



# STATE MEDICAL BOARD OF OHIO

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

January 15, 1993

Henry Luander Murphy, M.D.  
1401 Indiana Avenue  
Toledo, OH 43607

Dear Doctor Murphy:

Please find enclosed a certified copy of the Findings, Order and Journal Entry approved and confirmed by the State Medical Board meeting in regular session on January 13, 1993.

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.

Very truly yours,

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

CSO:em  
Enclosures

CERTIFIED MAIL RECEIPT NO. P 055 326 089  
RETURN RECEIPT REQUESTED

cc: Edward F. Zoltanski, Esq.

CERTIFIED MAIL NO. P 055 326 090  
RETURN RECEIPT REQUESTED

Mailed 1/21/93



# STATE MEDICAL BOARD OF OHIO

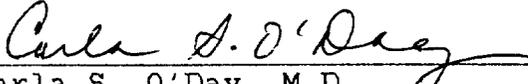
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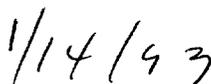
## CERTIFICATION

I hereby certify that the attached copy of the Findings, Order and Journal Entry, approved by the State Medical Board, meeting in regular session on January 13, 1993, constitute a true and complete copy of the Findings, Order and Journal Entry in the matter of Henry L. Murphy, 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

  
\_\_\_\_\_  
Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

\*

\*

HENRY LUANDER MURPHY, M.D.

\*

FINDINGS, ORDER AND JOURNAL ENTRY

This matter came on for consideration after a Notice of Summary Suspension and Opportunity for Hearing was mailed to Henry Luander Murphy, M.D., by the State Medical Board of Ohio on October 14, 1992 and again on November 5, 1992. Said notice had previously be hand-delivered to Dr. Murphy on October 15, 1992.

By letter dated October 14, 1992, notice was given to Henry Luander Murphy, M.D., that his license to practice medicine and surgery in the State of Ohio had been summarily suspended; that the State Medical Board intended to consider disciplinary action regarding said medical license; and that he was entitled to a hearing if such hearing was requested within thirty (30) days of the mailing of said notice. Said notice was sent via regular mail on or about October 14, 1992 and was hand-delivered to Dr. Murphy on October 15, 1992. In accordance with Section 119.09, Ohio Revised Code, said notice was subsequently sent on November 5, 1992 via certified mail, return receipt requested, to the last known address of Dr. Murphy, that being 1401 Indiana Avenue, Toledo, Ohio, 43607.

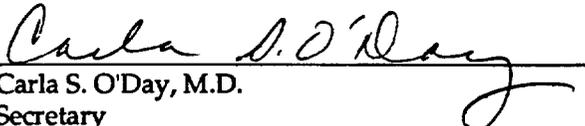
No request for hearing has been received, and more than thirty (30) days have elapsed since the last mailing of the aforesaid notice.

WHEREFORE, it is hereby ORDERED that for the reasons outlined in the October 14, 1992 letter of notice, which is attached hereto and incorporated herein, accordingly, the license of Henry Luander Murphy, M.D., to practice medicine and surgery in Ohio be Permanently  
REVOKED

This ORDER shall become effective January 13, 1993.

This ORDER is hereby entered upon the Journal of the State Medical Board of Ohio for the 13th day of January, 1993, and the original thereof shall be kept with said Journal.

(SEAL)

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

1/14/93  
Date

AFFIDAVIT

I, Debra L. Jones, being duly cautioned and sworn, do hereby depose and say:

- 1) That I am employed by the State Medical Board of Ohio (hereinafter, "The Board");
- 2) That I serve the Board in the position of Chief, Continuing Medical Education, Records, and Renewal;
- 3) That in such position I am the responsible custodian of all public licensee records maintained by the Board pertaining to individuals who have received certificates issued pursuant to Chapter 4731., Ohio Revised Code;
- 4) That I have this day carefully examined the records of the Board pertaining to Henry Luander Murphy, M.D.;
- 5) That based on such examination, I have found the last known address of record of Henry Luander Murphy, M.D., to be:

1401 Indiana Avenue  
Toledo, Ohio 43607

- 6) Further, Affiant Sayeth Naught.

  
\_\_\_\_\_  
Debra L. Jones, Chief  
Continuing Medical Education,  
Records and Renewal

Sworn to and signed before me, Lauren Lubow  
Notary Public, this 4<sup>th</sup> day of January, 1973.

  
\_\_\_\_\_  
Notary Public

**LAUREN LUBOW, Attorney At Law**  
NOTARY PUBLIC, STATE OF OHIO  
My commission has no expiration date.  
Section 147.03 R.C.



# **STATE MEDICAL BOARD OF OHIO**

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

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

October 14, 1992

### **HAND-DELIVERED**

Henry Luander Murphy, M.D.  
1401 Indiana Avenue  
Toledo, OH 43607

Dear Doctor Murphy:

Enclosed please find certified copies of the Entry of Order, the Notice of Opportunity for Hearing, and an excerpt of the Minutes of the State Medical Board, meeting in regular session on October 14, 1992, including a Motion adopting the Order of Summary Suspension and issuing the Notice of Opportunity for Hearing pursuant to Section 4731.22(D), Ohio Revised Code.

You are advised that continued practice after receipt of this Order shall be considered practicing without a certificate, in violation of Section 4731.41, Ohio Revised Code.

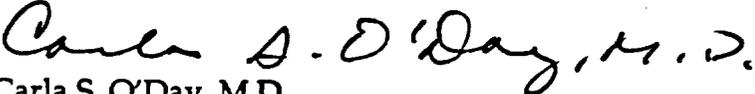
Section 119.12, Ohio Revised Code, may authorize an appeal from this Order of Summary Suspension. Such an appeal may be taken to the Franklin County Court of Common Pleas only. Such an appeal, setting forth the Order appealed from and the grounds of appeal, must be commenced by the filing of a Notice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

Henry Luander Murphy, M.D.  
Page Two

October 14, 1992

Additionally, pursuant to Chapter 119, Ohio Revised Code, you are hereby advised that you are entitled to a hearing on the allegations set fourth in the Notice of Opportunity for Hearing. If you wish to request such hearing, that request must be made in writing and be received in the offices of the State Medical Board within thirty (30) days of the time of mailing of this notice. Further information concerning such hearing is contained within the Notice of Opportunity for Hearing.

THE STATE MEDICAL BOARD OF OHIO

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

CSO:men

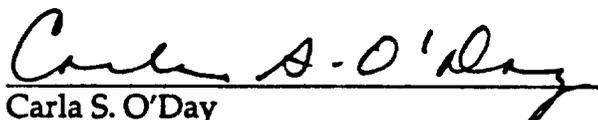
Enclosures

cc: Edward F. Zoltanski, Esq.  
2463 Nebraska Avenue  
Toledo, OH 43607

CERTIFICATION

I hereby certify that the attached copies of the Entry of Order of the State Medical Board of Ohio; the Notice of Opportunity for Hearing; and the Motion by the State Medical Board, meeting in regular session on October 14, 1992, to Adopt the Order of Summary Suspension and to Issue the Notice of Opportunity for Hearing, constitute true and complete copies of the Notice of Opportunity for Hearing, Motion, and Order of the State Medical Board of Ohio in the matter of Henry Launder Murphy, M.D., as they appear in the Journal of the State Medical Board of Ohio.

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

  
\_\_\_\_\_  
Carla S. O'Day  
Secretary

(SEAL)

10/14/92  
\_\_\_\_\_  
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 :

:

Henry Luander Murphy, M.D. :

**ENTRY OF ORDER**

This matter came on for consideration before the State Medical Board of Ohio the 14th day of October, 1992.

Pursuant to Section 4731.22(D), Ohio Revised Code, and upon recommendation of Carla S. O'Day, M.D., Secretary, and Ronald J. Kaplansky, D.P.M., Supervising Member; and

Pursuant to their determination that there is clear and convincing evidence that Henry Launder Murphy, M.D., has violated Section 4731.22(B)(19), Ohio Revised Code, as alleged in the Notice of Opportunity for Hearing which is attached hereto and fully incorporated herein, which determination is based upon review of information received pursuant to an investigation and the results of a physical and neurological examination; and

Pursuant to their further determination that Dr. Murphy's continued practice presents a danger of immediate and serious harm to the public;

The following Order is hereby entered on the Journal of the State Medical Board of Ohio for the 14th day of October, 1992:

It is hereby ORDERED that the certificate of Henry Launder Murphy, M.D., to practice medicine or surgery in the State of Ohio be summarily suspended.

It is further ORDERED that Henry Launder Murphy, M.D., shall immediately close all his medical offices and immediately refer all active patients to other appropriate physicians.

This Order shall become effective immediately.

(SEAL)

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

Secretary

*10/14/92*

Date



# STATE MEDICAL BOARD OF OHIO

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EXCERPTS FROM THE MINUTES OF OCTOBER 14, 1992

## HENRY LUANDER MURPHY, M.D. - ORDER OF SUMMARY SUSPENSION AND CITATION LETTER

At this time the Board read and considered the proposed Order of Summary Suspension and citation letter in the above matter, a copy of which shall be maintained in the exhibits section of this Journal.

DR. STEINECKER MOVED TO SEND THE CITATION LETTER TO DR. MURPHY. MR. ALBERT SECONDED THE MOTION. A roll call vote was taken:

ROLL CALL VOTE:	Dr. O'Day	- abstain
	Mr. Albert	- aye
	Dr. Stienecker	- aye
	Dr. Stephens	- aye
	Dr. Garg	- aye
	Dr. Kaplansky	- abstain
	Dr. Hom	- aye
	Dr. Agresta	- aye

The motion carried.

DR. AGRESTA MOVED TO ENTER AN ORDER OF SUMMARY SUSPENSION IN THE MATTER OF HENRY LUANDER MURPHY, M.D. DR. STEPHENS SECONDED THE MOTION. A roll call vote was taken:

ROLL CALL VOTE:	Dr. O'Day	- abstain
	Mr. Albert	- aye
	Dr. Stienecker	- aye
	Dr. Stephens	- aye
	Dr. Garg	- aye
	Dr. Kaplansky	- abstain
	Dr. Hom	- aye
	Dr. Agresta	- aye

The motion carried.



# **STATE MEDICAL BOARD OF OHIO**

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

## **NOTICE OF OPPORTUNITY FOR HEARING**

October 14, 1992

**HAND-DELIVERED**

Henry Luander Murphy, M.D.  
1401 Indiana Avenue  
Toledo, OH 43607

Dear Doctor Murphy:

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) By letter hand-delivered on September 1, 1992, the State Medical Board of Ohio notified you that you were possibly in violation of Section 4731.22(B)(19), Ohio Revised Code, and ordered you to undergo a physical examination.

This determination was based upon one or more of the following reasons:

- (a) On February 26, 1992 Investigator Donald Lay of the State Medical Board of Ohio visited your office to discuss a malpractice case. At that time Investigator Lay observed that your memory was very poor, your hand and finger manipulation was slow and unsure, while using your glasses and a magnifying glass your reading was very slow and unsure, your word pronunciation was poor, your medical assistant had to frequently assist you with medical terminology, you didn't seem to understand what you were reading, and your gait was slow and unsteady. At that time you told Investigator Lay that you were an "old man with the infirmities of old age;" and

October 14, 1992

- (b) On May 15, 1992 Investigator Lay revisited your office where he again observed your slow and unsure recollections and movements.
- (2) On September 10, 1992, Dr. John P. Conomy performed a complete physical and neurological examination at your office to assess your ability to practice. Based upon this examination, Dr. Conomy made a diagnosis of Alzheimer's Disease. This diagnosis was based in part on "profound abnormalities of (your) mental status, signifying a profound degree of dementia."

Based on the aforementioned, Dr. Conomy concluded that you are unable to practice according to acceptable and prevailing standards of care by reason of physical illness.

Your acts, conduct, and/or omissions as alleged in paragraphs (1) and (2) above, individually and/or collectively, constitute "inability to practice according to acceptable prevailing standards of care by reason of mental illness or physical illness, including, but not limited to, physical deterioration that adversely affects cognitive, motor, or perceptive skills," as that clause is used in Section 4731.22(B)(19), 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.

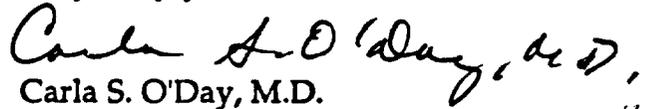
Henry Luander Murphy, M.D.  
Page 3

October 14, 1992

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:

cc: Edward F. Zoltanski, Esq.  
2463 Nebraska Avenue  
Toledo, OH 43607