



# STATE MEDICAL BOARD OF OHIO

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

September 16, 1994

James J. Chambers, M.D.  
20000 Lorain Road, 1-405  
Fairview Park, Ohio 44126

Dear Doctor Chambers:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of Melinda R. Early, Attorney Hearing Examiner, State Medical Board of Ohio; and an excerpt of the Minutes of the State Medical Board, meeting in regular session on September 14, 1994, including a Motion approving and confirming the Report and Recommendation as the Findings and Order of the State Medical Board of Ohio.

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

Such an appeal setting forth the Order appealed from and the grounds of the appeal must be commenced by the filing of a Notice of Appeal with the State Medical Board of Ohio and the Franklin County Court of Common Pleas within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

THE STATE MEDICAL BOARD OF OHIO

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

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

CSO:em

Enclosures

CERTIFIED MAIL RECEIPT NO. P 348 885 192  
RETURN RECEIPT REQUESTED

cc: John J. Gill, Esq.

CERTIFIED MAIL RECEIPT NO. P 348 885 193  
RETURN RECEIPT REQUESTED

*Mailed 9/27/94*



# STATE MEDICAL BOARD OF OHIO

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

## CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; attached copy of the Report and Recommendation of Melinda R. Early, Attorney Hearing Examiner, State Medical Board; and an excerpt of Minutes of the State Medical Board, meeting in regular session on September 14, 1994, including a Motion approving and confirming the Report and Recommendation as the Findings and Order of the State Medical Board of Ohio, constitute a true and complete copy of the Findings and Order of the State Medical Board in the matter of James J. Chambers, M.D., as it appears in the Journal of the State Medical Board of Ohio.

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

(SEAL)

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

9/16/94  
Date



# STATE MEDICAL BOARD OF OHIO

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

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

★

★

JAMES J. CHAMBERS, M.D.

★

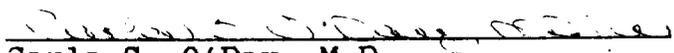
## ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio on the 14th day of September, 1994.

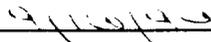
Upon the Report and Recommendation of Melinda R. Early, Hearing Examiner, Medical Board, in this matter designated pursuant to R.C. 4731.23, a true copy of which Report and Recommendation is attached hereto and incorporated herein, and upon the approval and confirmation by vote of the Board on the above 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 the certificate of James J. Chambers, M.D., to practice medicine and surgery in the State of Ohio shall be permanently REVOKED.

This Order shall become effective immediately upon the mailing of notification of approval by the State Medical Board of Ohio.

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

(SEAL)

  
Date

JUL 20 1994

REPORT AND RECOMMENDATION  
IN THE MATTER OF JAMES J. CHAMBERS, M.D.

The Matter of James J. Chambers, M.D., came on for hearing before me, Melinda R. Early, Esq., Hearing Examiner for the State Medical Board of Ohio, on June 21, 1994.

INTRODUCTION AND SUMMARY OF EVIDENCE

I. Basis for Hearing

- A. The State Medical Board notified James J. Chambers, M.D., by letter dated March 9, 1994 (State's Exhibit #1), that his license to practice medicine and surgery was immediately suspended pursuant to Section 3719.121(C), Ohio Revised Code. The Board's action was based on the Cuyahoga County, Ohio Prosecuting Attorney's report that on or about January 10, 1994 in the Cuyahoga County Court of Common Pleas, Dr. Chambers entered a plea of guilty to a violation of Section 2925.03, Ohio Revised Code, Possession of Controlled Substance, a felony of the third degree. This letter additionally notified Dr. Chambers that the Board intended to determine whether or not to limit, revoke, suspend, refuse to register or reinstate his certificate to practice medicine and surgery, or to reprimand or place him on probation because of the felony conviction of Possession of Controlled Substance.

The Board alleged that Dr. Chambers's plea of guilty constituted: 1) "a plea of guilty to, or a judicial finding of guilt of, a violation of any federal or state law regulating the possession, distribution, or use of any drug," as that clause is used in Section 4731.22(B)(3), Ohio Revised Code, and 2) "[a] plea of guilty to, or a judicial finding of guilt of, a felony," as that clause is used in Section 4731.22(B)(9), Ohio Revised Code.

Dr. Chambers was advised of his right to request a hearing in this Matter.

- B. Mr. William J. Novak, Esq., in behalf of Dr. Chambers, submitted a written request for a hearing which was received by the State Medical Board on March 30, 1994 (State's Exhibit #2).

JUL 20 1994

II. Appearances

- A. In behalf of the State of Ohio: Lee I. Fisher, Attorney General, by Ava W. Serrano, Assistant Attorney General
- B. In behalf of the Respondent: Although the Respondent was advised of his right to attend the hearing and/or to have legal representation at the hearing, there was no appearance by or in behalf of the Respondent. As previously noted, Mr. Novak requested a hearing in Dr. Chambers' behalf; however, on April 29, 1994, Mr. John J. Gill filed a motion with the State Medical Board requesting a continuance of the hearing (State's Exhibit #5). Neither Mr. Gill, nor Mr. Novak, entered a written notice of appearance as required by Rule 4731-13-01(E), Ohio Administrative Code.

III. Testimony Heard

No witnesses were presented.

IV. Exhibits Examined

- A. In addition to State's Exhibits #1, #2, and #5 noted above, the following exhibits were identified by the State and admitted into evidence in this Matter:
  1. State's Exhibit #3: March 30, 1994 letter to Mr. William J. Novak, Esq., from the State Medical Board, advising him that Respondent's hearing was initially set for April 13, 1994 but was postponed pursuant to Section 119.09, Ohio Revised Code.
  2. State's Exhibit #4: April 7, 1994 letter to Mr. Novak from the State Medical Board, scheduling Respondent's hearing for May 17, 1994. (2 pp.)
  3. State's Exhibit #6: May 3, 1994 Entry granting Respondent's motion for continuance of the hearing, and rescheduling it to Tuesday, June 21, 1994.

JUL 20 1994

Report and Recommendation  
In the Matter of James J. Chambers, M.D.  
Page 3

4. State's Exhibit #7: May 18, 1994 letter to Mr. Novak from the State Medical Board, advising him of administrative hearing rules and requesting that a notice of appearance be filed. (2 pp.)
  5. State's Exhibit #8: Certified copies of Cuyahoga County Common Pleas Court documents regarding Dr. Chambers's criminal proceedings, including: 1) January 31, 1994 Journal Entry sentencing Dr. Chambers to the Lorain Correctional Institution for 18 months; 2) January 10, 1994 Journal Entry accepting Dr. Chambers's plea of guilty to Possession of Controlled Substance pursuant to Section 2925.03, Ohio Revised Code, as amended in Count 1 of the Bill Indictment; and 3) Bill Indictment for Drug Trafficking, R.C. 2925.03, count 1. (4 pp.)
- B. State's Exhibit #8-A: Certified copies of Bill Indictments against Dr. Chambers which did not result in conviction. Pursuant to the June 27, 1994 post-hearing Entry, these were accepted as a proffer, only, and separately marked as State's Exhibit #8-A.

V. Post-Hearing Admissions to the Record

- A. Upon the Hearing Examiner's own motion, the following is hereby admitted to the record in this Matter:

Board Exhibit A: June 27, 1994 Entry removing certain portions of State's Exhibit #8 from the hearing record due to the prejudicial nature of the documents.

FINDINGS OF FACT

On January 10, 1994, in the Cuyahoga County Court of Common Pleas, James J. Chambers, M.D., entered a plea of guilty to Possession of Controlled Substance; an amendment to Count 1 of the Bill Indictment for drug trafficking of the controlled substance, Percocet, a Schedule II drug. The offense of Possession of Controlled Substance, a violation of Section 2925.03, Ohio Revised Code, is classified under Ohio law as a third degree felony. Dr. Chambers's plea was accepted by the Court and he was sentenced to 18 months in the Lorain Correctional Institution, and ordered to pay court costs.

These facts are established by State's Exhibit #8.

JUL 20 1994

CONCLUSIONS

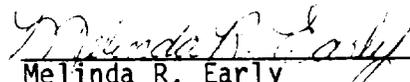
As set forth in the Findings of Fact, the State submitted sufficient evidence to support a conclusion that Dr. Chambers violated both Section 4731.22(B)(3) and Section 4731.22(B)(9), Ohio Revised Code. Dr. Chambers entered a guilty plea to an offense which violated Ohio's drug trafficking law, possession of a specified quantity of a controlled substance which, in this Matter, is classified as a felony of the third degree. Thus, Dr. Chambers' plea of guilty constitutes: 1) "a plea of guilty to, or a judicial finding of guilt of, a violation of any federal or state law regulating the possession, distribution, or use of any drug," as that clause is used in Section 4731.22(B)(3), Ohio Revised Code; and 2) "[a] plea of guilty to, or a judicial finding of guilt of, a felony," as that clause is used in Section 4731.22(B)(9), Ohio Revised Code.

Although a physician convicted of any felony contravenes the public's trust, one who is convicted of a drug trafficking felony breaches a fundamental professional obligation; the obligation to responsibly exercise the privilege of prescribing and managing controlled substances. Such a breach demands the most serious form of discipline.

PROPOSED ORDER

It is hereby ORDERED that the certificate of James J. Chambers, M.D., to practice medicine and surgery in the State of Ohio shall be permanently REVOKED.

This Order shall become effective immediately upon the mailing of notification of approval by the State Medical Board of Ohio.

  
\_\_\_\_\_  
Melinda R. Early  
Attorney Hearing Examiner



# STATE MEDICAL BOARD OF OHIO

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

EXCERPT FROM THE MINUTES OF SEPTEMBER 14, 1994

## REPORTS AND RECOMMENDATIONS

Dr. Heidt announced that the Board would now consider the findings and orders appearing on the Board's agenda.

Dr. Heidt asked whether each member of the Board had received, read, and considered the hearing record, the proposed findings, conclusions, and orders, and any objections filed in the matters of: James J. Chambers, M.D.; George W. Essig, M.D.; Steven Magier, D.P.M., and Emmanuel L. Raymundo, M.D. A roll call was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Stienecker	- aye
	Dr. Gretter	- aye
	Dr. Egner	- aye
	Dr. Agresta	- aye
	Dr. Buchan	- aye
	Ms. Noble	- aye
	Mr. Sinnott	- aye
	Dr. Heidt	- aye

Dr. Heidt 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:	Mr. Albert	- aye
	Dr. Stienecker	- aye
	Dr. Gretter	- aye
	Dr. Egner	- aye
	Dr. Agresta	- aye
	Dr. Buchan	- aye
	Ms. Noble	- aye
	Mr. Sinnott	- aye
	Dr. Heidt	- aye

In accordance with the provision in Section 4731.22(C)(1), 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 this matter.

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

.....

REPORT AND RECOMMENDATION IN THE MATTER OF JAMES J. CHAMBERS, M.D.

All Assistant Attorneys General and all Enforcement Coordinators left the meeting at this time.

.....

DR. GRETTER MOVED TO APPROVE AND CONFIRM MS. EARLY'S PROPOSED FINDINGS OF FACT, CONCLUSIONS, AND ORDER IN THE MATTER OF JAMES J. CHAMBERS, M.D. MS. NOBLE SECONDED THE MOTION.

.....

A roll call vote was taken on Dr. Gretters motion:

ROLL CALL VOTE:	Mr. Albert	- abstain
	Dr. Stienecker	- aye
	Dr. Gretter	- aye
	Dr. Egnor	- aye
	Dr. Agresta	- aye
	Dr. Buchan	- aye
	Ms. Noble	- aye
	Mr. Sinnott	- aye

The motion carried.



# **STATE MEDICAL BOARD OF OHIO**

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

## **NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING**

March 9, 1994

James J. Chambers, M.D.  
Corrections Medical Center  
1990 Harmon Avenue  
Columbus, OH 44223

Dear Doctor Chambers:

In accordance with Sections 2929.17 and/or 3719.12(B), Ohio Revised Code, the Office of the Prosecuting Attorney of Cuyahoga County, Ohio reported that on or about January 31, 1994, in the Cuyahoga County Court of Common pleas, you entered a plea of guilty to Possession of Controlled Substance in violation of Section 2925.03, Ohio Revised Code, a felony of the third degree.

Therefore, pursuant to Section 3719.121(C), 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.

Furthermore, 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 January 31, 1994, in the Cuyahoga County Court of Common pleas, you entered a plea of guilty to Possession of Controlled Substance in violation of Section 2925.03, Ohio Revised Code, a felony of the third degree.

This plea of guilty as alleged in paragraph (1) above, individually and/or collectively, constitute "a plea of guilty to, or a judicial finding of guilt of, a violation of any federal or state law regulating the possession, distribution, or use of any drug," as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

Mailed 3/10/94

March 9, 1994

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

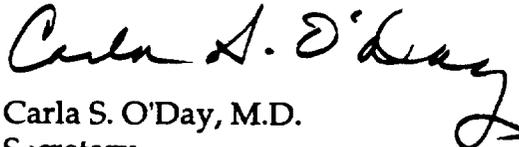
Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, the request must be made in writing and must be received in the offices of the State Medical Board within thirty (30) days of the time of mailing of this notice.

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,

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

CSO:jmb

Enclosures:

CERTIFIED MAIL #P 348 885 350  
RETURN RECEIPT REQUESTED