

**CONSENT AGREEMENT
BETWEEN
ANTHONY M. PULEO, M.D.
AND
THE STATE MEDICAL BOARD OF OHIO**

This CONSENT AGREEMENT is entered into by and between ANTHONY M. PULEO, M.D., and THE STATE MEDICAL BOARD OF OHIO, a state agency charged with enforcing Chapter 4731, Ohio Revised Code.

ANTHONY M. PULEO, M.D., enters into this CONSENT 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 allegations contained in the Notice of Opportunity for Hearing dated December 5, 1990, a copy of which is attached hereto and incorporated herein.

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

ANTHONY M. PULEO, M.D., ADMITS each and every factual allegation contained in the Notice of Opportunity for Hearing dated December 5, 1990, a copy of which is attached hereto and incorporated herein.

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of further formal proceedings at this time, ANTHONY M. PULEO, M.D., knowingly and voluntarily agrees with THE STATE MEDICAL BOARD OF OHIO to the following disposition of this matter:

ANTHONY M. PULEO, M.D., is hereby publicly reprimanded.

It is AGREED and UNDERSTOOD by and between both parties that this CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code, and that THE STATE MEDICAL BOARD OF OHIO may report this action to appropriate organizations, data banks and governmental bodies.

ANTHONY M. PULEO, M.D., hereby releases THE STATE MEDICAL BOARD OF OHIO, its members, employees, agents, officers, and representatives individually and collectively, jointly and

severally, from any and all liability arising from the within matter.

FOR THE STATE MEDICAL BOARD

Anthony M. Puleo, M.D.
ANTHONY M. PULEO, M.D.

Henry G. Cramblett
HENRY G. CRAMBLETT, M.D.
SECRETARY

February 1, 1991
DATE

2/5/91
DATE

Terry Lynne B. Smiles
TERRI-LYNNE B. SMILES, ESQ.
ATTORNEY FOR ANTHONY M.
PULEO, M.D.

Timothy S. Jost
TIMOTHY S. JOST, ESQ.
SUPERVISING MEMBER

February 4, 1991
DATE

2/9/91
DATE

John C. Dowling
JOHN C. DOWLING
ASSISTANT ATTORNEY GENERAL

2/8/91
DATE

1216S

THE STATE MEDICAL BOARD OF OHIO
77 SOUTH HIGH STREET
17TH FLOOR
COLUMBUS, OHIO 43266-0315
(614) 466-3934

December 5, 1990

Anthony M. Puleo, M.D.
1600 Harvard Avenue
Cleveland, OH 44105

Dear Doctor Puleo:

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

- (1) On or about December 23, 1976, you signed an Affidavit of Employing Physician or Group of Physicians, to have James H. Zimerla registered to you as a physician's assistant, and submitted such Affidavit to the State Medical Board of Ohio.
- (2) Thereafter, on or about February 11, 1977, James H. Zimerla was registered to you as a physician's assistant, under Chapter 4730., Ohio Revised Code.
- (3) On or about April 11, 1989, you signed an Affidavit of Employing Physician(s), to continue to have James H. Zimerla registered to you as a physician's assistant, and submitted such Affidavit to the State Medical Board of Ohio.
- (4) On or about October 25, 1989, you signed a Notice of Employment of Physician's Assistant form and submitted it to the Board. On that form you indicated that you would be employing Mr. Zimerla beginning October 25, 1989.
- (5) In fact, Mr. Zimerla has never been employed by you, but has been employed by the Aluminum Company of America, a corporation, at all times relevant herein.

Such acts, conduct, and/or omissions as alleged in paragraphs (1) through (5) 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.

Mailed 12/6/90

December 5, 1990

Further, such acts, conduct, and/or omissions as alleged in paragraphs (1) through (5) 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 medicine and surgery or to reprimand or place you on probation.

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Henry G. Cramblett, M.D.
Secretary

HGC:jmb

Enclosures:

CERTIFIED MAIL P 569 363 844
RETURN RECEIPT REQUESTED

Anthony M. Puleo, M.D.
140 Aspenwood Drive
Chagrin Falls, OH 44022

CERTIFIED MAIL NO. P 290 319 294

cc: Janet Fungaroli, Esq.
Legal Dept.,
Aluminum Company of America
Alcoa Building
Pittsburgh, PA 15219

CERTIFIED MAIL NO. P 290 319 295
RETURN RECEIPT REQUESTED