

vs

FRANKLIN P. REULBACH, M.D.

HEARING BEFORE THE STATE MEDICAL BOARD OF OHIO
COLUMBUS, OHIO - AUGUST 14, 1962
9:00 A. M.

APPEARANCES:

John N. McCann, M.D.
Will M. Hoyt, M.D.
Frederick T. Merchant, M.D.
Harris D. Iler, M.D.
Dominic A. Macedonia, M.D.
Donald F. Bowers, M.D.
James O. Watson, D.O.
John D. Brumbaugh, M.D. - President
H. M. Platter, M.D. - Secretary
Judge Kenneth Cranston - Representative from the Attorney
General's Office

Dr. Brumbaugh

The next doctor is Dr. Reulbach. Last June we terminated his suspension. Dr. Platter called me. He has gone on the staff full time with the Veterans Administration.

Dr. Reulbach, this is Mr. Cranston on your right, the representative from the Attorney General's Office. He is the legal advisor for the Medical Board. This is the first time that he is meeting with the Board.

In June we removed your suspension, as I understand Dr. Platter, you are a full time employee of the Veteran's Administration. Is that right? Would you like to tell the Board how you are getting along?

A. I am getting along very well.

Dr. Platter

Q. You are now regularly employed at the Veterans Administration?
A. Yes, sir.

Dr. McCann

Q. Are you supporting your family, Doctor?
A. Yes, sir.

Q. Are you and the family living together?

A. We are but there are two children who are still away. We hope to have them back with us before too long.

Q. Where are these children?

A. They are in foster homes.

Dr. Macedonia

Q. Is this full time employment with the Veterans Administration, Doctor?
A. Yes

Q. Are living quarters furnished by the Veterans Administration?
A. No

Q. Are you being treated at all by your doctor?
A. No.

Dr. McCann

Q. Are you doing any writing?
A. No

Q. You have given that up, have you?
A. Yes, sir.

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- Dr. Brumbaugh Q. Are there any other questions from members of the Board? If not, what is the pleasure of the Board?
- Dr. McCann I move that he return in six months.
- Dr. Platter No, he is through. He has been restored, Doctor.
- Dr. Merchant You asked him merely to come back and report.
- Dr. Platter Yes. You had signified at the last meeting that he was to be restored.
- Dr. Merchant It is the case of lifting a temporary, temporary because at the meeting last October we had raised it for a period of training so that he could qualify under these circumstances so that he could get his job. We have given him actually a test run for some nine months, during which time he has done well. I would move that we release him from our probation.
- Dr. Platter That is right.
- Dr. Merchant And observation and wish him well. We will not be quite as short termed nor as easy should he return. There will be no such thing as a second time.
- A. Thank you very much.

June 22, 1962

Probate Judge
Court House
Cuyahoga County
Cleveland, Ohio

De r Sir:

This is to advise you that the indefinite suspension
of the certificate # 18570 of Franklin P. Reulbach is lifted
as of June 30, 1962.

Please make such notation on your records.

Very truly yours,

HMP:EMH

Secretary

January 27, 1961

Franklin P. Reulbach, M. D.
3911 Bader Ave.
Cleveland 9, Ohio

Dear Dr. Reulbach:

This is to advise you that the State Medical Board,
after consideration of your case on January 24, 1961, voted
to indefinitely suspend your certificate to practice Medicine
and Surgery in the State of Ohio.

Very truly yours,

HMP:EMH
Inc.

Secretary

seal

*Registered - Net Receipt
74¢.*

vs

FRANKLIN P. REUBACH, M.D.

HEARING BEFORE THE STATE MEDICAL BOARD OF OHIO
COLUMBUS, OHIO - JANUARY 24, 1961

9:15 A.M.

APPEARANCES:

Horace B. Davidson, M.D.
John N. McCann, M.D.
Will M. Hoyt, M.D.
James O. Watson, D.O.
John B. Brumbaugh, M.D.
Frederick T. Merchant, M.D.
Harris D. Iler, M.D.
Donald F. Bowers, M.D. - Members of the State Medical
Board
H. M. Platter, M.D. Secretary
Lawrence Collins - Representative from the Attorney
General's Office

Doctor Davidson

I think the members of the Board will remember Franklin Reulbach who recently appeared and was placed on probation in 1957 as a result of the illegal use of narcotics by himself and his wife. He was here in January 1958, August 1958, February 1959, August 1959 and April 1960. He was probated in May of 1959. He had a gastric resection in November 1959 and we haven't seen him since then but when he was here in April 1960. I think he has had some other problems since that time. He was unable to see us the last time we had a meeting. What is the circumstance at the present, Dr. Reulbach?

A. I am not in practice.

Q. You are not in practice. What are you doing?

A. I am not doing anything except writing; I haven't practiced since October.

Q. What type of writing are you engaged in?
An author, you mean?

A. I try to be.

Q. Would you care to tell us what type of writing or would you rather not go into this?

A. Philosophical, I guess.

Q. Philosophical -- is it something that enables you to make a living?

A. No, not as yet.

Q. Not as yet, then how are you...?

A. My wife

Q. Is your wife working?

A. Yes

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Dr. Davidson

- Q. And your family, are they cared for?
A. They are.
- Q. Are you living together?
A. Yes
- Q. And you have had no office for about four months?
A. Yes
- Q. Do you have any intention of returning to practice?
A. Frankly, I don't know.
- Q. Is this a mental or emotional thing?
A. Financially it is a little difficult right now to start a practice and I haven't inquired about any job in a hospital because I don't want to work in a hospital at the present time.
- Q. What caused you to give up your practice?
A. I wanted to stop for awhile.
- Q. It was voluntary on your part that you stopped?
A. Yes
- Q. Do any of you have any questions that you care to ask Dr. Reulbach?

Dr. Merchant

- Q. Acknowledging that you closed your office, do you mean that you sold all your equipment and that you will have to start all over again?
A. My equipment was under lien and I had lost almost the whole year of 1959 because of illness and it was a little difficult getting the practice going again. My equipment etc. was taken away...
- Q. You have nothing?
A. No, sir.
- Q. Office room or rooms as well as equipment?
A. No, sir.
- Q. When did you start practice originally?
A. 1953
- Q. Had you borrowed against your office equipment? Why the lien? You should have been paid off in seven to eight years.
A. I know I should have but it has accumulated and I owed Schumann-Jones money and they attached a lien on my equipment. I Haven't gone into bankruptcy yet. If I had gone into bankruptcy all of this could have been avoided, couldn't it? But I didn't...
- Q. That is the wrong way to think of it. If you had paid your debts as you went along that would have been avoided. It would have been better than bankruptcy.

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- Doctor Davidson Are there any other questions that you want to ask?
- Doctor McCann Q. Have you had much psychiatric treatment?
A. I don't think I need it, sir, not now.
- Q. When did you see the psychiatrist last? Did he dismiss you or
- A. Yes
- Q. You did not withdraw of your own accord?
A. No
- Doctor Platter Doctor, were you in Probate Court recently? You had some trouble last summer.
- Doctor Davidson That was for non-support of his family; that was in Juvenile Court, not in Probate Court. What disposition was made of that?
- A. Some of the children are still under other care.
- Doctor Merchant Q. If you are not practicing and can't decide whether you want to return or not, actually what can you do other than practice medicine? Do you have anything that you have done previously in the work way, say during school years, that you have had experience in?
- A. I wouldn't go into anything but medicine. I'm a doctor.
- Q. You wouldn't... you have no previous experience in other occupations?
A. No, sir.
- Q. Did you work part of the way through school, either in undergraduate or graduate school?
A. I worked in a factory.
- Q. How come you haven't got some kind of a job to help support the family in view of your own professional debt problems and the family maintenance?
A. I simply have not.
- Q. Why? You mean that is the answer?
A. Yes, sir. I am not an irresponsible person although seemingly it may appear that way.
- Doctor Davidson Q. While you are not actually engaged in the practice of medicine you really don't need a license, do you, Doctor? At present you have no need for a license, as you are not using it.
A. No.
- Doctor Hoyt He is feeling his way. Let us see what he will do in six months.
- Doctor Davidson Q. Would you like to voluntarily surrender your license temporarily until you feel that you are able to return to practice?
A. Otherwise you will remove it?
- Q. No, this is a question. There will be no club over your head at all.
A. No, sir. I would rather keep it.

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Doctor Davidson

Q. You do not wish to voluntarily surrender it?
A. No, sir.

Q. And yet you are not using it. I think that the feeling of the Board members is that your troubles have compounded themselves and you have been so inept at extricating yourself of your difficulties that we are afraid to allow you to proceed without some type of restraint.
A. Yes, sir. Then remove the license until such time as they think fits....

Doctor Merchant

That is largely determined by your own action, Dr. Reulbach, with or without a license. That is the problem that Dr. Davidson has phrased to you and the question in our collective minds, I am sure. With a license you did not handle the situation very well and without it perhaps you will then seek other ways to prove you ... that you are capable of facing it and solving issues.

A. I am capable of solving issues.

Doctor Davidson

I think that we are afraid that when you are unable to properly regulate your own life, you are not in a position to help regulate the lives of others.

Doctor Bowers

I move that the license be suspended for a period of two years, after which he can appear before us.

Doctor Davidson

Dr. Bowers makes a motion with a definite time limit of two years of suspension. Is there a second?

Doctor Platter

I think that we had better talk of procedure to our attorney first.

Doctor Bowers

Well, he is here. Is that legal?

Mr. Collins

I think that any action or order relative to the doctor under question, you have the right to do it. Of course all of these things would be subject to appeal by him. He would have the right to do it. He would have the right to appeal the decision.

Doctor Bowers

I am not making this motion in order to punish this doctor. I am making the motion in the hope that it will stimulate him to start to get his license back.

Doctor Davidson

It might be more of a stimulant if there were not a definite time interval. If it were until he shows evidence that he is suited to return to practice.

Doctor Bowers

If he doesn't show it in two years, then I don't think he will ever show it.

Doctor Merchant

There is a curious gap in this, Dr. Reulbach, in spite of statements and this is this, and I think that is behind Dr. Bowers point and would be mine, too. If you can't afford to go into practice with your license until you have the where with all to do it, it would seem about time for you to start to earn your way toward it. We will remove any

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Doctor Merchant

(continued) stigma on this part by suspending the license for a period of time to give you a free access to any job. You are not hindered, let's say, by physician aspect, by which you can't qualify physically in equipment, let's say, and perhaps that will give you a chance to get back on your feet and then prove that you should have your license back. If you should have your license back, that you are able to go, let it be a stimulation to you, whereas having a license on the wall that you can't use anyhow gives you a false sense of direction it would seem.

A. It is your decision, sir.

Mr. Collins

I might say from a affable standpoint along with it, if there be any contingency made on that, if he could show that he would be able to practice as the Beard thinks he should, as a doctor should.....

Doctor Bowers

That it be removed at any time.

Mr. Collins

Yes, that I wa.... I think that he would like to know that... that I think that we should mix a little equity with the law..

Doctor Bowers

That it can be removed at any time. The only reason that I made a limit of years is the fact that outwardly, if people heard that he had been suspended for two years, it would give him a chance to get back rather than the stigmata of a suspension for punishment of some....

Doctor Brumbaugh

If his license was suspended, would it be adverse if he were to apply for salarized position anywhere, would that be derogatory, would it be difficult for him?

Doctor Bowers

Unless he tried to get a job in medicine and then he will have to come back here.

Doctor Davidson

He doesn't have to advertise the fact that his license is suspended, if he lloks for gainful occupation which.....

Would you be willing, Dr. Bowers, to offer the motion that his license is suspended indefinitely? Would that reduce the opportunity to lift the suspension quickly if he should rehabilitate himself and remove the necessity of reconsidering this again in two years if he doesn't rehabilitate himself.

Doctor Bowers

Yes, I'll be glad to.

Doctor Merchant

I'll be glad to sedond that motion.

Called vote:

"Dr. McCannAye
Dr. ~~Mc~~ Hoyt.....Aye
Dr. Watson.....Aye
Dr. Brumbaugh.....Aye
Dr. Merchant.....Aye
Dr. Iler.....Aye
Dr. Bowers.....Aye
Dr. Davidson.....Aye"

"Meeting of the State Medical Board of Ohio - August 27, 1957

10:15 A. M. - Franklin P. Reulbach, M. D. appeared before the Board to answer the charges preferred by the Secretary of gross immorality because of violation of the Federal Narcotic Act. Testimony was taken by a stenographer. Attorney G. N. Melvin represented the State Medical Board. The following witnesses testified after being sworn in - Dr. H. M. Platter, Secretary of the State Medical Board; Mr. Al Cook, Federal Narcotic Inspector, Cincinnati, Ohio, who testified from the records of the Bureau of Narcotics that an investigation disclosed a total of 522 prescriptions each calling for 30ccs of demerol and a total of 64 prescriptions each calling for 2 ccs of demerol which had been issued by Dr. Reulbach in the names of various patients between the dates of August 10, 1954 to April 11, 1957, and that the Doctor stated that both he and his wife had been using 15ccs of demerol daily and that he had surrendered his special narcotic stamp and agreed to enter Harding's Sanatorium for treatment. Treatment was given to both Dr. Reulbach and his wife. Dr. Reulbach, called on cross examination, admitted the facts above stated. In general, he stated some of the prescriptions were bona fide ones, issued to patients. He also voluntarily surrendered his narcotic special tax stamp. He was placed on probation and will be required to return at the January, 1958 meeting and practice without a narcotic permit on motion of Dr. Bowers seconded by Dr. Watson."

" January 28, 1958

9:45 A. M. - Franklin P. Reulbach, M. D., parolee, appeared. After conference, he will be required to return in six months on motion of Dr. Merchant seconded by Dr. Bowers."

" August 19, 1958

10:15 A. M. - Franklin P. Reulbach, M. D., parolee, reported for conference. He is required to return in six months on motion of Dr. Iler seconded by Dr. Brumbaugh."

" February 3, 1959

9:45 A. M. - Franklin P. Reulbach, M. D. reported. He will be required to report again in six months on motion of Dr. Brumbaugh seconded by Dr. Davidson."

"August 26, 1959

9:45 A. M. - Franklin P. Reulbach, M. D., parolee, on motion of Dr. Davidson seconded by Dr. Merchant, is required to contact his physician concerning his mental illness and is required to return in six months."

"April 5, 1960

10:00 A. M. - Franklin P. Reulbach, M. D., parolee, is required to return in six months on motion of Dr. Merchant seconded by Dr. Bowers."

" October 4, 1960

10:00 A. M. - Franklin P. Reulbach, M. D., parolee, scheduled at this time called and said he was on his way. However, he did not arrive at the office until 3:00 P. M. after the Board was gone. "

"Meeting of the State Medical Board of Ohio - January 24, 1961

9:15 A. M. - Franklin P. Reulbach, M. D., parolee, appeared before the Board. On August 27, 1957, he answered charges preferred by the Secretary of gross immorality because of drug addiction. Testimony was taken by a stenographer. The Board then permitted him to continue in practice but denied him the Federal narcotic license and required him to report at intervals. He has reported on January 28, 1958, August 19, 1958, February 3, 1959, August 26, 1959, April 5, 1960, October 4, 1960, (failed to arrive at the scheduled time), and on January 24, 1961. At no time has the picture shown encouragement in his case. At the present time, his office is closed, his wife has gone to work, and some of the children are wards of the Court. With this history, after careful consideration, the Board on motion of Dr. Bowers seconded by Dr. Merchant, decreed that his license to practice Medicine and Surgery in Ohio should be indefinitely suspended.

Vote: Dr. McCann Aye
Dr. Hoyt Aye
Dr. Watson Aye
Dr. Brumbaugh Aye
Dr. Merchant Aye
Dr. Iler Aye
Dr. Bowers Aye
Dr. Davidson Aye."

I certify that this is an exact copy of the procedures of the State Medical Board of Ohio on August 27, 1957, January 28, 1958, August 19, 1958, February 3, 1959, August 26, 1959, April 5, 1960, October 4, 1960, and January 24, 1961.

M. D.

Secretary,
State Medical Board of Ohio

seal

Columbus, Ohio
January 27, 1961

You are hereby notified that an appeal may be taken from the above stated action of the State Medical Board. Said appeal may be taken in the time and manner provided by the Administrative Procedure Act of this State, said Act being codified as Sections 119.01 to 119.13, inclusive, of the Ohio General Code, Revised.