	Patient 98
11-13-03	Follow-up medical office appointment	Patient 99
11-13-03	Follow-up medical office appointment	Patient 100
11-13-03	Follow-up medical office appointment	Patient 101
11-13-03	Follow-up medical office appointment	Patient 102
11-13-03	Follow-up medical office appointment	Patient 103
11-13-03	Follow-up medical office appointment	Patient 104
11-13-03	Follow-up medical office appointment	Patient 105
11-13-03	Follow-up medical office appointment	Patient 106
11-13-03	Follow-up medical office appointment	Patient 107
11-13-03	Follow-up medical office appointment	Patient 5
11-14-03	Follow-up medical office appointment	Patient 108
11-14-03	Follow-up medical office appointment	Patient 109
11-14-03	Follow-up medical office appointment	Patient 110

11-14-03	Follow-up medical office appointment	Patient 111
11-14-03	Follow-up medical office appointment	Patient 112
11-14-03	Follow-up medical office appointment	Patient 113
11-14-03	Follow-up medical office appointment	Patient 114
11-14-03	Follow-up medical office appointment	Patient 115
11-14-03	Follow-up medical office appointment	Patient 116
11-15-03	New patient medical office appointment	Patient 117
11-17-03	Follow-up medical office appointment	Patient 118
11-17-03	New patient medical office appointment	Patient 119
11-17-03	Follow-up medical office appointment	Patient 120
11-17-03	Follow-up medical office appointment	Patient 121
11-17-03	New patient medical office appointment	Patient 122
11-17-03	New patient medical office appointment	Patient 123
11-17-03	Follow-up medical office appointment	Patient 124
11-17-03	EMG	Patient 15
11-17-03	Follow-up medical office appointment	Patient 125
11-17-03	Follow-up medical office appointment	Patient 126
11-17-03	Follow-up medical office appointment	Patient 16
11-17-03	Injection - Block	Patient 127
11-18-03	EMG	Patient 17
11-18-03	New patient medical office appointment	Patient 128
11-18-03	Follow-up medical office appointment	Patient 129
11-18-03	New patient medical office appointment	Patient 130
11-18-03	Follow-up medical office appointment	Patient 131
11-18-03	New patient medical office appointment	Patient 132
11-18-03	Follow-up medical office appointment	Patient 133
11-18-03	Follow-up medical office appointment	Patient 134
11-18-03	Follow-up medical office appointment	Patient 135
11-18-03	Injection – Block	Patient 136
11-18-03	Follow-up medical office appointment	Patient 137
11-18-03	Follow-up medical office appointment	Patient 30
11-18-03	Follow-up medical office appointment	Patient 138
11-19-03	Follow-up medical office appointment	Patient 139
11-19-03	Follow-up medical office appointment	Patient 140
11-19-03	Follow-up medical office appointment	Patient 18
11-19-03	Follow-up medical office appointment	Patient 141
11-19-03	Follow-up medical office appointment	Patient 142
11-19-03	Follow-up medical office appointment	Patient 143
11-19-03	Follow-up medical office appointment	Patient 6
11-19-03	Follow-up medical office appointment	Patient 144
11-19-03	Follow-up medical office appointment	Patient 145
11-19-03	Follow-up medical office appointment	Patient 146
11-19-03	Follow-up medical office appointment	Patient 147

11-19-03	Follow-up medical office appointment	Patient 148
11-19-03	Follow-up medical office appointment	Patient 149
11-19-03	Follow-up medical office appointment	Patient 150
11-19-03	Follow-up medical office appointment	Patient 151
11-19-03	Follow-up medical office appointment	Patient 152
11-19-03	Follow-up medical office appointment	Patient 153
11-20-03	Follow-up medical office appointment	Patient 154
11-20-03	Follow-up medical office appointment	Patient 155
11-20-03	Follow-up medical office appointment	Patient 156
11-20-03	Follow-up medical office appointment	Patient 157
11-20-03	Follow-up medical office appointment	Patient 158
11-20-03	Follow-up medical office appointment	Patient 159
11-20-03	Follow-up medical office appointment	Patient 160
11-20-03	Follow-up medical office appointment	Patient 161
11-20-03	Follow-up medical office appointment	Patient 162
11-20-03	Follow-up medical office appointment	Patient 163
11-20-03	Follow-up medical office appointment	Patient 4
11-20-03	Follow-up medical office appointment	Patient 164
11-20-03	Follow-up medical office appointment	Patient 165
11-20-03	Follow-up medical office appointment	Patient 166
11-20-03	Follow-up medical office appointment	Patient 167
11-20-03	Follow-up medical office appointment	Patient 168
11-20-03	Injection – Block	Patient 54
11-20-03	Follow-up medical office appointment	Patient 169
11-20-03	Follow-up medical office appointment	Patient 170
11-20-03	Follow-up medical office appointment	Patient 171
11-20-03	Follow-up medical office appointment	Patient 172
11-21-03	Follow-up medical office appointment	Patient 173
11-21-03	Follow-up medical office appointment	Patient 174
11-21-03	Follow-up medical office appointment	Patient 32
11-21-03	Follow-up medical office appointment	Patient 175
11-21-03	Follow-up medical office appointment	Patient 34
11-21-03	Follow-up medical office appointment	Patient 176
11-21-03	Follow-up medical office appointment	Patient 177
11-21-03	Injection – Block	Patient 178
11-21-03	Follow-up medical office appointment	Patient 179
11-21-03	Follow-up medical office appointment	Patient 180
11-21-03	Follow-up medical office appointment	Patient 181
11-21-03	Follow-up medical office appointment	Patient 182
11-21-03	Follow-up medical office appointment	Patient 183
11-21-03	Follow-up medical office appointment	Patient 184
11-21-03	Follow-up medical office appointment	Patient 185
11-21-03	Injection – Block	Patient 186

11-21-03	Follow-up medical office appointment	Patient 187
11-24-03	New patient medical office appointment	Patient 188
11-24-03	Follow-up medical office appointment	Patient 189
11-24-03	Follow-up medical office appointment	Patient 190
11-24-03	EMG	Patient 31
11-24-03	Follow-up medical office appointment	Patient 191
11-24-03	New patient medical office appointment	Patient 192
11-24-03	Follow-up medical office appointment	Patient 193
11-24-03	Follow-up medical office appointment	Patient 194
11-24-03	Follow-up medical office appointment	Patient 195
11-24-03	Follow-up medical office appointment	Patient 196
11-24-03	Follow-up medical office appointment	Patient 197
11-24-03	New patient medical office appointment	Patient 198
11-25-03	EMG	Patient 199
11-25-03	Follow-up medical office appointment	Patient 200
11-25-03	Follow-up medical office appointment	Patient 201
11-25-03	Follow-up medical office appointment	Patient 202
11-25-03	Follow-up medical office appointment	Patient 203
11-25-03	New patient medical office appointment	Patient 204
11-25-03	Follow-up medical office appointment	Patient 205
11-25-03	Follow-up medical office appointment	Patient 206
11-25-03	Follow-up medical office appointment	Patient 207
11-25-03	New patient medical office appointment	Patient 208
11-26-03	Injection - Block	Patient 209
11-26-03	Follow-up medical office appointment	Patient 210
11-26-03	Follow-up medical office appointment	Patient 211
11-26-03	Follow-up medical office appointment	Patient 212
11-26-03	Follow-up medical office appointment	Patient 213
11-26-03	Follow-up medical office appointment	Patient 214
12-01-03	New patient medical office appointment	Patient 44
12-01-03	Follow-up medical office appointment	Patient 215
12-01-03	Follow-up medical office appointment	Patient 216
12-01-03	Follow-up medical office appointment	Patient 217
12-01-03	Follow-up medical office appointment	Patient 162
12-01-03	Follow-up medical office appointment	Patient 219
12-01-03	Follow-up medical office appointment	Patient 220
12-01-03	New patient medical office appointment	Patient 221
12-01-03	Follow-up medical office appointment	Patient 222
12-01-03	EMG	Patient 223
12-02-03	Injection – Block	Patient 224
12-02-03	New patient medical office appointment	Patient 225
12-02-03	Follow-up medical office appointment	Patient 226
12-02-03	Follow-up medical office appointment	Patient 227

12-02-03	Follow-up medical office appointment	Patient 228
12-02-03	Follow-up medical office appointment	Patient 229
12-02-03	EMG	Patient 230
12-02-03	Follow-up medical office appointment	Patient 231
12-02-03	New patient medical office appointment	Patient 232
12-03-03	Follow-up medical office appointment	Patient 233
12-04-03	Follow-up medical office appointment	Patient 234
12-06-03	New patient medical office appointment	Patient 218
12-06-03	New patient medical office appointment	Patient 235
12-06-03	Follow-up medical office appointment	Patient 236
12-08-03	New patient medical office appointment	Patient 237
12-08-03	Follow-up medical office appointment	Patient 238
12-08-03	Follow-up medical office appointment	Patient 50
12-08-03	Follow-up medical office appointment	Patient 239
12-08-03	New patient medical office appointment	Patient 240
12-08-03	Injection – Block	Patient 178
12-09-03	Follow-up medical office appointment	Patient 58
12-09-03	New patient medical office appointment	Patient 241
12-09-03	Follow-up medical office appointment	Patient 242
12-09-03	New patient medical office appointment	Patient 243
12-09-03	Follow-up medical office appointment	Patient 244
12-09-03	Follow-up medical office appointment	Patient 245
12-09-03	Follow-up medical office appointment	Patient 246
12-09-03	New patient medical office appointment	Patient 247
12-09-03	Follow-up medical office appointment	Patient 248
12-09-03	Follow-up medical office appointment	Patient 249
12-10-03	Follow-up medical office appointment	Patient 250
12-10-03	Follow-up medical office appointment	Patient 251
12-10-03	Follow-up medical office appointment	Patient 252
12-10-03	Follow-up medical office appointment	Patient 253
12-10-03	Follow-up medical office appointment	Patient 254
12-10-03	Follow-up medical office appointment	Patient 255
12-10-03	Follow-up medical office appointment	Patient 256
12-10-03	Follow-up medical office appointment	Patient 257
12-10-03	Follow-up medical office appointment	Patient 258
12-10-03	Follow-up medical office appointment	Patient 259
12-10-03	Follow-up medical office appointment	Patient 260
12-10-03	Follow-up medical office appointment	Patient 261
12-10-03	Follow-up medical office appointment	Patient 262
12-10-03	Follow-up medical office appointment	Patient 263
12-10-03	Follow-up medical office appointment	Patient 264
12-10-03	Follow-up medical office appointment	Patient 265
12-10-03	Follow-up medical office appointment	Patient 38

12-10-03	Follow-up medical office appointment	Patient 266
12-10-03	Follow-up medical office appointment	Patient 267
12-11-03	Follow-up medical office appointment	Patient 268
12-11-03	Follow-up medical office appointment	Patient 35
12-11-03	Follow-up medical office appointment	Patient 269
12-11-03	Follow-up medical office appointment	Patient 270
12-11-03	Follow-up medical office appointment	Patient 271
12-11-03	Follow-up medical office appointment	Patient 272
12-12-03	Follow-up medical office appointment	Patient 273
12-12-03	Follow-up medical office appointment	Patient 274
12-12-03	Follow-up medical office appointment	Patient 104
12-12-03	Follow-up medical office appointment	Patient 275
12-12-03	Follow-up medical office appointment	Patient 276
12-12-03	Follow-up medical office appointment	Patient 277
12-12-03	Follow-up medical office appointment	Patient 278
12-12-03	Follow-up medical office appointment	Patient 279
12-12-03	Follow-up medical office appointment	Patient 280
12-12-03	Follow-up medical office appointment	Patient 281
12-12-03	Follow-up medical office appointment	Patient 282
12-12-03	Follow-up medical office appointment	Patient 283
12-12-03	Follow-up medical office appointment	Patient 284
12-12-03	Follow-up medical office appointment	Patient 285
12-15-03	Follow-up medical office appointment	Patient 26
12-15-03	Follow-up medical office appointment	Patient 286
12-15-03	Follow-up medical office appointment	Patient 287
12-15-03	Follow-up medical office appointment	Patient 288
12-15-03	Follow-up medical office appointment	Patient 289
12-15-03	EMG	Patient 290
12-15-03	Follow-up medical office appointment	Patient 291
12-15-03	Follow-up medical office appointment	Patient 292
12-16-03	Follow-up medical office appointment	Patient 40
12-16-03	New patient medical office appointment	Patient 293
12-16-03	Follow-up medical office appointment	Patient 294
12-16-03	Follow-up medical office appointment	Patient 295
12-16-03	Follow-up medical office appointment	Patient 296
12-16-03	New patient medical office appointment	Patient 297
12-16-03	Follow-up medical office appointment	Patient 298
12-16-04	Follow-up medical office appointment	Patient 299
12-16-03	Follow-up medical office appointment	Patient 300
12-16-03	Follow-up medical office appointment	Patient 301
12-16-03	Injection – Block	Patient 169
12-18-03	Follow-up medical office appointment	Patient 10
12-18-03	Follow-up medical office appointment	Patient 302

- (b) Further, you issued prescriptions to patients on or about the following dates for the drugs and amounts listed below:

<u>Date:</u>	<u>Medication Prescribed:</u>	<u>Amount:</u>	<u>Patient:</u>
11-06-03	Roxicodone 15 mg.	90	Patient 1
11-06-03	Oxycontin 80 mg.	180	Patient 1
11-07-03	Methadone 10 mg.	300	Patient 10
11-07-03	Percocet 5 mg.	180	Patient 11
11-07-03	Oxycontin 20 mg.	90	Patient 12
11-11-03	Roxicodone 5 mg.	240	Patient 2
11-12-03	Percocet 10/650	180	Patient 3
11-12-03	Clonidine 0.2 mg.	90	Patient 30
11-12-03	Ibuprofen 800 mg.	90	Patient 30
11-13-03	Oxycodone 5 mg.	120	Patient 13
11-14-03	Oxycodone 5 mg. fill 11-18-03	120	Patient 13
11-14-03	Oxycodone 5 mg. fill 11-24-03	120	Patient 13
11-14-03	Oxycontin 80 mg. fill 11-24-03	90	Patient 13
11-14-03	Methadone 10 mg.	333	Patient 14
11-14-03	Oxycontin 40 mg.	90	Patient 31
11-14-03	Percocet 7.5/500	120	Patient 31
11-17-03	Morphine Sulfate IR 15 mg.	90	Patient 15
11-17-03	MS Contin 30 mg.	90	Patient 15
11-17-03	Reglan 5 mg.	120	Patient 15
11-17-03	Skelaxin 400 mg.	120	Patient 16
11-18-03	Oxycontin 20 mg.	90	Patient 17
11-18-03	Oxycontin 40 mg.	90	Patient 17
11-18-03	Percocet 10/325	120	Patient 17
11-18-03	Ativan 1 mg.	30	Patient 17
11-18-03	Vioxx 25 mg.	60	Patient 17
11-18-03	Oxycontin 20 mg.	90	Patient 32
11-18-03	Oxycodone 5 mg.	90	Patient 32
11-18-03	Klonopin 2 mg.	30	Patient 32
11-18-03	Methadone 5 mg.	180	Patient 30
11-19-03	Oxycontin 40 mg.	90	Patient 33
11-19-03	Morphine Sulfate IR 15 mg.	90	Patient 18
11-19-03	MS Contin 30 mg.	90	Patient 18
11-19-03	Neurontin 300 mg.	60	Patient 18
11-19-03	Clonidine 0.1 mg.	60	Patient 18
11-19-03	Zandflex 4 mg.	90	Patient 18
11-19-03	Morphine Sulfate IR 15 mg.	90	Patient 19

11-20-03	Actiq 600 mcg.	90	Patient 4
11-21-03	Lortab 10 mg.	60	Patient 34
11-21-03	Miralax Powder 527 gm.	1	Patient 34
11-21-03	Methadone 10 mg.	240	Patient 35
11-21-03	Oxycontin 80 mg. fill 11-24-03	90	Patient 35
11-21-03	Percocet 5 mg.	120	Patient 35
11-24-03	Oxycontin 40 mg.	90	Patient 20
11-24-03	Oxycodone 5 mg.	120	Patient 20
11-24-03	Percocet 10/650	180	Patient 21
11-24-03	Oxycontin 40 mg.	60	Patient 22
11-24-03	Percocet 10/650	120	Patient 31
11-24-03	Clonidine 0.1 mg.	60	Patient 31
11-24-03	Oxycontin 40 mg. fill 12-11-03	90	Patient 31
11-24-03	Oxycontin 40 mg.	90	Patient 36
11-24-03	Xanax 0.5 mg.	120	Patient 36
11-24-03	Lidoderm patches 5% 3 boxes of 30		Patient 36
11-24-03	Dilaudid 4 mg. fill 12-09-03	120	Patient 36
11-24-03	Oxycontin 40 mg. fill 12-23-03	90	Patient 36
11-24-03	Dilaudid 4 mg.	120	Patient 36
11-24-03	Percocet 5 mg.	120	Patient 37
11-25-03	Methylprednisolone DP 4 mg.	1	Patient 18
11-26-03	Oxycontin 20 mg.	60	Patient 38
12-01-03	Oxycodone 5 mg.	180	Patient 23
12-01-03	Oxycontin 80 mg.	90	Patient 24
12-01-03	Roxicodone 5 mg. (Rx 356034)	120	Patient 24
12-01-03	Roxicodone 5 mg. (Rx 362369)	120	Patient 24
12-01-03	Oxycodone 5 mg.	120	Patient 13
12-01-03	Oxycodone 5 mg. fill 12-07-03	120	Patient 13
12-01-03	Oxycodone 5 mg. fill 12-13-03	120	Patient 13
12-01-03	Roxicodone 15 mg.	90	Patient 39
12-01-03	Oxycontin 40 mg.	90	Patient 39
12-01-03	Oxycontin 20 mg.	90	Patient 39
12-02-03	Duragesic 100 mcg.	30	Patient 5
12-02-03	Roxicodone 15 mg.	60	Patient 5
12-03-03	Oxycontin 20 mg.	60	Patient 6
12-03-03	Oxycontin 20 mg.	120	Patient 8
12-03-03	Oxy IR 5 mg.	120	Patient 8
12-03-03	Medrol Dose Pack	1	Patient 8
12-03-03	Percocet 5 mg. fill 12-08-03	120	Patient 37
12-03-03	Neurontin 400 mg.	90	Patient 37
12-03-03	Voltaren 75 mg.	60	Patient 37
12-03-03	Lidoderm patches 5% 3 boxes of 30		Patient 37
12-05-03	Dexadrine 10 mg. spansules	60	Patient 40

12-05-03	Methadone 10 mg.	300	Patient 14
12-08-03	Oxycontin 80 mg.	180	Patient 1
12-08-03	Roxicodone 15 mg.	90	Patient 1
12-08-03	Percocet 10/325	240	Patient 2
12-08-03	Roxicodone 15 mg.	120	Patient 25
12-08-03	Oxycontin 40 mg.	90	Patient 25
12-08-03	Topamax 25 mg.	60	Patient 25
12-10-03	Duragesic patches 50 mcg.	15	Patient 45
12-09-03	Oxycontin 20 mg.	90	Patient 26
12-09-03	Oxy IR 5 mg.	120	Patient 26
12-10-03	Duragesic patches 100 mcg.	15	Patient 9
12-10-03	Duragesic patches 50 mcg.	15	Patient 9
12-10-03	Methadone 10 mg.	360	Patient 9
12-10-03	Actiq 1200 mcg.	120	Patient 9
12-10-03	Oxycontin 20 mg.	90	Patient 38
12-10-03	Percocet 10/325	120	Patient 38
12-11-03	Duragesic patches 25 mcg.	10	Patient 2
12-11-03	Roxicodone 5 mg.	120	Patient 27
12-11-03	Roxicodone 5 mg. fill 12-26-03	120	Patient 27
12-11-03	Percocet 5 mg.	120	Patient 35
12-11-03	Methadone 10 mg. fill 12-23-03	240	Patient 35
12-11-03	Oxycontin 80 mg. fill 12-23-03	90	Patient 35
12-11-03	Percocet 5 mg. fill 12-30-03	120	Patient 35
12-12-03	Actiq 1200 mcg.	120	Patient 5
12-12-03	Oxycodone 5 mg.	120	Patient 6
12-12-03	Duragesic patches 75 mcg.	15	Patient 41
12-12-03	Norco 10 mg.	120	Patient 41
12-15-03	Medrol DP 4 mg.	1	Patient 26
12-15-03	Oxycontin 40 mg. fill 12-17-03	90	Patient 17
12-15-03	Oxycontin 20 mg. fill 12-17-03	90	Patient 17
12-15-03	Percocet 10/325 fill 12-28-03	120	Patient 17
12-15-03	Oxycontin 20 mg.	85	Patient 42
12-16-03	Actiq 600 mcg.	90	Patient 4
12-16-03	Morphine Sulfate IR 15 mg.	150	Patient 40
12-16-03	Dexadrine 10 mg. fill 01-03-04	60	Patient 40
12-17-03	Oxycodone 5 mg. (Rx 360751)	120	Patient 13
12-17-03	Oxycodone 5 mg. (Rx 363272)	120	Patient 13
12-17-03	Restoril 15 mg.	30	Patient 13
12-17-03	Oxycontin 80 mg. fill 12-23-03	90	Patient 13
12-18-03	Oxycodone 5 mg. fill 12-30-03	120	Patient 13
12-18-03	Valium 10 mg.	90	Patient 13
12-18-03	Neurontin 800 mg.	120	Patient 13
12-18-03	Morphine Sulfate IR 15 mg.	90	Patient 18

12-18-03	MS Contin 30 mg.	90	Patient 18
12-18-03	Percocet 10/325 fill 12-23-03	120	Patient 31
12-19-03	Percocet 5 mg.	120	Patient 37
12-19-03	Oxycodone 5 mg.	120	Patient 32
12-19-03	Oxycontin 20 mg.	90	Patient 32
12-22-03	Percocet 10/650	180	Patient 21
12-22-03	Methadone 10 mg.	600	Patient 14
12-22-03	Oxycontin 40 mg.	60	Patient 22
12-22-03	Methadone 10 mg.	180	Patient 22
12-22-03	Oxycontin 80 mg. fill 01-05-04	126	Patient 28
12-22-03	Oxycontin 40 mg.	90	Patient 20
12-22-03	Oxycodone 5 mg.	120	Patient 20
12-23-03	Dilaudid 4 mg.	300	Patient 9
12-23-03	Percocet 5 mg.	180	Patient 11
12-23-03	Oxycodone 5 mg.	120	Patient 29
12-29-03	Roxicodone 5 mg. (Rx 365502)	120	Patient 24
12-29-03	Roxicodone 5 mg. (not dispensed)	120	Patient 24
12-29-03	Oxycontin 80 mg.	90	Patient 24
12-29-03	Norco 10 mg	90	Patient 14
12-29-03	Roxicodone 15 mg.	90	Patient 39
12-29-03	Oxycontin 40 mg.	90	Patient 39
12-29-03	Oxycontin 20 mg.	90	Patient 39
12-30-03	Actiq 1200 mcg.	120	Patient 5
12-30-03	Duragesic patches 100 mcg.	30	Patient 5
12-30-03	Roxicodone 15 mg.	60	Patient 5
12-30-03	Oxycontin 10 mg.	90	Patient 7
12-30-03	Oxycodone 5 mg.	180	Patient 23
12-30-03	Roxicodone 5 mg.	240	Patient 43
12-30-03	Oxycontin 20 mg. fill 01-08-04	90	Patient 38
01-03-04	Oxycodone 5 mg.	120	Patient 6
01-03-04	Oxycontin 20 mg.	60	Patient 6
01-05-04	Roxicodone 15 mg.	90	Patient 1
01-05-04	Oxycontin 80 mg.	180	Patient 1
01-05-04	Oxycontin 20 mg.	60	Patient 44
01-08-04	Oxycodone 5 mg.	120	Patient 8
01-08-04	Oxycontin 40 mg.	90	Patient 3
01-08-04	Dexadrine 10 mg. spansules	60	Patient 40
01-08-04	Morphine Sulfate IR 15 mg.	150	Patient 40
01-08-04	Oxycontin 20 mg.	120	Patient 8
01-09-04	Oxycontin 40 mg.	90	Patient 31
01-09-04	Percocet 10/325	120	Patient 31
01-12-04	Duragesic patches 100 mcg.	15	Patient 9
01-12-04	Duragesic patches 50 mcg.	15	Patient 9

01-12-04 Actiq 1200 mcg.

120 Patient 9

Your acts, conduct, and/or omissions as alleged in paragraph (3) above, individually and/or collectively, constitute “[c]ommission of an act that constitutes a felony in this state, regardless of the jurisdiction in which the act was committed,” as that clause is used in Section 4731.22(B)(10), Ohio Revised Code, to wit: Practicing Osteopathy Without a Certificate, Section 4731.43, Ohio Revised Code, to wit: Penalties, Section 4731.99, Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (3)(b) above, individually and/or collectively, constitute “[c]ommission of an act that constitutes a felony in this state, regardless of the jurisdiction in which the act was committed,” as that clause is used in Section 4731.22(B)(10), Ohio Revised Code, to wit: Illegal Processing of Drug Documents, Section 2925.23, Ohio Revised Code, and/or Trafficking in Drugs, Section 2925.03, Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (3) above, individually and/or collectively, constitute a “[v]iolation of the conditions of limitation placed by the board upon a certificate to practice,” as that clause is used in Section 4731.22(B)(15), 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 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.

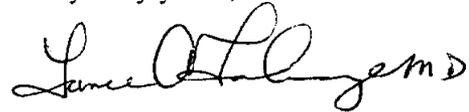
In the event that there is no request for such hearing received within thirty days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, permanently revoke, suspend, refuse to register or reinstate your certificate to practice osteopathic medicine and surgery or to reprimand 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/blt  
Enclosures

CERTIFIED MAIL # 7000 0600 0024 5141 6624  
RETURN RECEIPT REQUESTED

cc: Kevin Byers, Esq.  
Fifth Third Center  
21 East State Street  
Suite 220  
Columbus, Ohio 43215

CERTIFIED MAIL # 7000 0600 0024 5141 6631  
RETURN RECEIPT REQUESTED

cc: Samuel J. Petroff, Esq.  
Lagos & Lagos  
One South Limestone Street, Suite 1000  
Springfield, Ohio 45502-1243

CERTIFIED MAIL # 7000 0600 0024 5141 6648  
RETURN RECEIPT REQUESTED

Peter Steven Stanos, D.O.  
Page 15

Second mailing: 1680 Watermark Drive  
Columbus, OH 43215-1034  
CERTIFIED MAIL NO. 7000 0600 0024 5150 1771  
RETURN RECEIPT REQUESTED



# State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: [www.med.ohio.gov](http://www.med.ohio.gov)

February 2, 2004

Peter S. Stanos, D.O.  
4388 Camberry Court  
Dublin, OH 43016

Dear Doctor Stanos:

On February 2, 2004, the State Medical Board of Ohio reinstated your certificate to practice medicine and surgery upon our receipt of a Notice to Reinstate/Reissue from the Franklin County Child Support Enforcement Agency. This suspension, issued pursuant to Ohio Revised Code Sections 3123.47 and 4731.76, was effective November 4, 2003 and has become a permanent part of your record.

Very truly yours,

Jackie Moore  
Case Control Office

CERTIFIED MAIL NO. 7000 0600 0024 5150 1436  
RETURN RECEIPT REQUESTED

Peter S. Stanos, D.O.  
1335 Dublin Rd., Suite 122-D  
Columbus, OH 43215

CERTIFIED MAIL NO. 7000 0600 0024 5150 1429  
RETURN RECEIPT REQUESTED

cc: Franklin County CSEA

FRANKLIN COUNTY CHILD SUPPORT ENFORCEMENT AGENCY  
80 E. FULTON STREET COLUMBUS, OH 43215 (614) 462-3275 (800) 827-3740

Notice to Reinstate/Reissue a Professional,  
Motor Vehicle Operator and Recreational License

Date of Issuance: 01/30/2004

Issued By:  
Franklin County CSEA

Issued To:  
Ohio Medical Board

Street Address:  
80 E Fulton Street  
City, State, Zip Code:  
Columbus, OH 43215

Street Address:  
77 S High St 17<sup>th</sup> Fl  
City, State, Zip Code:  
Columbus, OH 43215

RE: Name of Obligor:  
Peter S Stanos

SETS Case No:  
7005451047

Street Address:  
4388 Camberry Court  
Dublin, OH 43016

Social Security Number:

Date of Birth:  
04/16/1964

PURPOSE OF THIS NOTICE:

This notifies the licensing agency/board that the above-named individual has been found by a court of the Franklin County Child Support Enforcement Agency to be no longer in default. In accordance with Section 3123.48 and 3123.58 of the Ohio Revised Code, licensing agencies/boards/registrars are instructed to issue the individual a license if he/she is otherwise eligible, within 7 days. The Bureau of Motor Vehicles may charge a fee of \$25 to reinstate a driver's license. Other licensing agencies/boards may charge a fee not to exceed \$50 to reinstate the license. If this individual never obtained a license from your agency/board, please remove the JFS 04041, "Notice to Suspend a Professional, Motor Vehicle Operator or Recreational License," from your files.

The Supreme Court will follow the provisions of Section 4705.021 of the Ohio Revised Code.

Please complete the appropriate space below, indicating the action taken and forward a copy of this form to the Child Support Enforcement Agency listed above.

2/2/04 License Reinstated \_\_\_\_\_ JFS 04041 Removed from File

Date Action Taken  
JFS 04042 (Rev. 10/2001)

2/2/04

(see letter following)

OHIO STATE MEDICAL BOARD

JAN 30 2004



# State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: [www.state.oh.us/med/](http://www.state.oh.us/med/)

November 4, 2003

Peter S. Stanos, D.O.  
4388 Camberry Court  
Dublin, OH 43016

## **NOTICE OF SUSPENSION** **PURSUANT TO R.C. 3123.47 & 4731.76**

The State Medical Board of Ohio has received notice pursuant to Section 3123.43 of the Ohio Revised Code from the Franklin County Child Support Enforcement Agency that you have been determined in default under a child support order. Pursuant to Ohio Revised Code Sections 3123.47 and 4731.76, this Board is prohibited from issuing a license, permit, certificate or other authorization as a result of this determination. The Board is also required to suspend any license that has been issued. This decision to suspend, or refusal to issue a new license, will remain in effect until the Board receives notice from the Franklin County Child Support Enforcement Agency that you are no longer determined to be in default.

### **When will the Board issue or reinstate my license?**

Before a license can be issued or reinstated, the Board must receive notice from the Franklin County Child Support Enforcement Agency that you are no longer in default. The Franklin County Child Support Enforcement Agency will issue such a notice when payment of the determined arrearage has been paid in full, or when a new, or appropriate, order has been issued for the collection of current support and arrearage.

### **Once I am determined not to be in default, how long will it take to get my license?**

The Board will issue or reinstate your license within seven days of receiving the notice from the Franklin County Child Support Enforcement Agency that you are no longer in default. A fee of up to \$50 may be assessed to issue or reinstate the license.

### **Can I appeal this decision to the Board?**

This suspension or refusal to issue a license is not subject to any hearing or review process of the Board. You must be determined not in default by the Franklin County Child Support Enforcement Agency. Once they make this determination, they will notify the Board and your license will be reinstated or issued.

Peter S. Stanos, D.O.  
November 4, 2003

Page 2

**What do I do now?**

You need to contact the Franklin County Child Support Enforcement Agency. They will be able to tell you what you need to do in order to bring your child support payments up to date.

Pursuant to Sections 3123.47 and 4731.76, Ohio Revised Code, you are hereby notified that your license to practice medicine and surgery in the state of Ohio is immediately suspended. Continued practice after this suspension shall be considered practicing medicine without a certificate in violation of Section 4731.41, Ohio Revised Code.

Sincerely,

A handwritten signature in cursive script that reads "Lance A. Talmage, M.D." with a stylized flourish at the end.

Lance A. Talmage, M.D.  
Secretary

LAT/jam

CERTIFIED MAIL NO. 7000 0600 0024 5149 7128  
RETURN RECEIPT REQUESTED

Peter S. Stanos, D.O.  
1335 Dublin Road, Suite 122D  
Columbus, OH 43215

CERTIFIED MAIL NO. 7000 0600 0024 5149 7135  
RETURN RECEIPT REQUESTED

7000 0600 0024 5149 7135

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Peter S. Stanos, DO  
 1335 Dublin Rd.  
 Suite 122D  
 Columbus, OH 43215

JAM

2. Article Number  
 (Transfer from service label) 7000 0600 0024 5149 7135

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-Z-0985

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X Benita McMillin  Agent  Addressee

B. Received by (Printed Name)  
 Benita McMillin

C. Date of Delivery  
 11/5/03

D. Is delivery address different from item 1?  Yes  
 if YES, enter delivery address below:  No

JAM

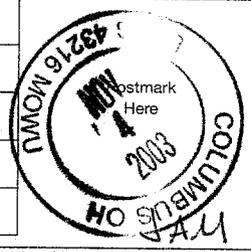
3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

7000 0600 0024 5149 7126

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$ 37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 4.42</b>



Recipient's Name (Please Print Clearly) (to be completed by mailer)  
 Peter S. Stanos, DO  
 Street, Apt. No., or PO Box No.  
 4388 Camberry Ct.  
 City, State, ZIP+4  
 Dublin OH 43016

PS Form 3800, February 2000

See Reverse for Instructions

FRANKLIN COUNTY CHILD SUPPORT ENFORCEMENT AGENCY

80 E. FULTON STREET COLUMBUS, OH 43215 (614) 462-3275 (800) 827-3740

Notice to Suspend Professional, Motor Vehicle Operator and Recreational License

REC'D BY FAY  
11-303

Name of Agency /Board/Registrar

OHIO MEDICAL BOARD

Street Address

77 S HIGH ST 17 FL

City, State, ZIP Code

COLUMBUS, OH 43215-6108

CSEA

FRANKLIN COUNTY

Street Address

80 E. FULTON STREET

City, State, ZIP Code

COLUMBUS, OH 43215

OHIO STATE MEDICAL BOARD

NOV 05 2003

RE: Name of Obligor

PETER S STANOS

CSEA IdentificationNo.

7005451047

Street Address

4388 CAMBERRY COURT

City, State, ZIP Code

DUBLIN, OH 43016

Date of Birth

04/16/1964

PURPOSE OF THIS NOTICE

This notifies the licensing agency/board/registrar that the above-named individual has been found by a court or the FRANKLIN COUNTY Child Support Enforcement Agency to be in default of a support order, or has failed to comply with a warrant/subpoena. In accordance with Section 3123.47, 3123.58, and 3123.62 of the Ohio Revised code, you are instructed to take the following action:

Do not issue a license to the individual listed above; or

Suspend any professional, motor vehicle operator or recreational license currently held by the individual listed above; and

Do not renew any license held by the individual listed above until you receive a JFS 04042, "Notice to Reinstate/Reissue a Professional, Motor Vehicle Operator and Recreational License", from the Child Support Enforcement Agency.

Please complete the appropriate spaces below indicating what action has been taken and forward a copy of this form to the Child Support Enforcement Agency listed above.

\_\_\_ License Suspended \_\_\_ License Not Renewed \_\_\_ No License on File Other \_\_\_

Date Action Taken \_\_\_\_\_

**CONSENT AGREEMENT  
BETWEEN  
PETER S. STANOS, D.O.  
AND  
THE STATE MEDICAL BOARD OF OHIO**

This **CONSENT AGREEMENT** is entered into by and between **PETER S. STANOS, D.O.**, and **THE STATE MEDICAL BOARD OF OHIO**, a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

**PETER S. STANOS, D.O.**, voluntarily enters into this Agreement being fully informed of his rights under Chapter 119., Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudicative hearing on the issues considered herein.

This **CONSENT AGREEMENT** contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this **CONSENT AGREEMENT**.

This **CONSENT AGREEMENT** is entered into on the basis of the following stipulations, admissions and understandings:

- A. **THE STATE MEDICAL BOARD OF OHIO** is empowered by Section 4731.22(B), Ohio Revised Code, to limit, revoke, suspend a certificate, refuse to register or reinstate an applicant, or reprimand or place on probation the holder of a certificate for any of the violations enumerated thereunder.
- B. **THE STATE MEDICAL BOARD OF OHIO** enters into this **CONSENT AGREEMENT** in lieu of further formal proceedings based upon the violations of Section 4731.22, Ohio Revised Code set forth in the Notice of Opportunity for Hearing issued by the **BOARD** on June 15, 1994, attached hereto as Exhibit A and incorporated herein by this reference. The **BOARD** expressly reserves the right to institute additional formal proceedings based upon any other violations of Chapter 4731 of the Ohio Revised Code whether occurring before or after the effective date of this **AGREEMENT**.
- C. **PETER S. STANOS, D.O.**, is an applicant for a certificate to practice medicine and surgery in the State of Ohio.

- D. **PETER S. STANOS, D.O., ADMITS** the factual and legal allegations set forth in the Notice of Opportunity for Hearing issued by the **BOARD** on June 15, 1994, attached hereto as Exhibit A and incorporated herein by reference.

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any further formal proceedings at this time, **THE STATE MEDICAL BOARD OF OHIO** (hereinafter "**BOARD**"), agrees to issue a certificate to practice medicine and surgery in the state of Ohio to **PETER S. STANOS, D.O.**, subject to the following terms and conditions:

1. **DOCTOR STANOS** is hereby **REPRIMANDED**.
2. **DOCTOR STANOS'** certificate to practice medicine and surgery in the state of Ohio is hereby subject to the following **PROBATIONARY** terms, conditions and limitations for a minimum of two (2) years;
  - a. **DOCTOR STANOS** shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio.
  - b. **DOCTOR STANOS** shall submit quarterly declarations under penalty of **BOARD** disciplinary action or criminal prosecution stating whether there has been compliance with all the conditions of this **CONSENT AGREEMENT**.
  - c. **DOCTOR STANOS** shall appear in person for quarterly interviews before the **BOARD** or its designated representative, or as otherwise directed by the **BOARD**.
  - d. In the event that **DOCTOR STANOS** should leave Ohio for three (3) continuous months, or reside or practice outside the State, **DOCTOR STANOS** must notify the **BOARD** in writing of the dates of departure and return. Periods of time spent outside Ohio will not apply to the reduction of this period under the **CONSENT AGREEMENT**, unless otherwise determined by motion of the Board in instances where the Board can be assured that probationary monitoring is otherwise being performed.
  - e. At the time of submission of each renewal application for each biennial registration period occurring during the period of probation, **DOCTOR STANOS** shall submit acceptable

documentation of all Category I and II Continuing Medical Education credits completed. It shall be DOCTOR STANOS' responsibility to work with appropriate BOARD staff to ascertain what will be considered as satisfactory documentation and to obtain the same.

- f. In the event DOCTOR STANOS is found by the Secretary of the BOARD to have failed to comply with any provision of this agreement, and is so notified of that deficiency in writing, such periods of noncompliance will not apply to the reduction of the probationary period under this CONSENT AGREEMENT.
- g. Within thirty (30) days of the effective date of this Agreement, DOCTOR STANOS shall provide a copy of this CONSENT AGREEMENT to all employers or entities with which he contracts to provide physician services or receive training; and the Chief of Staff at each hospital where he has, applies for, or obtains privileges or appointment.

If, in the discretion of the Secretary and Supervising Member of THE STATE MEDICAL BOARD OF OHIO, DOCTOR STANOS appears to have violated or breached any terms or conditions of this Agreement, THE STATE MEDICAL BOARD OF OHIO reserves the right to institute formal disciplinary proceedings for any and all possible violations of breaches, including but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this Agreement.

DOCTOR STANOS acknowledges that he has had an opportunity to ask questions concerning the terms of this Agreement and that all questions asked have been answered in a satisfactory manner.

Any action initiated by the BOARD based on alleged violations of this CONSENT AGREEMENT shall comply with the Administrative Procedure Act, Chapter 119., Ohio Revised Code.

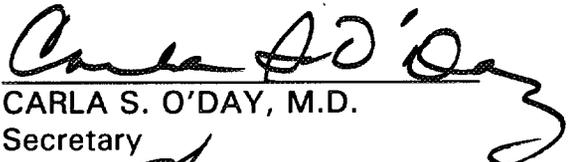
DOCTOR STANOS hereby releases the STATE MEDICAL BOARD OF OHIO, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

This CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code. It is expressly understood that this CONSENT AGREEMENT 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.

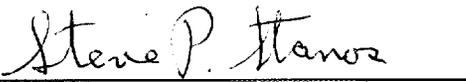
Further, this information may be reported to appropriate organizations, data banks and governmental bodies.

  
\_\_\_\_\_  
PETER S. STANOS, D.O.

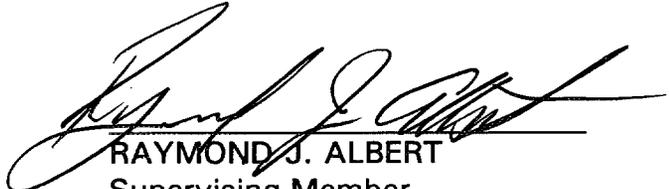
July 20, 1994  
DATE

  
\_\_\_\_\_  
CARLA S. O'DAY, M.D.  
Secretary

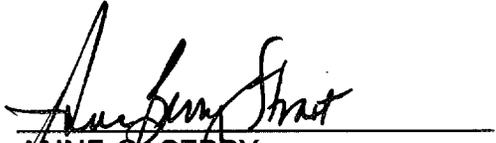
8/10/94  
DATE

  
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STEVE P. STANOS  
Attorney for Dr. Stanos

July 20, 1994  
DATE

  
\_\_\_\_\_  
RAYMOND J. ALBERT  
Supervising Member

8/10/94  
DATE

  
\_\_\_\_\_  
ANNE C. BERRY  
Assistant Attorney General

8/10/94  
DATE

stanos. agr



# STATE MEDICAL BOARD OF OHIO

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

June 15, 1994

Peter S. Stanos, D.O.  
3900 Crosby Drive #1506  
Lexington, KY 40515

Dear Doctor Stanos:

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) In your application to the State Medical Board of Ohio, sworn and subscribed to on February 22, 1994, you stated that you had answered all questions in compliance with the instructions. In the "Additional Information - Medicine or Osteopathic Medicine" checklist you responded "No" to question ten, which asked if you had "ever been requested to appear before any board, bureau, department, agency, or other body...concerning allegations against you."

In fact, the Commonwealth of Kentucky State Board of Medical Licensure's Order to Show Cause, dated March 27, 1992, directed you to appear before the Board's Hearing Officer on Tuesday, May 12, 1992, to show cause why your license to practice osteopathic medicine in the Commonwealth of Kentucky should not be disciplined for violation of 902 KAR 2:150, Section 8(2), said statute and regulation mandating specified HIV / AIDS education for licensure in Kentucky.

- (2) Additionally, in your response to question twelve, of the above mentioned application of February 22, 1994, which asked, "Have you ever been notified of any investigation concerning you by, or have you ever been notified of, any charges, allegations, or complaints filed against you with, any board, bureau, department, agency, or other body ... with respect to a professional license?" You responded "No."

Mailed 6/16/94

June 15, 1994

In fact, you were notified by letter dated February 13, 1992, from the Kentucky Board of Medical Licensure that you were in violation of 902 KAR 2:150, Section 8(2) and that failure to comply with the above referenced regulation would result in the suspension of your license to practice medicine in the Commonwealth of Kentucky. This letter was sent to you by certified mail with return receipt requested. Said receipt was dated February 20, 1992.

Thereafter, the Kentucky Board of Medical Licensure, having been advised that you had not complied with the HIV/AIDS education requirement for licensure in Kentucky, issued an Order to Show Cause. This Order was mailed to you via certified mail, return receipt requested, on March 27, 1992.

Your acts, conduct, and/or omissions as alleged in paragraphs (1) and (2) above, individually and/or collectively, constitute "fraud, misrepresentation, or deception in applying for or securing any license or certificate issued by the board," as that clause is used in Section 4731.22(A), Ohio Revised Code.

Further, 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.

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.

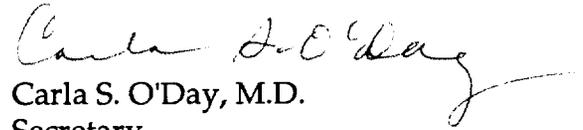
In the event that there is no request for such hearing received within thirty (30) days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice osteopathic medicine and surgery or to reprimand or place you on probation.

Peter S. Stanos, D.O.  
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Copies of the applicable sections are enclosed for your information.

Very truly yours,

  
Carla S. O'Day, M.D.  
Secretary

CSO:jmb

Enclosures:

CERTIFIED MAIL #P 348 888 319  
RETURN RECEIPT REQUESTED