VOLUNTARY SURRENDER OF CERTIFICATE TO PRACTICE MEDICINE AND SURGERY

I, Richard B. Markey, M.D., am aware of my rights to representation by counsel, the right of being formally charged and having a formal adjudicative hearing, and do hereby freely execute this document and choose to take the actions described herein.

I, Richard B. Markey, M.D., do hereby voluntarily, knowingly, and intelligently surrender my certificate to practice medicine and surgery, No. 022992, to the State Medical Board of Ohio, thereby relinquishing all rights to practice medicine and surgery in Ohio, effective immediately upon the acceptance of this Voluntary Surrender by the Secretary and Supervising Member of the State Medical Board of Ohio.

I understand that as a result of the surrender herein that I am no longer permitted to practice medicine and surgery in any form or manner in the State of Ohio. I shall not apply for a certificate to practice medicine or surgery and shall not so practice medicine or surgery in any other state. I have not practiced medicine or surgery in the State of Ohio or any other state since December 1989.

I agree that I shall be ineligible for, and shall not apply for, reinstatement of certificate to practice medicine and surgery No. 022992, or issuance of any other certificate pursuant to Chapters 4730. and 4731., Ohio Revised Code, on or after the date of signing this Voluntary Surrender of Certificate to Practice Medicine and Surgery. Any such attempted reapplication shall be considered null and void and shall not be processed by the Board.

I hereby authorize the State Medical Board of Ohio to enter upon its Journal an Order revoking my certificate to practice medicine and surgery, No. 022992, based upon my surrender contained herein, in conjunction with which I expressly waive the provision of Section 4731.22(B), Ohio Revised Code, requiring that six (6) Board Members vote to revoke said certificate, and further expressly and forever waive all rights as set forth in Chapter 119., Ohio Revised Code, including but not limited to my right to counsel, right to a hearing, right to present evidence, right to cross-examine witnesses, and right to appeal the Order of the Board revoking my certificate to practice medicine and surgery.

I, Richard B. Markey, M.D., hereby release the State Medical Board of Ohio, its members, employees, agents and officers, jointly and severally, from any and all liability arising from the within matter.

This document shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code.

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

I stipulate and agree that I am taking the action described herein in lieu of further formal disciplinary proceedings based upon the Board's allegations in its Notice of Opportunity for Hearing letter dated November 9, 1989 and in consideration of the fact that my physical disabilities as outlined in the letter of Dr. Sanford Miller dated March 30, 1990 as transmitted to the Board by my attorney have rendered me permanently and totally disabled from the practice of medicine.

I further stipulate and admit that I prescribed all of the controlled substances to my patients as alleged in the Notice of Opportunity for Hearing letter dated November 9, 1989.

Signed this 5th day of June, 1990.

Richard B. Markey, M.D.
RICHARD B. MARKEY, M.D.

Karen J. Markey
WITNESS

Calvin F. Hurd
WITNESS

Sworn to and subscribed before me this 5th day of June, 1990.

(SEAL)

Calvin F. Hurd
NOTARY PUBLIC

CALVIN F. HURD, JR., Notary Public
State of Ohio
Commission has no expiration date

Accepted by the State Medical Board of Ohio:

HENRY G. CRAMBLETT, M.D. SECRETARY	JOHN E. RAUCH, D.O. SUPERVISING MEMBER
6/6/90	6/8/90
DATE	DATE

8549S

11-9-89

STATE OF OHIO
THE STATE MEDICAL BOARD
77 SOUTH HIGH STREET
17TH FLOOR
COLUMBUS OH 43215

Richard Markey, M.D.
14100 Cedar Road
Cleveland, OH 44121

Dear Doctor Markey:

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 March 28, 1989, you produced the complete patient record of Patient 1, as identified in the attached Patient Key (not subject to public disclosure), pursuant to an investigatory subpoena. Examination of the patient record reveals that Patient 1 first consulted your office in May, 1988. However, your first office note is dated August 19, 1988, at which time you stated that Patient 1 "was habituated to Dilaudid", and that "(h)e is obviously a chemically dependent person." Your next office note, dated October 31, 1988 includes the statement that "(a)s time has progressed it has been obvious that (Patient 1) is addicted to Dilaudid 4 mg., Xanax and a few other substances" and that you "have suggested to him that he go to the hospital for detoxification."

Nevertheless, you did prescribe the following controlled substances on the dates and in the amounts indicated below:

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 1	5/6/88	DILAUDID 0/004	14	0	14
	5/9/88	DILAUDID 0/004	30	0	30
	5/11/88	DILAUDID 0/004	38	0	38
	5/17/88	DILAUDID 0/004	18	0	18
	5/21/88	DILAUDID 0/004	30	0	30
	5/23/88	DILAUDID 0/004	40	0	40
	5/27/88	DILAUDID 0/004	40	0	40
	5/28/88	DILAUDID 0/004	20	0	20
	5/28/88	XANAX 0/001 /C4	30	0	30

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 1	5/31/88	DILAUDID 0/004	32	0	32
	6/2/88	DILAUDID 0/004	30	0	30
	6/3/88	XANAX 0/001 /C4	30	0	30
	6/4/88	DILAUDID 0/004	32	0	32
	6/10/88	DILAUDID 0/004	30	0	30
	6/10/88	XANAX 0/001 /C4	30	0	30
	6/15/88	DILAUDID 0/004	35	0	35
	6/15/88	XANAX 0/001 /C4	30	0	30
	6/28/88	DILAUDID 0/004	30	0	30
	6/28/88	SERAX 0/015/C4	15	0	15
	7/1/88	SERAX 0/015/C4	15	0	15
	7/2/88	DILAUDID 0/004	25	0	25
	7/5/88	DILAUDID 0/004	30	0	30
	7/5/88	SERAX 0/030/C4	15	0	15
	7/9/88	DILAUDID 0/004	28	0	28
	7/11/88	DILAUDID 0/004	25	0	25
	7/11/88	SERAX 0/030/C4	30	0	30
	7/12/88	TYLENOL4/C3	20	0	20
	7/23/88	DILAUDID 0/004	30	0	30
	7/23/88	SERAX 0/030/C4	60	0	60
	7/26/88	DILAUDID 0/004	25	0	25
	7/29/88	DILAUDID 0/004	30	0	30
	7/29/88	XANAX 0/001 /C4	30	0	30
	7/30/88	DILAUDID 0/004	10	0	10
	8/2/88	DILAUDID 0/004	30	0	30
	8/2/88	SERAX 0/030/C4	30	0	30
	8/6/88	DILAUDID 0/004	30	0	30
	8/9/88	DILAUDID 0/004	35	0	35
	8/9/88	XANAX 0/0005 /C4	30	0	30
	8/15/88	DILAUDID 0/004	28	0	28
	8/15/88	XANAX 0/001 /C4	28	0	28
	8/19/88	DILAUDID 0/001	25	0	25
	8/20/88	DILAUDID 0/004	30	0	30
	8/20/88	XANAX 0/001 /C4	30	0	30
	8/23/88	DILAUDID 0/004	42	0	42
	8/24/88	XANAX 0/001 /C4	20	0	20
	8/30/88	DILAUDID 0/004	45	0	45
	9/3/88	DILAUDID 0/004	32	0	32
	9/3/88	XANAX 0/001 /C4	20	0	20
	9/6/88	DILAUDID 0/004	35	0	35
	9/10/88	DILAUDID 0/004	35	0	35
	9/10/88	XANAX 0/001 /C4	30	0	30
	9/13/88	DILAUDID 0/004	35	0	35
	9/14/88	DILAUDID 0/004	35	0	35
	9/14/88	XANAX 0/001 /C4	30	0	30
	9/17/88	XANAX 0/001 /C4	30	0	30
	9/19/88	DILAUDID 0/004	35	0	35
	9/19/88	DILAUDID 0/004	35	0	35
	9/19/88	DILAUDID 0/004	35	0	35
	9/19/88	DILAUDID 0/004	35	0	35
	9/23/88	DILAUDID 0/004	35	0	35

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 1	9/23/88	SERAX 0/015/C4	30	0	30
	9/26/88	DILAUDID 0/004	42	0	42
	9/26/88	DILAUDID 0/004	42	0	42
	9/26/88	XANAX 0/001 /C4	20	0	20
	9/30/88	DILAUDID 0/004	120	0	120
	9/30/88	XANAX 0/001 /C4	18	0	18
	10/1/88	DILAUDID 0/004	35	0	35
	10/4/88	DILAUDID 0/004	60	0	60
	10/8/88	DILAUDID 0/004	60	0	60
	10/15/88	DILAUDID 0/004	50	0	50
	10/15/88	XANAX 0/001 /C4	30	0	30
	10/17/88	DILAUDID 0/004	10	0	10
	10/17/88	DILAUDID 0/004	100	0	100
	10/21/88	DILAUDID 0/004	120	0	120
	10/22/88	DILAUDID 0/004	60	0	60
	10/24/88	DILAUDID 0/004	120	0	120
	10/28/88	DILAUDID 0/004			
	10/28/88	XANAX 0/001 /C4	20	0	20
	10/31/88	DILAUDID 0/004			
	10/31/88	XANAX 0/0005/C4	15	0	15
	11/1/88	DILAUDID 0/004	40	0	40
	11/1/88	XANAX 0/001 /C4	20	0	20
	11/2/88	DARVON 0/100/C4	15	0	15
	11/2/88	XANAX 0/001/C4	6	0	6
	11/2/88	XANAX 0/0005/C4	6	0	6
	11/18/88	DILAUDID 0/002	10	0	10
	11/18/88	XANAX 0/0005 /C4	24	0	24
	11/18/88	XANAX 0/001 /C4	6	0	6
	12/31/88	XANAX 0/0005 /C4	36	0	36
	1/29/89	XANAX 0/00025 /C4	30	0	30

2. Your office notes indicate that Patient 1 complained of an "abscess appearing growth near his urinary tract which causes him a great deal of pain" and "pain in his Pudendal area spreading thru out his groin." Your office notes reflect no physical examination, no diagnostic testing, nor any other attempts to diagnose or evaluate Patient 1's physical condition. Further, you failed to refer him for such diagnosis and appropriate treatment. Nevertheless, the Dilaudid prescriptions variously indicate that the prescriptions were issued for "urinary infection," "urinary tract pain," "pain," "hip pain," peri-rectal and hip pain," "severe thigh and back pain," "pain leg and back," "leg abscess," "genital pain," "urinary track (peri-rectal) abscess pain" and "urinary tract pain and detoxification."

3. Although you hold yourself out as a psychiatrist, and your office notes contain statements alluding to psychiatric disorders of Patient 1, your records fail to indicate that you ever made a psychiatric diagnosis or devised a treatment plan. Further, your records give no indication of psychotherapy and do not reflect how or whether Patient 1 is progressing.

Such acts, conduct, and/or omissions as alleged in paragraphs (1) and (2) above, individually and/or collectively, constitute "failure to use reasonable care discrimination in the administration of drugs," and "failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease," as those clauses are used in Section 4731.22(B)(2), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (1) and (2) above, individually and/or collectively, constitute "selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes," as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (1), (2) and (3) above, individually and/or collectively, constitute "a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established," as that clause is used in Section 4731.22(B)(6), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (1) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(C), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, violation of Rule 4731-11-02(C), Ohio Administrative Code, also violates Sections 4731.22(B)(2) and (6) and further, if such violation is committed purposely, knowingly or recklessly, it also constitutes a violation of Section 4731.22(B)(3).

Further, your acts, conduct, and/or omissions as alleged in paragraph (2) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(D), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, a violation of Rule 4731-11-02(D) also violates Sections 4731.22(B)(2) and (6).

(4) On or about March 28, 1989, you produced the complete patient record of Patient 2, as identified in the attached Patient Key, pursuant to an investigatory subpoena. Examination of the patient record reveals that Patient 2 first consulted you on May 23, 1986, although your first office note is dated June 27, 1986. Included in your patient record are copies of Emergency Room records dated 7-19-86, 12-6-86, 7-22-87 and 3-4-88, indicating that Patient 2 was engaging in drug-seeking behavior and was "a known drug addict." A notation dated 10/22/86 in your prescription record indicates a pharmacist contacted your office to notify you that Patient 2 was obviously "high" when she was at that pharmacy. In your second office note, dated June 19, 1987, you state that Patient 2 "mainly wants

to have medication" and that "(s)he has received a multiplicty of medications and I have to argue with her every time to try to get her out of the idea that she needs additional medication for pain, 'nerves' and sleep." Nevertheless, you did prescribe the following controlled substances on the dates and in the amounts shown below:

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 2	7/1/86	PLACIDYL 0/750/C4	15	0	15
	7/1/86	TALWIN 0/050 C4	35	0	35
	7/1/86	TYLENOL4/C3	40	0	40
	7/1/86	VALIUM 0/010/C4	50	1	100
	7/5/86	PERCODAN /C2	15	0	15
	7/8/86	DEMEROL 0/050 C2	50	0	50
	7/8/86	TRANXENE 0/015 C4	50	0	50
	7/8/86	TYLENOL4/C3	15	0	15
	7/15/86	TYLENOL4/C3	15	0	15
	7/16/86	DEMEROL 0/050 C2	35	0	35
	7/16/86	TRANXENE 0/0075	60	1	120
	8/11/86	PLACIDYL 0/750/C4	15	0	15
	8/11/86	TYLENOL4/C3	30	0	30
	8/15/86	FIORINAL /C3	18	0	18
	8/15/86	PLACIDYL 0/750/C4	15	0	15
	8/19/86	FIORINAL /C3	42	0	42
	8/19/86	PLACIDYL 0/750/C4	14	0	14
	8/19/86	VALIUM 0/010/C4	1	0	1
	8/22/86	SECONAL/C2	20	0	20
	8/22/86	VALIUM 0/010/C4	20	0	20
	9/15/86	FIORINAL /C3	20	1	40
	9/17/86	VALIUM 0/010/C4	25	0	25
	10/6/86	PERCODAN /C2	8	0	8
	10/6/86	SECONAL/C2	18	0	18
	10/6/86	XANAX 0/005/C4			
	10/10/86	PERCODAN /C2	14	0	14
	10/10/86	SECONAL/C2	14	0	14
	10/10/86	VALIUM 0/010/C4	30	1	60
	10/14/86	FIORINAL /C3	60	0	60
	10/14/86	SECONAL/C2	30	0	30
	10/17/86	TALWIN 0/050 C4	15	0	15
	10/18/86	TALWIN 0/050 C4	15	1	30
	10/18/86	VALIUM 0/010/C4	30	1	60
	10/22/86	TALWIN 0/050 C4	12	0	12
	10/27/86	PERCODAN /C2	8	0	8
	10/27/86	VALIUM 0/010/C4	25	1	50
	10/31/86	FIORINAL /C3	30	0	30
	10/31/86	SECONAL/C2	20	0	20
	11/3/86	VALIUM 0/010/C4	25	1	50
	11/7/86	FIORINAL /C3	30	0	30
	11/7/86	SECONAL/C2	15	0	15
	11/14/86	FIORINAL /C3	30	0	30
	11/14/86	SECONAL/C2	30	0	30
	11/24/86	SECONAL/C2	14	0	14
	12/6/86	PERCODAN /C2	15	0	15

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 2	12/6/86	TUINAL/C2	35	0	35
	12/6/86	XANAX 0/001/C4	60	0	60
	12/19/86	XANAX 0/0005/C4	30	0	30
	12/22/86	NEMBUTAL/C2	15	0	15
	12/22/86	PERCODAN /C2	15	0	15
	12/30/86	PERCODAN /C2	10	0	10
	12/30/86	TUINAL/C2	15	0	15
	12/30/86	XANAX 0/001/C4	50	0	50
	12/31/86	PERCODAN /C2	8	0	8
	1/2/87	PERCODAN /C2	15	0	15
	1/7/87	PERCODAN /C2	23	0	23
	1/7/87	TUINAL/C2			
	1/12/87	PERCODAN /C2			
	1/12/87	TUINAL/C2	15	0	15
	1/19/87	PERCODAN /C2	28	0	28
	1/19/87	TUINAL/C2	14	0	14
	1/19/87	TYLENOL3/C3	20	0	20
	1/19/87	VALIUM 30MG/C4	100	0	100
	1/19/87	XANAX/C4	20	0	20
	1/23/87	PERCODAN /C2	28	0	28
	1/23/87	TUINAL/C2	16	0	16
	1/23/87	VALIUM 0/010/C4	100	0	100
	1/28/87	PERCODAN /C2	28	0	28
	1/28/87	TUINAL/C2	28	0	28
	1/28/87	VALIUM 0/010/C4	108	0	108
	2/2/87	PERCODAN /C2	10	0	10
	2/11/87	PERCODAN /C2	15	0	15
	2/11/87	TUINAL/C2	14	0	14
	2/11/87	VALIUM 0/010/C4	20	0	20
	2/27/87	PERCODAN /C2	20	0	20
	2/27/87	TUINAL/C2	40	0	40
	2/27/87	VALIUM 0/010/C4	60	0	60
	3/2/87	VALIUM/C4	30	0	30
	3/2/87	TYLENOL3/C3	15	0	15
	3/3/87	PERCODAN /C2	15	0	15
	3/3/87	TUINAL/C2	60	0	60
	3/3/87	VALIUM 0/010/C4	60	0	60
	3/10/87	PLACIDYL 0/750/C4	8	1	16
	3/20/87	PERCODAN /C2	12	0	12
	3/20/87	TUINAL/C2	30	0	30
	3/20/87	VALIUM 0/010/C4	25	0	25
	3/30/87	TUINAL/C2	30	0	30
	3/30/87	VALIUM 0/010/C4	30	0	30
	4/6/87	PERCODAN /C2	8	0	8
	4/6/87	TUINAL/C2	14	0	14
	4/25/87	TYLENOL4/C3	30	0	30
	5/1/87	PERCODAN /C2	14	0	14
	5/1/87	TUINAL/C2	15	0	15
	5/6/87	PERCODAN /C2	15	0	15

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 2	5/6/87	VALIUM 0/010/C4	60	0	60
	5/8/87	PLACIDYL 0/750/C4	25	0	25
	5/18/87	PERCODAN /C2	15	0	15
	5/18/87	VALIUM 0/010/C4	50	0	50
	6/5/87	TYLENOL3/C3	10	0	10
	6/5/87	VALIUM 0/010/C4	60	0	60
	6/16/87	TYLENOL4/C3	60	0	60
	6/16/87	XANAX 0/001/C4	18	0	18
	6/19/87	FIORINAL /C3	85	0	85
	6/19/87	SECONAL/C2	30	0	30
	6/19/87	VALIUM 0/010/C4	85	0	85
	7/1/87	FIORINAL /C3	85	0	85
	7/1/87	VALIUM 0/010/C4	85	0	85
	7/6/87	FIORINAL /C3	40	0	40
	7/1/87	TUINAL/C2	30	0	30
	7/6/87	TUINAL/C2	30	0	30
	7/6/87	VALIUM 0/010/C4	60	0	60
	7/21/87	FIORINAL /C3	50	0	50
	7/21/87	TUINAL/C2	15	0	15
	7/21/87	VALIUM 0/010/C4	56	0	56
	7/24/87	TUINAL/C2	15	0	15
	7/24/87	VALIUM 0/010/C4	45	0	45
	8/3/87	FIORINAL /C3	30	0	30
	8/3/87	VALIUM 0/010/C4	30	0	30
	8/8/87	TUINAL/C2	18	0	18
	8/8/87	TYLENOL4/C3	40	1	80
	8/8/87	VALIUM 0/010/C4	40	1	80
	8/28/87	NEMBUTAL/C2	30	0	30
	8/28/87	TYLENOL4/C3	60	1	120
	8/28/87	VALIUM 0/010/C4	60	1	120
	9/4/87	FIORINAL /C3	40	0	40
	9/4/87	NEMBUTAL/C2	45	0	45
	9/4/87	PERCODAN /C2	10	0	10
	9/4/87	VALIUM 0/010/C4	60	1	120
	9/18/87	TYLENOL4/C3	10	0	10
	9/22/87	NEMBUTAL/C2	28	0	28
	9/22/87	TYLENOL4/C3	42	0	42
	9/22/87	VALIUM 0/010/C4	50	0	50
	10/2/87	DIAZEPAM/C4	60	0	60
	10/2/87	NEMBUTAL/C2	28	0	28
	10/2/87	TYLENOL4/C3	28	0	28
	10/9/87	NEMBUTAL/C2	56	0	56
	10/9/87	TYLENOL4/C3	60	0	60
	10/9/87	VALIUM 0/010/C4	60	0	60
	10/16/87	NEMBUTAL/C2	30	0	30
	10/16/87	TYLENOL4/C3	30	0	30
	10/16/87	VALIUM 0/010/C4	60	0	60
	11/3/87	NEMBUTAL/C2	60	0	60
	11/3/87	TYLENOL4/C3	120	0	120

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 2	11/3/87	VALIUM 0/010/C4	120	0	120
	11/9/87	PERCOCET/C4	15	0	15
	11/9/87	XANAX/C4	30	0	30
	11/18/87	TYLENOL4/C3	28	0	28
	11/18/87	XANAX/C4	30	0	30
	11/25/87	VALIUM 0/010/C4	60	0	60
	12/2/87	NEMBUTAL 0/100	24	0	24
	12/2/87	TYLENOL4/C3	30	1	60
	12/4/87	SECONAL/C2	20	0	20
	12/4/87	TYLOX/C2	20	0	20
	12/4/87	VALIUM 0/010/C4	56	0	56
	12/11/87	SECONAL/C2	14	0	14
	12/11/87	TYLENOL4/C3	40	0	40
	12/19/87	SECONAL/C2	30	0	30
	12/19/87	TYLENOL4/C3	50	1	100
	12/19/87	VALIUM 0/010/C4	50	1	100
	12/23/87	SECONAL/C2	20	0	20
	12/23/87	TYLENOL4/C3	40	0	40
	12/23/87	VALIUM 0/010/C4	50	0	50
	1/6/88	NEMBUTAL 0/100	20	0	20
	1/6/88	TYLENOL4/C3	30	1	60
	1/6/88	XANAX/C4	30	0	30
	1/15/88	SECONAL/C2	60	0	60
	1/15/88	TYLOX/C2	30	0	30
	1/15/88	VALIUM 0/010/C4	100	1	200
	1/20/88	NA AMYTAL/C2	50	0	50
	1/20/88	TYLOX	30	0	30
	1/20/88	XANAX 0/001/C4	60	0	60
	1/20/88	XANAX 0/0005/C4			
	2/10/88	NA AMYTAL 0/200	50	0	50
	2/10/88	TYLOX	30	0	30
	2/10/88	XANAX 0/0005/C4	45	1	90
	2/10/88	XANAX0/001/C4	60	1	120
	2/19/88	TYLENOL4/C3	40	0	40
	2/22/88	NA AMYTAL/C2	50	0	50
	2/22/88	TYLOX	30	0	30
	2/22/88	VALIUM 0/010/C4	60	1	120
	4/25/88	TRANXENE/C4	70	0	70
	4/25/88	TUINAL 0/200	40	0	40
	4/25/88	TYLENOL4/C3	40	1	80
	4/25/88	XANAX/C4	6	0	6
	4/28/88	TYLENOL4/C3	8	0	8
	5/4/88	TYLENOL4/C3	20	0	20
	5/4/88	VALIUM 0/010/C4	30	0	30
	5/6/88	NA AMYTAL 0/200	50	0	50
	5/6/88	TYLOX	40	0	40
	5/6/88	VALIUM 0/010/C4	40	0	40
	5/9/88	TYLOX	40	0	40
	5/16/88	NA AMYTAL/C2	20	0	20

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 2	5/16/88	TYLENOL4/C3	35	1	70
	5/16/88	XANAX 0/001/C4	40	1	80
	5/16/88	XANAX 0/001/C4	30	0	30
	5/31/88	NA AMYTAL/C2	30	0	30
	5/31/88	TUINAL 0/200	28	0	28
	5/31/88	TYLENOL4/C3	20	0	20
	5/31/88	XANAX/C4	50	0	50
	6/3/88	TUINAL/C2	21	0	21
	6/3/88	VALIUM 0/010/C4	50	1	100
	6/3/88	VICODIN/C3	40	0	40
	6/10/88	TYLENOL4/C3	30	0	30
	6/10/88	VALIUM 0/010/C4	30	0	30
	6/11/88	NEMBUTAL 0/100	15	0	15
	6/20/88	TUINAL/C2	14	0	14
	6/20/88	TYLENOL4/C3	30	1	60
	6/20/88	VALIUM 0/010/C4	30	1	60
	7/6/88	VALIUM 0/010/C4	30	1	60
	7/8/88	NEMBUTAL/C2	28	0	28
	7/8/88	TYLENOL4/C3	40	0	40
	7/8/88	XANAX/C4	15	0	15
	7/18/88	SECONAL O/100	20	0	20
	7/18/88	TYLENOL #4	30	0	30
	7/18/88	XANAX 0/001	40	0	40
	7/18/88	XANAX/C4	15	0	15
	7/25/88	TUINAL 0/200	30	0	30
	7/25/88	TYLENOL #4	30	0	30
	7/25/88	VALIUM 0/010/C4	60	1	120
	7/27/88	VALIUM 0/010/C4	60	0	60
	7/27/88	TYLENOL4/C3	30	0	30
	8/3/88	TYLENOL4/C3	30	0	30
	8/3/88	VALIUM 0/010/C4	30	0	30
	8/8/88	TUINAL/C2	30	0	30
	8/8/88	TYLENOL4/C3	30	1	60
	8/8/88	XANAX/C4	30	1	60
	8/8/88	XANAX/C4	3	0	3
	8/19/88	TUINAL 0/200	60	0	60
	8/19/88	TYLENOL #4	60	0	60
	8/19/88	XANAX 0/001	60	0	60
	8/26/88	NEMBUTAL/C2	28	0	28
	8/26/88	TYLENOL4/C3	56	0	56
	8/26/88	VALIUM 0/010/C4	56	0	56
	8/31/88	NEMBUTAL 0/100	28	0	28
	8/31/88	TYLENOL4/C3	56	0	56
	8/31/88	TYLENOL4/C3	3	0	3
	8/31/88	VALIUM 0/010/C4	56	0	56
	9/6/88	TYLENOL4/C3	6	0	6
	9/6/88	VALIUM 0/010/C4	12	0	12
	9/9/88	SECONAL/C2	30	0	30
	9/9/88	TYLENOL4/C3	30	0	30

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 2	9/9/88	VALIUM 0/010/C4	30	1	60
	9/14/88	TUINAL 0/200	24	0	24
	9/14/88	TYLOX 0/001	28	1	56
	9/14/88	VALIUM 0/010/C4	40	0	40
	10/25/88	SECONAL/C2	14	0	14
	10/25/88	TYLENOL4/C3	28	0	28
	10/25/88	VALIUM 0/010/C4	28	0	28
	11/2/88	NA AMYTAL 0/200	42	0	42
	11/2/88	TYLENOL4/C3	84	0	84
	11/2/88	VALIUM 0/010/C4	84	0	84
	11/2/88	XANAX/C4	9	0	9
	11/16/88	VALIUM 0/010/C4	60	0	60
	11/18/88	SECONAL/C2	60	0	60
	11/18/88	TYLENOL4/C3	30	0	30
	11/18/88	VALIUM 0/010/C4	84	0	84
	11/18/88	XANAX/C4	21	0	21
	11/23/88	TYLENOL4/C3	30	0	30
	11/23/88	XANAX/C4	30	0	30
	11/26/88	NEMBUTAL/C2	28	0	28
	11/26/88	VICODIN/C3	30	0	30
	11/26/88	XANAX /C4	60	0	60
	1/26/89	DALMANE 0/030	40	1	80
	1/26/89	VALIUM 0/010/C4	60	3	240
	1/26/89	VICODIN/C3	40	0	40
	1/26/89	XANAX/C4	30	0	30
	1/26/89	DALMANE /C4	40	1	80
	2/7/89	DALMANE/C4	40	0	40
	2/14/89	VALIUM 0/010/C4	56	1	112
	2/14/89	VICODIN/C3	30	0	30

(5) Although your office notes indicate that Patient 2 frequently reported trauma injuries and that "(h)er main symptoms of headache, sleeplessness as well as 'a lot of pain' for her injuries continue," your records fail to reflect any examination or evaluation of Patient 2's physical condition and fail to indicate the diagnosis and purpose for which the controlled substances were used.

(6) Although you hold yourself out as a psychiatrist and your office notes contain statements alluding to psychiatric disorders of Patient 2, including the June 27, 1986 note stating "(s)he stated that she was more homicidal than suicidal and when one watches her affect it is not hard to agree with her"; your records fail to indicate that you ever made a psychiatric diagnosis or devised a treatment plan. Further, your office records gave no indication of psychotherapy and do not reflect how or whether Patient 2 is progressing.

Such acts, conduct, and/or omissions as alleged in paragraphs (4) and (5) above, individually and/or collectively, constitute "failure to use reasonable care discrimination in the administration of drugs," and "failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease," as those clauses are used in Section 4731.22(B)(2), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (4) and (5) above, individually and/or collectively, constitute "selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes," as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (4), (5) and (6) above, individually and/or collectively, constitute "a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established," as that clause is used in Section 4731.22(B)(6), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (4) above, as pertaining to prescriptions written on or after November 17, 1986, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(C), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, violation of Rule 4731-11-02(C), Ohio Administrative Code, also constitutes a violation of Sections 4731.22(B)(2) and (6) and further, if such violation is committed purposely, knowingly or recklessly, it also constitutes a violation of Section 4731.22(B)(3).

Further, your acts, conduct, and/or omissions as alleged in paragraph (5) above, as pertaining to prescriptions written or after November 17, 1986, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(D), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, a violation of Rule 4731-11-02(D) also violates Sections 4731.22(B)(2) and (6).

(7) On or about March 28, 1989, you produced the complete patient record of Patient 3, as identified in the attached Patient Key, pursuant to an investigatory subpoena. Examination of the patient record reveals that Patient 3 first consulted your office on May 5, 1987 with a chief complaint of "uric acid crystals". Your first office note, dated August 29, 1988, details that, although he complained of severe pain due to kidney stones, he refused to see another physician for this condition. Your note further indicates that Patient 3 had at various times claimed to have a rectal malignancy, carcinoma of the lung and bone cancer. Your note further recites a history for Patient 3 of drug abuse, overdose, demanding controlled substances, and denying use of cocaine even though he had tested positive for cocaine. Nevertheless, you did prescribe the following controlled substances on the dates and in the amounts indicated below:

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 3	5/5/87	DILAUDID 0/004	30	0	30
	5/22/87	DILAUDID 0/004	30	0	30
	6/23/87	DILAUDID 0/004	30	0	30
	7/3/87	DILAUDID 0/004	30	0	30
	7/17/87	DILAUDID 0/004	30	0	30
	7/31/87	DILAUDID 0/004	30	0	30
	8/14/87	DILAUDID 0/004	30	0	30
	8/25/87	DILAUDID 0/004	30	0	30
	9/1/87	DILAUDID 0/004	35	0	35
	9/14/87	DILAUDID 0/004	40	0	40
	9/23/87	DILAUDID 0/004	40	0	40
	10/2/87	DILAUDID 0/004	40	0	40
	10/12/87	DILAUDID 0/004	40	0	40
	10/20/87	DILAUDID 0/004	40	0	40
	10/27/87	DILAUDID 0/004	40	0	40
	11/2/87	DILAUDID 0/004	40	0	40
	11/9/87	DILAUDID 0/004	40	0	40
	11/14/87	DILAUDID 0/004	40	0	40
	11/18/87	DILAUDID 0/004	20	0	20
	11/23/87	DILAUDID 0/004	40	0	40
	11/30/87	DILAUDID 0/004	40	0	40
	12/7/87	DILAUDID 0/004	40	0	40
	12/12/87	DILAUDID 0/004	35	0	35
	12/18/87	DILAUDID 0/004	30	0	30
	12/22/87	DILAUDID 0/004	75	0	75
	1/5/88	DILAUDID 0/004	75	0	75
	1/12/88	DILAUDID 0/004	62	0	62
	1/18/88	DILAUDID 0/004	35	0	35
	1/22/88	DILAUDID 0/004	40	0	40
	1/23/88	DILAUDID 0/004	20	0	20
	1/27/88	DILAUDID 0/004	35	0	35
	2/1/88	DILAUDID 0/004	35	0	35
	2/1/88	NOLUDAR/C3	8	0	8
	2/8/88	DILAUDID 0/004	70	0	70
	2/8/88	NOLUDAR/C3	30	0	30
	2/16/88	DILAUDID 0/004	37	0	37
	2/19/88	DILAUDID 0/004	40	0	40
	2/23/88	DILAUDID	35	0	35
	2/26/88	DILAUDID 0/004	70	0	70
	2/27/88	DILAUDID 0/004	40	0	40
	3/9/88	DILAUDID 0/004	40	0	40
	3/9/88	NOLUDAR/C3	15	0	15
	3/14/88	DILAUDID 0/004	40	0	40
	3/14/88	NOLUDAR/C3	15	0	15
	3/17/88	DILAUDID 0/004	40	0	40
	3/21/88	DILAUDID 0/004	60	0	60
	3/21/88	NOLUDAR/C3	20	0	20
	3/28/88	DILAUDID 0/004	40	0	40
	3/29/88	DILAUDID 0/004	10	0	10
	4/2/88	DILAUDID 0/004	40	0	40
	4/2/88	NOLUDAR/C3	20	0	20
	4/5/88	DILAUDID 0/004	20	0	20

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 3	4/8/88	DILAUDID 0/004	30	0	30
	4/11/88	DILAUDID 0/004	30	0	30
	4/11/88	DILAUDID 0/004	30	0	30
	4/11/88	NOLUDAR/C3	15	0	15
	4/13/88	DILAUDID 0/004	30	0	30
	4/16/88	DILAUDID 0/004	30	0	30
	4/18/88	DILAUDID 0/004	40	0	40
	4/19/88	DILAUDID 0/004	30	0	30
	4/25/88	DILAUDID 0/004	35	0	35
	4/26/88	DILAUDID 0/004	20	0	20
	4/30/88	DILAUDID 0/004	35	0	35
	5/2/88	DILAUDID 0/004	35	0	35
	5/4/88	DILAUDID 0/004	25	0	25
	5/6/88	DILAUDID 0/004	30	0	30
	5/7/88	DILAUDID 0/004	18	0	18
	5/9/88	DILAUDID 0/004	25	0	25
	5/9/88	NOLUDAR/C3	15	0	15
	5/13/88	DILAUDID 0/004	35	0	35
	5/16/88	DILAUDID 0/004	40	0	40
	5/18/88	DILAUDID 0/004	35	0	35
	5/18/88	NOLUDAR/C3	25	0	25
	5/20/88	DILAUDID 0/004	35	0	35
	5/21/88	DILAUDID 0/004	32	0	32
	5/24/88	DILAUDID 0/004	30	0	30
	5/28/88	DILAUDID 0/004	40	0	40
	6/1/88	DILAUDID 0/004	32	0	32
	6/4/88	DILAUDID 0/004	38	0	38
	6/6/88	DILAUDID O/004	25	0	25
	6/7/88	DILAUDID 0/004	35	0	35
	6/10/88	DILAUDID 0/004	35	0	35
	6/11/88	NOLUDAR /C3	25	0	25
	6/15/88	DILAUDID 0/004	35	0	35
	6/18/88	DILAUDID 0/004	20	0	20
	6/22/88	DILAUDID 0/004	20	0	20
	6/24/88	DILAUDID 0/004	35	0	35
	6/27/88	DILAUDID 0/004	30	0	30
	6/29/88	DILAUDID 0/004	35	0	35
	7/2/88	DILAUDID 0/004	35	0	35
	7/6/88	DILAUDID 0/004	32	0	32
	7/6/88	NOLUDAR/C3	20	0	20
	7/11/88	DILAUDID 0/004	35	0	35
	7/22/88	DILAUDID 0/004	38	0	38
	7/26/88	DILAUDID 0/004	32	0	32
	7/29/88	DILAUDID 0/004	35	0	35
	8/3/88	DILAUDID 0/004	35	0	35
	8/3/88	NOLUDAR/C3	15	0	15
	8/3/88	XANAX 0/001/C4	30	0	30
	8/6/88	DILAUDID 0/004	32	0	32
	8/9/88	DILAUDID 0/004	35	0	35
	8/10/88	XANAX 0/0005/C4	30	0	30
	8/15/88	DILAUDID 0/004	4	0	4
	8/16/88	DILAUDID 0/004	32	0	32

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 3	8/16/88	XANAX/C4	30	0	30
	8/19/88	DILAUDID 0/004	32	0	32
	9/10/88	DILAUDID 0/004	32	0	32
	9/10/88	NOLUDAR/C3	15	0	15
	9/10/88	XANAX 0/001/C4	30	0	30
	9/16/88	DILAUDID 0/004	35	0	35
	9/16/88	XANAX 0/001/C4	35	0	35
	9/17/88	DILAUDID 0/004	22	0	22
	9/18/88	DILAUDID 0/004	25	0	25
	9/24/88	DILAUDID 0/004	35	0	35
	9/24/88	NOLUDAR/C3	20	0	20
	9/24/88	XANAX 0/001/C4	35	0	35
	9/27/88	DILAUDID 0/004	35	0	35
	9/28/88	DILAUDID 0/004	35	0	35
	9/28/88	XANAX/C4	60	0	60
	10/5/88	DILAUDID 0/004	35	0	35
	10/10/88	DILAUDID 0/004	35	0	35
	10/10/88	DILAUDID 0/004	15	0	15
	10/10/88	NOLUDAR/C3	25	0	25
	10/10/88	XANAX 0/001/C4	30	0	30
	10/18/88	DILAUDID 0/004	35	0	35
	10/22/88	DILAUDID 0/004	35	0	35
	10/25/88	DILAUDID 0/004	33	0	33
	10/25/88	VALIUM 0/010/C4	35	0	35
	10/31/88	DILAUDID 0/004	30	0	30
	10/31/88	VALIUM 0/010/C4	35	0	35
	11/8/88	DILAUDID 0/004	28	0	28
	11/8/88	VALIUM 0/010/C4	35	2	70
	11/15/88	DILAUDID 0/004	25	0	25
	11/15/88	VALIUM 0/010/C4	35	0	35
	11/21/88	DILAUDID 0/004	24	0	24
	11/21/88	NOLUDAR/C3	18	0	18

(8) Although your office notes indicate that Patient 3 reported a variety of physical complaints, your records reflect no physical examination or evaluation of Patient 3's physical condition, no diagnostic testing nor any other attempts to document, diagnose or evaluate Patient 3. Further, you failed to refer him to another physician for diagnosis and appropriate treatment. Further, your patient records fail to indicate the diagnosis and purpose for which the controlled substances were used.

(9) Although you hold yourself out as a psychiatrist and your office notes contain statements alluding to psychiatric disorders of Patient 3, including a statement that Patient 3 "certainly seems to be asocial human being," you made no psychiatric diagnosis and devised no treatment plan. Further, your records contain no indication of psychotherapy or of the progress of the patient, but consist primarily of a summary of Patient 3's attempts to obtain Dilaudid.

Such acts, conduct, and/or omissions as alleged in paragraphs (7) and (8) above, individually and/or collectively, constitute "failure to use reasonable care discrimination in the administration of drugs," and "failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease," as those clauses are used in Section 4731.22(B)(2), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (7) and (8) above, individually and/or collectively, constitute "selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes," as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (7), (8) and (9) above, individually and/or collectively, constitute "a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established," as that clause is used in Section 4731.22(B)(6), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (7) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(C), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, violation of Rule 4731-11-02(C), Ohio Administrative Code, also violates Sections 4731.22(B)(2) and (6) and further, if such violation is committed purposely, knowingly or recklessly, it also constitutes a violation of Section 4731.22(B)(3).

Further, your acts, conduct, and/or omissions as alleged in paragraph (8) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(D), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, a violation of Rule 4731-11-02(D) also violates Sections 4731.22(B)(2) and (6).

(10) On or about March 28, 1989 you produced the complete patient record of Patient 4, as identified in the attached Patient Key, pursuant to an investigatory subpoena. Examination of the patient record reveals that Patient 4 first consulted your office May 29, 1987 with a complaint of back pain and abdominal pain. Your first office note is dated August 4, 1987 at which time you stated that "I think that he (Patient 4) is addicted to Dilaudid but he seems to need it for generalized body pain for which he carries his hospital records -- in order to show any physician who asks for them. We are not trying to detoxify or get him off DILAUDID at the present time as I think that he has severe problems with pain on a physiologic and physical basis. He comes regularly to his appointments fortnightly; I am not sure whether he comes primarily for the DILAUDID and SOMA or for psychotherapy."

Your next office note dated April 6, 1988 includes the statement that "(i)t seems as though (Patient 4) is unable to get along without Dilaudid as months progress even though (Patient 4) has said he will get a doctor more appropriate to treating pain." In the same office note you go on to state that "We discovered today, (Patient 4) and a man and female patient have the same phone number and live near to each other in Cleveland Heights. Not only is (Patient 4) dependent upon medication but I wonder if this group is getting drugs from other doctors and not telling the other physicians."

Nevertheless, you did prescribe the following controlled substances on the dates and in the amounts indicated below:

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 4	5/29/87	DILAUDID 0/004	25	0	25
	6/26/87	DILAUDID 0/004	30	0	30
	7/8/87	DILAUDID 0/004	30	0	30
	7/24/87	DILAUDID 0/004	30	0	30
	8/7/87	DILAUDID 0/004	30	0	30
	8/21/87	DILAUDID 0/004	30	0	30
	8/29/87	DILAUDID 0/004	30	0	30
	9/2/87	DILAUDID 0/004	40	0	40
	9/15/87	DILAUDID 0/004	40	0	40
	10/16/87	DILAUDID 0/004	40	0	40
	10/27/87	DILAUDID 0/004	40	0	40
	11/4/87	DILAUDID 0/004	30	0	30
	11/11/87	DILAUDID 0/004	35	0	35
	11/16/87	DILAUDID 0/004	35	0	35
	11/20/87	DILAUDID 0/004	40	0	40
	11/27/87	DILAUDID 0/004	40	0	40
	12/4/87	DILAUDID 0/004	40	0	40
	12/11/87	DILAUDID 0/004	35	0	35
	12/16/87	DILAUDID 0/004	35	0	35
	12/21/87	DILAUDID 0/004	75	0	75
	12/23/87	DILAUDID 0/004	15	0	15
	1/5/88	DILAUDID 0/004	40	0	40
	1/8/88	DILAUDID 0/004	40	0	40
	1/16/88	DILAUDID 0/004	38	0	38
	1/17/88	DILAUDID 0/004	45	0	45
	1/19/88	DILAUDID 0/004			
	1/23/88	DILAUDID 0/004	35	0	35
	1/28/88	DILAUDID 0/004	35	0	35
	2/1/88	DILAUDID 0/004	35	0	35
	2/5/88	DILAUDID 0/004	35	0	35
	2/9/88	DILAUDID 0/004	40	0	40
	2/9/88	NOLUDAR/C3	30	0	30
	2/16/88	DILAUDID 0/004	40	0	40
	2/16/88	NEMBUTAL 0/100	20	0	20
	2/20/88	DILAUDID 0/004	35	0	35
	2/24/88	DILAUDID 0/004	75	0	75
	2/24/88	NEMBUTAL 0/100	20	0	20
	2/26/88	DILAUDID 0/004	40	0	40

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 4	3/7/88	DILAUDID 0/004	40	0	40
	3/8/88	DILAUDID 4MG	25	0	25
	3/8/88	NEMBUTAL 0/100	20	0	20
	3/14/88	DILAUDID O/OO4	40	0	40
	3/14/88	NEMBUTAL 0/100	20	0	20
	3/19/88	DILAUDID 0/004	40	0	40
	3/22/88	DILAUDID 0/004	40	0	40
	3/22/88	NEMBUTAL 0/100	20	0	20
	3/26/88	DILAUDID O/004	40	0	40
	4/1/88	DILAUDID 0/004	40	0	40
	4/1/88	NEMBUTAL 0/1OO	20	0	20
	4/2/88	DILAUDID 0/004	15	0	15
	4/6/88	DILAUDID 0/004	40	0	40
	4/11/88	DILAUDID 0/004	35	0	35
	4/15/88	DILAUDID 0/004	35	0	35
	4/19/88	DILAUDID 0/004	40	0	40
	4/21/88	DILAUDID 0/004	10	0	10
	4/25/88	DILAUDID 0/004	40	0	40
	4/29/88	DILAUDID 0/004	35	0	35
	5/2/88	DILAUDID 0/004	35	0	35
	5/5/88	DILAUDID 0/004	30	0	30
	5/9/88	DILAUDID 0/004	35	0	35
	5/13/88	DILAUDID 0/004	35	0	35
	5/16/88	DILAUDID 0/004	35	0	35
	5/17/88	DILAUDID 0/004	35	0	35
	5/18/88	DILAUDID 0/004	15	0	15
	5/21/88	DILAUDID 0/004	35	0	35
	5/24/88	DILAUDID 0/004	35	0	35
	5/27/88	DILAUDID 0/004	28	0	28
	5/28/88	DILAUDID 0/004	12	0	12
	5/31/88	DILAUDID 0/004	30	0	30
	6/4/88	DILAUDID 0/004	35	0	35
	6/4/88	NOLUDAR/C3			
	6/8/88	DILAUDID 0/004	35	0	35
	6/13/88	DILAUDID 0/004	35	0	35
	6/17/88	DILAUDID 0/004	35	0	35
	6/17/88	NOLUDAR/C3	15	0	15
	6/21/88	DILAUDID 0/004	35	0	35
	6/25/88	DILAUDID 0/004	35	0	35
	6/29/88	DILAUDID 0/004	35	0	35
	7/5/88	DILAUDID 0/004	35	0	35
	7/5/88	NOLUDAR/C3	15	0	15
	7/11/88	DILAUDID 0/004	35	0	35
	7/18/88	DILAUDID 0/004	35	0	35
	7/18/88	NOLUDAR/C3	15	0	15
	7/23/88	DILAUDID 0/004	35	0	35
	7/29/88	DILAUDID 0/004	35	0	35
	8/3/88	DILAUDID 0/004	35	0	35
	8/3/88	XANAX/C4	30	0	30
	8/8/88	DILAUDID 0/004	35	0	35

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 4	8/12/88	DILAUDID 0/004	35	0	35
	8/12/88	NEMBUTAL 0/100	15	0	15
	8/17/88	DILAUDID 0/004	35	0	35
	8/23/88	DILAUDID 0/004	35	0	35
	8/27/88	DILAUDID 0/004	35	0	35
	8/31/88	DILAUDID 0/004	35	0	35
	9/6/88	DILAUDID 0/004	35	0	35
	9/6/88	NOLUDAR/C3	20	0	20
	9/9/88	DILAUDID 0/004	35	0	35
	9/13/88	DILAUDID 0/004	35	0	35
	9/16/88	DILAUDID 0/004	35	0	35
	9/23/88	DILAUDID 0/004	35	0	35
	9/23/88	NOLUDAR/C3	20	0	20
	9/26/88	DILAUDID 0/004	40	0	40
	9/26/88	DILAUDID 0/004	35	0	35
	9/30/88	DILAUDID 0/004	35	0	35
	10/1/88	DILAUDID 0/004	60	0	60
	11/18/88	DILAUDID 0/004	35	0	35
	11/22/88	DILAUDID 0/004	15	0	15

(11) Your office notes indicate that Patient 4 complained of pain in the back and the abdominal area and brought "...his hospital record of a severe injury from a motorcycle crash several years ago in which his fiancee was killed and he was critically injured." Your notes further state that Patient 4 "...had a splenectomy and other internal hemorrhages as well as multiple fractured bones ... was held in bilateral leg traction for several months to straighten out his femora and (Patient 4) still has a difficult time walking." You further state that "(p)art of the difficulty (Patient 4) has today is that he has gained so much weight as he is extremely obese." However, your office notes reflect no measurement of Patient 4's weight, no physical examination, no diagnostic testing, nor any other attempts to document, diagnose, or evaluate Patient 4's physical condition despite the fact that the trauma recounted occurred in 1976 and despite Patient 4's lack of cooperation that he seek consultation from a "doctor more appropriate to treating pain." Nevertheless, during a time period of approximately one and a half years, you issued Dilaudid prescriptions for "pain," "generalized body pain" and "total back and body pain."

(12) Although you hold yourself out as a psychiatrist and your office notes contain statements alluding to psychiatric disorders of Patient 4 and to psychotherapeutic sessions, your records fail to indicate that you ever made a psychiatric diagnosis or devised a treatment plan. Further, your records fail to indicate how or whether Patient 4 is progressing.

Such acts, conduct, and/or omissions as alleged in paragraphs (10) and (11) above, individually and/or collectively, constitute "failure to use reasonable care discrimination in the administration of drugs," and "failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease," as those clauses are used in Section 4731.22(B)(2), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (10) and (11) above, individually and/or collectively, constitute "selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes," as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (10), (11) and (12) above, individually and/or collectively, constitute "a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established," as that clause is used in Section 4731.22(B)(6), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (10) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(C), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, violation of Rule 4731-11-02(C), Ohio Administrative Code, also violates Sections 4731.22(B)(2) and (6) and further, if such violation is committed purposely, knowingly or recklessly, it also constitutes a violation of Section 4731.22(B)(3).

Further, your acts, conduct, and/or omissions as alleged in paragraph (11) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(D), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, a violation of Rule 4731-11-02(D) also violates Sections 4731.22(B)(2) and (6).

(13) On or about March 28, 1989 you produced the complete patient record of Patient 5, as identified in the attached Patient Key (not subject to public disclosure), pursuant to an investigatory subpoena. Examination of the patient record reveals that Patient 5 first consulted your office on May 14, 1988. However, your first and only office note is dated December 31, 1988, at which time you stated that Patient 5 had been referred by a person unknown to the office "for severe anxiety, bad dreams and particularly for feeling discouragement." Your note reflects that the patient reported a "ruptured disc or two (2)" but that the patient "kept procrastinating and to this point has never faced the surgery even though he was warned repeatedly that his pain medication (DILAUDID -0/004) would be discontinued. The medication was tapered and stopped in early December, 1988 even though he pleaded for any amount of it."

Nevertheless, you did prescribe the following controlled substances on the dates and in the amounts indicated below:

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 5	5/14/88	DILAUDID 0/004	14	0	14
	5/18/88	SERAX 0/030/C4	30	0	30
	6/7/88	DILAUDID 0/004	20	0	20
	6/7/88	VALIUM 0/010/C4	25	0	25
	6/11/88	DILAUDID 0/004			
	6/18/88	DILAUDID 0/004	30	0	30
	6/24/88	DILAUDID 0/004	30	0	30
	6/24/88	VALIUM 0/010/C4	30	0	30
	7/1/88	DILAUDID 0/004	25	0	25
	7/1/88	VALIUM 0/010/C4	30	0	30
	7/6/88	DILAUDID 0/004	15	0	15
	7/6/88	VALIUM 0/010/C4	25	0	25
	7/9/88	DILAUDID 0/004	18	0	18
	7/9/88	VALIUM 0/010/C4	30	0	30
	7/18/88	DILAUDID 0/004	25	0	25
	7/18/88	VALIUM 0/010/C4	30	0	30
	7/23/88	DILAUDID 0/004	25	0	25
	7/29/88	DILAUDID 0/004	28	0	28
	7/29/88	VALIUM 0/010/C4	30	0	30
	8/6/88	DILAUDID 0/004	28	0	28
	8/6/88	VALIUM 0/010/C4	28	0	28
	8/15/88	DILAUDID 0/004	26	0	26
	8/15/88	VALIUM 0/010/C4	35	0	35
	8/19/88	DILAUDID 0/004	28	0	28
	8/22/88	DILAUDID 0/004	35	0	35
	8/24/88	DILAUDID 0/004	25	0	25
	8/24/88	VALIUM 0/010/C4	30	0	30
	8/27/88	DILAUDID 0/004	35	0	35
	8/27/88	VALIUM 0/010/C4	30	0	30
	9/3/88	DILAUDID 0/004	30	0	30
	9/3/88	VALIUM 0/010/C4	35	0	35
	9/7/88	DILAUDID 0/004	28	0	28
	9/7/88	VALIUM 0/010/C4	38	0	38
	9/10/88	DILAUDID 0/004	28	0	28
	9/10/88	VALIUM 0/010/C4	30	0	30
	9/10/88	VALIUM 0/010/C4	30	0	30
	9/16/88	DILAUDID 0/004	30	0	30
	9/23/88	DILAUDID 0/004	30	0	30
	9/23/88	VALIUM 0/010/C4	30	0	30
	9/28/88	DILAUDID 0/004	32	0	32
	9/28/88	VALIUM 0/010/C4	30	0	30
	10/1/88	DILAUDID 0/004	25	0	25
	10/4/88	DILAUDID 0/004	25	0	25
	10/7/88	DILAUDID 0/004	30	0	30
	10/7/88	VALIUM 0/010/C4	30	0	30
	10/11/88	DILAUDID 0/004	25	0	25
	10/15/88	DILAUDID 0/004	30	0	30
	10/15/88	VALIUM 0/010/C4	30	0	30
	10/18/88	DILAUDID 0/004	25	0	25
	10/18/88	VALIUM 0/010/C4	75	0	75

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 5	10/21/88	DILAUDID 0/004	35	0	35
	10/26/88	VALIUM 0/010/C4	30	0	30
	10/28/88	DILAUDID 0/004	32	0	32
	10/31/88	VALIUM 0/010/C4	35	0	35
	11/8/88	DILAUDID 0/004	32	0	32
	11/8/88	VALIUM 0/010/C4	35	0	35
	11/12/88	DILAUDID 0/004	28	0	28
	11/12/88	VALIUM 0/010/C4	28	0	28
	11/18/88	DILAUDID 0/004	25	0	25
	11/23/88	DILAUDID 0/004	28	0	28
	11/23/88	VALIUM 0/010/C4	35	0	35
	11/28/88	DILAUDID 0/004	28	0	28
	11/28/88	VALIUM 0/010/C4	35	0	35
	12/7/88	DILAUDID 0/004	28	0	28
	12/7/88	VALIUM 0/010/C4	35	0	35
	12/20/88	VALIUM 0/010/C4	35	0	35
	12/28/88	VALIUM 0/010/C4	35	0	35

(14) Your office note indicates that Patient 5 complained of severe pain in his back and procrastinated having surgey for a "ruptured disc or two (2)". Your office notes relfect no physical examination, no diagnostic testing, nor any other attempts to diagnose or evaluate Patient 5's physical condition. Further, you failed to refer Patient 5 for such diagnosis and appropriate treatment. Nevertheless, Dilaudid prescriptions variously indicate that the prescriptions were issued for "severe back pain," "pain," "back pain," "back and dental pain" and "leg pain".

(15) Although you hold yourself out as a psychiatrist and your office record indicates three psychiatric diagnoses for Patient 5, your record contains a single office note dated December 31, 1988, at which time you indicate that Patient 5 has been seen thirty-eight (38)times. Your note fails to indicate that you ever devised a treatment plan or how or whether Patient 5 progressed during his treatment by you.

Such acts, conduct, and/or omissions as alleged in paragraphs (13) and (14) above, individually and/or collectively, constitute "failure to use reasonable care discrimination in the administration of drugs," and "failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease," as those clauses are used in Section 4731.22(B)(2), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (13) and (14) above, individually and/or collectively, constitute "selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes," as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (13), (14) and (15) above, individually and/or collectively, constitute "a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established," as that clause is used in Section 4731.22(B)(6), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (13) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(C), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, violation of Rule 4731-11-02(C), Ohio Administrative Code, also violates Sections 4731.22(B)(2) and (6) and further, if such violation is committed purposely, knowingly or recklessly, it also constitutes a violation of Section 4731.22(B)(3).

Further, your acts, conduct, and/or omissions as alleged in paragraph (14) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(D), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, a violation of Rule 4731-11-02(D) also violates Sections 4731.22(B)(2) and (6).

(16) On or about March 28, 1989, you produced the complete patient record of Patient 6, as identified in the attached Patient Key, pursuant to an investigatory subpoena. Examination of the patient record reveals that Patient 6 first consulted your office in September 1988. However, your first and only office note is dated March 1, 1989. You describe Patient 6 as being dependent, insecure, and having a low confidence level. You also relate that Patient 6's common-law husband is Patient 11.

Nevertheless, you did prescribe the following controlled substances on the dates and in the amounts indicated below:

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 6	9/27/88	PERCOCET	20	0	20
	10/8/88	DILAUDID 0/004	30	0	30
	10/14/88	DILAUDID 0/004	35	0	35
	10/21/88	DILAUDID 0/004	28	0	28
	10/25/88	DILAUDID 0/004	32	0	32
	10/31/88	DILAUDID 0/004	30	0	30
	11/8/88	DILAUDID 0/004	30	0	30
	11/12/88	DILAUDID 0/004	28	0	28
	11/18/88	DILAUDID 0/004	28	0	28
	11/21/88	DILAUDID 0/004	27	0	27
	11/28/88	DILAUDID 0/004	30	0	30
	12/6/88	DILAUDID 0/004	28	0	28
	12/20/88	DILAUDID 0/004	28	0	28
	12/23/88	DILAUDID 0/004	28	0	28
	12/27/88	DILAUDID 0/004	32	0	32
	12/29/88	DILAUDID 0/004	28	0	28
	1/3/89	DILAUDID 0/004	28	0	28
	1/10/89	TYLENOL4/C3	50	0	50
	1/26/89	TYLENOL4/C3	30	0	30
	2/9/89	TYLENOL4/C3	40	0	40

(17) Your office notes indicate that Patient 6 complained of "constant pain not only during her menstrual period but also during the intervals between them ... had a Laminectomy recently and complains less of her back pain." Yet, your office notes reflect no physical examination, no diagnostic testing, nor any other attempts to document, diagnosis or evaluate Patient 6's physical condition. Nevertheless, the Percocet and Dilaudid prescriptions were issued for "severe endometriosis," and "endometriosis" and "endometriosis pain."

(18) Although you hold yourself out as a psychiatrist and diagnosed Patient 6 as having an "Obsessive Compulsive Disorder" and "Somatization Disorder," your office record contains a single office note dated March 1, 1989 which fails to indicate that you ever devised a treatment plan and fails to reveal whether you ever provided treatment or follow-up for Patient 6's psychiatric disorders and how or whether Patient 6 progressed.

Such acts, conduct, and/or omissions as alleged in paragraphs (16) and (17) above, individually and/or collectively, constitute "failure to use reasonable care discrimination in the administration of drugs," and "failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease," as those clauses are used in Section 4731.22(B)(2), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (16) and (17) above, individually and/or collectively, constitute "selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes," as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (16), (17) and (18) above, individually and/or collectively, constitute "a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established," as that clause is used in Section 4731.22(B)(6), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (16) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(C), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, violation of Rule 4731-11-02(C), Ohio Administrative Code, also violates Sections 4731.22(B)(2) and (6) and further, if such violation is committed purposely, knowingly or recklessly, it also constitutes a violation of Section 4731.22(B)(3).

Further, your acts, conduct, and/or omissions as alleged in paragraph (17) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(D), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, a violation of Rule 4731-11-02(D) also violates Sections 4731.22(B)(2) and (6).

(19) On or about March 28, 1989, you produced the complete patient record of Patient 7, as identified in the attached Patient Key, pursuant to an investigatory subpoena. Examination of the patient record reveals that Patient 7 first consulted your office May 19, 1987 and began receiving prescriptions for controlled substances. However, your first office note is dated June 17, 1987. Your records reflect that you did prescribe the following controlled substances on the dates and in the amounts indicated:

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 7	5/19/87	DILAUDID 0/004/C2	30	0	30
	5/27/87	DILAUDID 0/004/C2	28	0	28
	6/2/87	DILAUDID 0/004/C2	30	0	30
	6/10/87	DILAUDID 0/004/C2	30	0	30
	6/17/87	DILAUDID 0/004/C2	30	0	30
	6/24/87	DILAUDID 0/004/C2	30	0	30
	7/1/87	DILAUDID 0/004/C2	30	0	30
	7/8/87	DILAUDID 0/004/C2	30	0	30
	7/15/87	DILAUDID 0/004/C2	30	0	30
	7/22/87	DILAUDID 0/004/C2	30	0	30
	7/29/87	DILAUDID 0/004/C2	30	0	30
	8/4/87	DILAUDID 0/004/C2	30	0	30
	8/11/87	DILAUDID 0/004/C2	30	0	30
	8/18/87	DILAUDID 0/004/C2	30	0	30
	8/25/87	DILAUDID 0/004/C2	30	0	30
	9/1/87	DILAUDID 0/004/C2	30	0	30
	9/5/87	DILAUDID 0/004/C2	40	0	40
	9/15/87	DILAUDID 0/004/C2	30	0	30
	9/22/87	DILAUDID 0/004/C2	30	0	30
	9/29/87	DILAUDID 0/004/C2	30	0	30
	10/6/87	DILAUDID 0/004/C2	30	0	30
	10/13/87	DILAUDID 0/004/C2	30	0	30
	10/20/87	DILAUDID 0/004/C2	30	0	30
	10/27/87	DILAUDID 0/004/C2	30	0	30
	11/2/87	DILAUDID 0/004/C2	30	0	30
	11/9/87	DILAUDID 0/004/C2	30	0	30
	11/16/87	DILAUDID 0/004/C2	30	0	30
	11/23/87	DILAUDID 0/004/C2	30	0	30
	11/30/87	DILAUDID 0/004/C2	30	0	30
	12/7/87	DILAUDID 0/004/C2	30	0	30
	12/14/87	DILAUDID 0/004/C2	30	0	30
	12/21/87	DILAUDID 0/004/C2	62	0	62
	1/6/88	DILAUDID 0/004/C2	30	0	30
	1/13/88	DILAUDID 0/004/C2	30	0	30
	1/18/88	DILAUDID 0/004/C2	30	0	30
	1/25/88	DILAUDID 0/004/C2	30	0	30
	2/1/88	DILAUDID 0/004/C2	30	0	30
	2/5/88	DILAUDID 0/004/C2	30	0	30
	2/12/88	DILAUDID 0/004/C2	30	0	30
	2/17/88	DILAUDID 0/004/C2	40	0	40
	2/26/88	DILAUDID 0/004/C2	60	0	60
	3/7/88	DILAUDID 0/004/C2	30	0	30
	3/11/88	DILAUDID 0/004/C2	30	0	30
	3/19/88	DILAUDID 0/004/C2	30	0	30

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 7	3/25/88	DILAUDID 0/004/C2	30	0	30
	4/1/88	DILAUDID 0/004/C2	30	0	30
	4/6/88	DILAUDID 0/004/C2	30	0	30
	4/15/88	DILAUDID 0/004/C2	30	0	30
	4/20/88	DILAUDID 0/004/C2	30	0	30
	4/27/88	DILAUDID 0/004/C2	30	0	30
	5/4/88	DILAUDID 0/004/C2	30	0	30
	5/10/88	DILAUDID 0/004/C2	30	0	30
	5/18/88	DILAUDID 0/004/C2	30	0	30
	5/25/88	DILAUDID 0/004/C2	30	0	30
	6/1/88	DILAUDID 0/004/C2	30	0	30
	6/8/88	DILAUDID 0/004/C2	30	0	30
	6/15/88	DILAUDID 0/004/C2	30	0	30
	6/22/88	DILAUDID 0/004/C2	30	0	30
	6/29/88	DILAUDID 0/004/C2	30	0	30
	7/6/88	DILAUDID 0/004/C2	30	0	30
	7/12/88	DILAUDID 0/004/C2	30	0	30
	7/19/88	DILAUDID 0/004/C2	30	0	30
	7/25/88	DILAUDID 0/004/C2	30	0	30
	7/29/88	DILAUDID 0/004/C2	30	0	30
	8/5/88	DILAUDID 0/004/C2	30	0	30
	8/12/88	DILAUDID 0/004/C2	30	0	30
	8/19/88	DILAUDID 0/004/C2	30	0	30
	8/26/88	DILAUDID 0/004/C2	30	0	30
	9/2/88	DILAUDID 0/004/C2	30	0	30
	9/9/88	DILAUDID 0/004/C2	30	0	30
	9/16/88	DILAUDID 0/004/C2	30	0	30
	9/23/88	DILAUDID 0/004/C2	30	0	30
	9/30/88	DILAUDID 0/004/C2	30	0	30
	10/7/88	DILAUDID 0/004/C2	30	0	30
	10/14/88	DILAUDID 0/004/C2	30	0	30
	10/21/88	DILAUDID 0/004/C2	30	0	30
	10/28/88	DILAUDID 0/004/C2	30	0	30
	11/1/88	DILAUDID 0/004/C2	30	0	30
	11/8/88	DILAUDID 0/004/C2	42	0	42
	11/14/88	DILAUDID 0/004/C2	30	0	30
	11/18/88	DILAUDID 0/004/C2	30	0	30
	11/23/88	DILAUDID 0/004/C2	30	0	30
	12/6/88	DILAUDID 0/004/C2	30	0	30
	12/20/88	DILAUDID 0/004/C2	30	0	30
	12/31/88	DILAUDID 0/004/C2	30	0	30

(20) Your first office note dated June 17, 1987 relates that Patient 7 is not working because of a back injury incurred in an accident several years ago. You state that "(h)e is in constant pain and uses a cane with which to help him locomote. He has a limp which is seen at a distance and when he is unaware of my looking at him, therefore I think that that the pain is 'real'." You also state that he has a "bad back ... and sciatic nerve difficulties which evidently manifest themselves in pain." Although your office notes indicate that Patient 7 had the above physical complaints, your records reflect no physical examination,

no diagnostic testing, nor any other attempts to document, diagnosis, or evaluate Patient 7's physical condition despite the fact that the reported back injury had occurred several years prior. Further, during a time period of approximately one year you prescribed controlled substances for Patient 7 without referring him to another physician for diagnosis and appropriate treatment.

Nevertheless, the Dilaudid prescriptions variously were written by you for "pain," "back pain," "lower back pain," "pain in back," "severe back pain," "severe, acute and chronic back pain."

(21) Although you hold yourself out as a psychiatrist, and your office notes contain statements alluding to psychiatric disorders of Patient 7, your records fail to indicate that you ever made a psychiatric diagnosis or devised a treatment plan. Further, your records fail to reflect how or whether Patient 7 is progressing.

Such acts, conduct, and/or omissions as alleged in paragraphs (19) and (20) above, individually and/or collectively, constitute "failure to use reasonable care discrimination in the administration of drugs," and "failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease," as those clauses are used in Section 4731.22(B)(2), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (19) and (20) above, individually and/or collectively, constitute "selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes," as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (19), (20) and (21) above, individually and/or collectively, constitute "a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established," as that clause is used in Section 4731.22(B)(6), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (19) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(C), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, violation of Rule 4731-11-02(C), Ohio Administrative Code, also violates Sections 4731.22(B)(2) and (6) and further, if such violation is committed purposely, knowingly or recklessly, it also constitutes a violation of Section 4731.22(B)(3).

Further, your acts, conduct, and/or omissions as alleged in paragraph (20) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(D), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, a violation of Rule 4731-11-02(D) also violates Sections 4731.22(B)(2) and (6).

(22) On or about March 28, 1989, you produced the complete patient records of Patient 8, as identified in the attached Patient Key, pursuant to an investigatory subpoena. Examination of the patient record reveals that Patient 8 first consulted your office May 17, 1988 with a chief complaint of "lots of anxiety" and began receiving prescriptions for controlled substances. Your first office note dated, October 24, 1988, relates that Patient 8 "had written on his prescription card a series of prescriptions which are apparently false from April 10 to October 5, 1988."

Nevertheless, you did prescribe the following controlled substances on the dates and in the amounts indicated below:

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 8	5/7/88	DILAUDID 0/004 C2			
	9/24/88	PERCOCET/C2	20	0	20
	9/24/88	XANAX 0/00025 /C4	30	0	30
	10/5/88	PERCOCET/C2	30	0	30
	10/5/88	XANAX 0/001 /C4	30	0	30
	10/10/88	DILAUDID 0/004 C2	15	0	15
	10/15/88	DILAUDID 0/004 C2	20	0	20
	10/15/88	XANAX 0/001 /C4	20	0	20
	10/24/88	DILAUDID 0/004 C2	40	0	40
	10/24/88	XANAX 0/001 /C4	30	0	30
	11/12/88	DILAUDID 0/004 C2	28	0	28
	11/12/88	VALIUM 0/010/ C4	30	0	30
	11/14/88	DILAUDID 0/004 C2	18	0	18
	11/14/88	VALIUM 0/010/ C4	25	0	25
	11/19/88	PERCOCET/C2	20	0	20
	11/19/88	PERCOCET/C2	20	0	20
	11/19/88	VALIUM 0/010/ C4	30	0	30
	11/19/88	VALIUM 0/010/ C4	30	0	30
	11/21/88	DILAUDID 0/004 C2	25	0	25
	11/26/88	DILAUDID 0/004 C2	26	0	26
	11/26/88	VALIUM 0/010/ C4	30	0	30
	9/24/88	DILAUDID 0/004/C2	35	0	35
	10/1/88	DILAUDID 0/004/C2	35	0	35
	10/1/88	XANAX/C4	30	0	30
	10/18/88	DILAUDID 0/004/C2	28	0	28
	10/22/88	DILAUDID 0/004/C2	30	0	30

(23) Although your office note indicates that Patient 8 reported back pain, your records reflect no physical examination, no evaluation of Patient 8's physical condition, no diagnostic testing, nor any other attempts to document, diagnose or evaluate Patient 8. Nevertheless, the prescriptions were variously written for "back pain," and "severe back pain."

(24) Although you hold yourself out as a psychiatrist and your office notes contain statements alluding to psychiatric disorders of Patient 8, your records fail to indicate that you ever made a psychiatric diagnosis or devised a treatment plan. Further, your records fail to reflect how or whether Patient 8 is progressing.

Such acts, conduct, and/or omissions as alleged in paragraphs (22) and (23) above, individually and/or collectively, constitute "failure to use reasonable care discrimination in the administration of drugs," and "failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease," as those clauses are used in Section 4731.22(B)(2), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (22) and (23) above, individually and/or collectively, constitute "selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes," as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (22), (23) and (24) above, individually and/or collectively, constitute "a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established," as that clause is used in Section 4731.22(B)(6), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (22) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(C), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, violation of Rule 4731-11-02(C), Ohio Administrative Code, also violates Sections 4731.22(B)(2) and (6) and further, if such violation is committed purposely, knowingly or recklessly, it also constitutes a violation of Section 4731.22(B)(3).

Further, your acts, conduct, and/or omissions as alleged in paragraph (23) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(D), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, a violation of Rule 4731-11-02(D) also violates Sections 4731.22(B)(2) and (6).

(25) On or about March 28, 1989, you produced the complete patient record of Patient 9, as identified in the attached Patient Key pursuant to an investigatory subpoena. Examination of the patient record reveals that Patient 9 first consulted your office on August 8, 1987 and began receiving prescriptions for controlled substances. In your first and only office note dated March 1, 1989 you stated that Patient 9 "states that she has not received medication from any other physician for the past year. Whether she got duplicate prescriptions previously, I do not know. She denies this. She also was warned that her DILAUDID would be discontinued at the first of the year." Further in a

letter to the Social Security Administration dated March 23, 1988 you stated that "(d)iagnosis appears to be depression, particularly cyclothymia. She also has substance use disorder of a moderate nature in that she cannot decide which medication on which to stablize."

Nevertheless, you did prescribe the following controlled substances on the dates and in the amounts indicated below:

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 9	8/8/87	DILAUDID 0/004/C2	8	0	8
	8/8/87	SERAX 0/030 /C4	30	0	30
	8/14/87	DILAUDID 0/004/C2	24	0	24
	8/14/87	SERAX 0/015 /C4	60	0	60
	8/28/87	DILAUDID 0/004/C2	25	0	25
	8/28/87	SERAX 0/015 /C4	60	0	60
	11/2/87	DILAUDID 0/004/C2	120	0	120
	2/13/88	DILAUDID 0/004/C2	120	0	120
	3/7/88	DILAUDID 0/004/C2	50	0	50
	3/22/88	DILAUDID 0/004/C2	56	0	56
	4/5/88	DILAUDID 0/004/C2	56	0	56
	4/19/88	DILAUDID 0/004/C2	35	0	35
	5/3/88	DILAUDID 0/004/C2	35	0	35
	5/14/88	DILAUDID 0/004/C2	35	0	35
	5/24/88	DILAUDID 0/004/C2	50	0	50
	6/8/88	DILAUDID 0/004/C2	30	0	30
	6/17/88	DILAUDID 0/004/C2	30	0	30
	7/8/88	DILAUDID 0/004/C2	30	0	30
	7/27/88	DILAUDID 0/004/C2	30	0	30
	8/19/88	DILAUDID 0/004/C2	35	0	35
	8/26/88	DILAUDID 0/004/C2	35	0	35
	9/2/88	DILAUDID 0/004/C2	35	0	35
	9/6/88	DILAUDID 0/004/C2	35	0	35
	9/14/88	DILAUDID 0/004/C2	32	0	32
	9/24/88	DILAUDID 0/004/C2	35	0	35
	10/5/88	DILAUDID 0/004/C2	35	0	35
	10/14/88	DILAUDID 0/004/C2	35	0	35
	10/21/88	DILAUDID 0/004/C2	35	0	35
	11/1/88	DILAUDID 0/004/C2	35	0	35
	11/11/88	DILAUDID 0/004/C2	35	0	35
	11/18/88	DILAUDID 0/004/C2	35	0	35
	12/6/88	DILAUDID 0/004/C2	35	0	35
	12/20/88	DILAUDID 0/004/C2	35	0	35
	1/3/89	DILAUDID 0/004/C2	35	0	35

(26) Although your office note indicates that Patient 9 is affected by Tic-Douloureux and that "it is evident that she is having 5th Cranial Nerve Palsy," your records reflect no physical examination, no diagnostic testing nor any other attempts to document, diagnose, or evaluate Patient 9's physical condition. Further, during a time period of approximately one and one half years you treated Patient 9 with Dilaudid prescriptions for "tic douloureux" without referring her to a pain center or to another physician for diagnosis and appropriate treatment.

(27) Although you hold yourself out as a psychiatrist and your first and only office note on March 1, 1989 relates that Patient 9 had a chief complaint of "depression due to her not having a job and not being able to keep a job," with a listing of psychiatric diagnoses of Post-Traumatic Stress Disorder, Chronic and Severe; Adjustment disorder with mixed emotional features; and Sexual Aversion Disorder," your records do not reflect that you ever devised a treatment plan or rendered any treatment for Patient 9's psychiatric disorders.

Such acts, conduct, and/or omissions as alleged in paragraphs (25) and (26) above, individually and/or collectively, constitute "failure to use reasonable care discrimination in the administration of drugs," and "failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease," as those clauses are used in Section 4731.22(B)(2), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (25) and (26) above, individually and/or collectively, constitute "selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes," as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (25), (26) and (27) above, individually and/or collectively, constitute "a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established," as that clause is used in Section 4731.22(B)(6), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (25) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(C), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, violation of Rule 4731-11-02(C), Ohio Administrative Code, also violates Sections 4731.22(B)(2) and (6) and further, if such violation is committed purposely, knowingly or recklessly, it also constitutes a violation of Section 4731.22(B)(3).

Further, your acts, conduct, and/or omissions as alleged in paragraph (26) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(D), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, a violation of Rule 4731-11-02(D) also violates Sections 4731.22(B)(2) and (6).

(28) On or about March 28, 1989, you produced the complete patient record of Patient 10, as identified in the attached Patient Key pursuant to an investigatory subpoena. Examination of the record reveals that Patient 10 first consulted your office April 27, 1988 and began receiving prescriptions for controlled substances. The record states Patient 10 was referred to your office by her boyfriend (Patient 3) and by a physician. Patient 3 was also receiving prescriptions for controlled substances from you. You state that Patient 10 is "very labile in her attendance at appointment's set up for her in this office" and that "(o)ften she would not show up and give feeble excuses for unreliability."

Nevertheless, you did prescribe the following controlled substances on the dates and in the amounts indicated below:

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 10	4/27/88	DILAUDID 0/004	14	0	14
	4/27/88	FIORINAL/C3	30	0	30
	5/3/88	DILAUDID 0/004	15	0	15
	5/3/88	FIORINAL/C3	30	0	30
	5/6/88	DILAUDID 0/004	15	0	15
	5/6/88	XANAX 0/001/C4	3	0	3
	5/9/88	DILAUDID 0/004	30	0	30
	5/9/88	XANAX 0/0005/C4	60	0	60
	5/9/88	XANAX 0/00025/C4	30	0	30
	5/10/88	DILAUDID 0/004	20	0	20
	5/11/88	XANAX 0/001/C4	56	0	56
	5/13/88	DILAUDID 0/004	25	0	25
	5/16/88	XANAX 0/001/C4	30	0	30
	5/18/88	DILAUDID 0/004	25	0	25
	5/21/88	DILAUDID 0/004	20	0	20
	5/21/88	XANAX 0/001/C4	12	0	12
	5/23/88	DILAUDID 0/004	25	0	25
	5/27/88	DILAUDID 0/004	25	0	25
	5/27/88	XANAX 0/001/C4	28	0	28
	5/31/88	DILAUDID 0/004	25	0	25
	5/31/88	XANAX 0/001/C4	30	0	30
	6/1/88	DILAUDID 0/004	15	0	15
	6/4/88	TYLENOL4/C3	30	0	30
	6/6/88	DILAUDID 0/004	25	0	25
	6/11/88	DILAUDID 0/004	35	0	35
	6/14/88	DILAUDID 0/004	20	0	20
	6/14/88	XANAX 0/001/C4	30	0	30
	6/17/88	DILAUDID 0/004	25	0	25
	6/22/88	DILAUDID 0/004	20	0	20
	6/25/88	DILAUDID 0/004	35	0	35
	6/28/88	DILAUDID 0/004	18	0	18
	7/6/88	DILAUDID 0/004	20	0	20
	7/6/88	XANAX 0/0005/C4	60	0	60
	7/9/88	DILAUDID 0/004	25	0	25
	7/18/88	DILAUDID 0/004	20	0	20
	7/23/88	DILAUDID 0/004	25	0	25
	7/23/88	NOLUDAR/C3	15	0	15

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 10	7/23/88	XANAX 0/001/C4	18	0	18
	7/27/88	DILAUDID 0/004	22	0	22
	7/27/88	XANAX 0/001/C4	30	0	30
	8/2/88	DILAUDID 0/004	22	0	22
	8/8/88	DILAUDID 0/004	25	0	25
	8/8/88	VALIUM 0/010/C4	30	1	60
	8/10/88	DILAUDID 0/004	22	0	22
	8/10/88	VALIUM 0/010/C4	56	0	56
	9/26/88	DILAUDID 0/004	35	0	35
	9/29/88	DILAUDID 0/004	25	0	25
	9/30/88	DILAUDID 0/004	35	0	35

(29) Your office note on August 15, 1988 indicates that Patient 10 stated she was referred by a gynecologist because she had "cancer of the breast which has spread to my back," you state that "(d)uring her entire course of treatment she states she went back to (her gynecologist) once or twice but deferred treatment," and that she was "dreadfully afraid of anesthesia." However, your office notes contain no letters to or from her gynecologist, no physical examination, no diagnostic testing, nor any other attempts to document, diagnose or evaluate Patient 10's physical condition.

Further, during a time period of approximately five months you prescribed controlled substances for Patient 10 without referring her to a pain center or to another physician for diagnosis and appropriate treatment.

Nevertheless, the Dilaudid prescriptions variously indicate that the prescriptions were issued for "pain," "malignancy," "back pain," "malignancy pain," "malignancy back pain," "severe pain (malignancy)," "cancer pain," and "abdominal pain and vertebral pain."

(30) Although you hold yourself out as a psychiatrist, and your office notes contain statements alluding to psychiatric disorders of Patient 10, your records fail to indicate that you ever made a psychiatric diagnosis or devised a treatment plan. Further, your records give no indication of your rendering treatment for Patient 10's psychiatric complaints or how or whether Patient 10 is progressing.

Such acts, conduct, and/or omissions as alleged in paragraphs (28) and (29) above, individually and/or collectively, constitute "failure to use reasonable care discrimination in the administration of drugs," and "failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease," as those clauses are used in Section 4731.22(B)(2), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (28) and (29) above, individually and/or collectively, constitute "selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes," as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (28), (29) and (30) above, individually and/or collectively, constitute "a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established," as that clause is used in Section 4731.22(B)(6), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (28) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(C), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, violation of Rule 4731-11-02(C), Ohio Administrative Code, also violates Sections 4731.22(B)(2) and (6) and further, if such violation is committed purposely, knowingly or recklessly, it also constitutes a violation of Section 4731.22(B)(3).

Further, your acts, conduct, and/or omissions as alleged in paragraph (29) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(D), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, a violation of Rule 4731-11-02(D) also violates Sections 4731.22(B)(2) and (6).

(31) On or about March 28, 1989, you produced the complete patient record on Patient 11 as identified in the attached Patient Key, pursuant to an investigatory subpoena. Examination of the patient record reveals that Patient 11 first consulted your office on May 5, 1988 and began receiving prescriptions for controlled substances. In your first and only office note, dated March 1, 1989, you stated "the patient carries around with him most of the time a tremendous amount of cash. He has not shown up recently for appointments because he has not recieved the medication he wishes, although he denies that this is the reason." The office note also indicates that his common-law wife is Patient 6. Patient 6 also receives prescriptions for controlled substances from you. You also describe Patient 11's manner as manipulative.

Nevertheless, you did prescribe the following controlled substances on the dates and in the amounts indicated below:

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 11	5/4/88	DILAUDID 0/004	30	0	30
	5/10/88	DILAUDID 0/004	35	0	35
	6/7/88	DILAUDID 0/004	40	0	40
	6/7/88	VALIUM 0/010/C4	30	0	30
	6/21/88	DILAUDID 0/004	40	0	40
	7/1/88	DILAUDID 0/004	40	0	40
	7/1/88	VALIUM 0/010/C4	40	0	40
	7/9/88	DILAUDID 0/004	35	0	35
	7/9/88	VALIUM 0/010/C4	30	0	30
	7/18/88	DILAUDID 0/004	35	0	35
	7/18/88	VALIUM 0/010/C4	35	0	35
	7/25/88	DILAUDID 0/004	35	0	35
	7/25/88	VALIUM 0/010/C4	60	0	60
	8/1/88	DILAUDID 0/004	35	0	35
	8/1/88	VALIUM 0/010/C4	30	0	30
	8/5/88	DILAUDID 0/004	38	0	38
	8/8/88	DILAUDID 0/004	35	0	35
	8/8/88	VALIUM 0/010/C4	30	0	30
	8/16/88	DILAUDID 0/004	35	0	35
	8/16/88	VALIUM 0/010/C4	35	0	35
	8/23/88	DILAUDID 0/004	35	0	35
	8/23/88	VALIUM 0/010/C4	30	0	30
	8/29/88	DILAUDID 0/004	35	0	35
	8/29/88	VALIUM 0/010/C4	35	0	35
	9/6/88	DILAUDID 0/004	35	0	35
	9/6/88	VALIUM 0/010/C4	35	0	35
	9/10/88	DILAUDID 0/004	35	0	35
	9/10/88	VALIUM 0/010/C4	35	0	35
	9/16/88	DILAUDID 0/004	35	0	35
	9/16/88	VALIUM 0/010/C4	35	0	35
	9/23/88	DILAUDID 0/004	37	0	37
	9/23/88	VALIUM 0/010/C4	30	0	30
	9/27/88	DILAUDID 0/004	35	0	35
	9/27/88	VALIUM 0/010/C4	35	0	35
	10/1/88	DILAUDID 0/004	37	0	37
	10/1/88	VALIUM 0/010/C4	35	0	35
	10/3/88	DILAUDID 0/004	37	0	37
	10/3/88	VALIUM 0/010/C4	30	0	30
	10/8/88	DILAUDID 0/004	35	0	35
	10/8/88	VALIUM 0/010/C4	35	0	35
	10/14/88	DILAUDID 0/004	35	0	35
	10/14/88	VALIUM 0/010/C4	35	0	35
	10/21/88	DILAUDID 0/004	35	0	35
	10/21/88	VALIUM 0/010/C4	30	0	30
	10/25/88	DILAUDID 0/004	30	0	30
	10/25/88	VALIUM 0/010/C4	30	0	30
	10/31/88	DILAUDID 0/004	32	0	32
	10/31/88	VALIUM 0/010/C4	35	0	35
	11/8/88	DILAUDID 0/004	32	0	32
	11/8/88	VALIUM 0/010/C4	35	0	35
	11/12/88	DILAUDID 0/004	32	0	32

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 11	11/12/88	VALIUM 0/010/C4	35	0	35
	11/18/88	DILAUDID 0/004	32	0	32
	11/21/88	DILAUDID 0/004	32	0	32
	11/28/88	DILAUDID 0/004	32	0	32
	12/6/88	DILAUDID 0/004	32	0	32
	12/6/88	VALIUM 0/010/C4	35	0	35
	12/20/88	DILAUDID 0/004	32	0	32
	12/20/88	VALIUM 0/010/C4	35	0	35
	12/23/88	DILAUDID 0/004	32	0	32
	12/27/88	DILAUDID 0/004	32	0	32
	12/27/88	VALIUM 0/010/C4	35	0	35
	12/29/88	DILAUDID 0/004	32	0	32
	1/3/89	DILAUDID 0/004	32	0	32
	1/3/89	VALIUM 0/010/C4	35	0	35
	1/10/89	TYLENOL4/C3			
	1/10/89	VALIUM 0/010/C4			
	1/24/89	VALIUM 0/010/C4	40	0	40

(32) Your first and only office note states that Patient 11 "complains of pain often" and "usually walks very slowly and seems to be in pain from a fairly recent accident (Fracture of Femur)." You also state that "(h)e has a long scar which comes down from his hips nd goes down to his knee," and that "(i)n addition to his reported pain he states he gets muscle contractions which he never had before" and that "DILAUDID alone acts as an effective analgesic" and that "(s)ince he has been receiving ANIXIA 0/0075 he declares that the pain has returned." In fact, on the "New Patient Information" form, Patient 11 describes his problem as "hip ankel (sic) problems from old injury."

However, your office notes reflect no adequate physical examination, no diagnostic testing, nor any other attempts to document, diagnose or evaluate Patient 11's physical condition.

Nevertheless, the Dilaudid prescriptions were variously written for "pain," "severe leg pain," "night leg pain," "night leg and hip pain" and "night leg and back pain."

(33) Although you hold yourself out as a psychiatrist and diagnosed Patient 11 as having "generalized anxiety, moderate to severe," "chemical dependency upon strong analagesics" and "narcissitic personality disorder," your office record contains a single office note dated March 1, 1989 which fails to indicate that you ever devised a treatment plan and fails to reveal whether you ever provided treatment or follow-up for Patient 11's psychiatric disorders and how or whether Patient 11 progressed.

Such acts, conduct, and/or omissions as alleged in paragraphs (31) and (32) above, individually and/or collectively, constitute "failure to use reasonable care discrimination in the administration of drugs," and "failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease," as those clauses are used in Section 4731.22(B)(2), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (31) and (32) above, individually and/or collectively, constitute "selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes," as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (31), (32) and (33) above, individually and/or collectively, constitute "a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established," as that clause is used in Section 4731.22(B)(6), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (31) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(C), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, violation of Rule 4731-11-02(C), Ohio Administrative Code, also violates Sections 4731.22(B)(2) and (6) and further, if such violation is committed purposely, knowingly or recklessly, it also constitutes a violation of Section 4731.22(B)(3).

Further, your acts, conduct, and/or omissions as alleged in paragraph (32) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(D), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, a violation of Rule 4731-11-02(D) also violates Sections 4731.22(B)(2) and (6).

(34) On or about March 28, 1989, you produced the complete patient record of Patient 12, as identified in the attached Patient Key, pursuant to an investigatory subpoena. Examination of the patient record reveals that Patient 12 first consulted your office October 9, 1987 and began receiving prescriptions for controlled substances. Your first office note, dated April 6, 1988, stated that "(h)e walks with a limp and it seems as though his cane which he utilizes to help him walk is used to show off to the doctor" and that "(s)ometimes he has this appartenance to lean on and at other times he does not seem to need it." You also stated "(a)fter seeing him for a few times it has become obvious that he is not honest." Further, in office notes on April 6, 1988 and March 1, 1989 you stated Patient 11's sisters called you and told you that Patient 11 had been a drug addict for years. Nevertheless, you did prescribe the following controlled substances on the dates and in the amounts indicated below:

NAME	DATE	DRUG/SCH	DU	REFILL	TOTAL DU
Patient 12	10/3/87	DILAUDID 0/004	20	0	20
	10/9/87	DILAUDID 0/004	20	0	20
	10/9/87	NEMBUTAL 0/100/C2	16	0	16
	10/12/87	DILAUDID 0/004	12	0	12
	10/14/87	DILAUDID 0/004	30	0	30
	10/14/87	NEMBUTAL 0/100/C2	20	0	20
	10/20/87	DILAUDID 0/004	30	0	30
	10/24/87	DILAUDID 0/004	30	0	30
	10/24/87	NEMBUTAL 0/100	20	0	20
	10/27/87	DILAUDID 0/004	30	0	30
	10/27/87	NEMBUTAL 0/100	16	0	16
	11/2/87	NOLUDAR 0/300/C3	15	0	15
	11/2/87	SERAX 0/030/C4	64	0	64
	1/11/88	DILAUDID 0/004	30	0	30
	1/11/88	SECONAL 0/100	15	0	15
	1/20/88	DILAUDID 0/004	30	0	30
	1/20/88	SECONAL 0/100	15	0	15
	1/29/88	DILAUDID 0/004	35	0	35
	1/29/88	SECONAL /C2	23	0	23
	2/2/88	DILAUDID 0/004	40	0	40
	3/19/88	DILAUDID 0/004	40	0	40

(35) Your office note indicates that Patient 12 complained of back pain and that the patient stated "he would have an appointment with an Orthopedic to correct his back pain." However, your office notes reflect no physical examination, no diagnostic testing, nor any other attempts to document, diagnose, or evaluate Patient 12's physical condition. Further, during a time period of approximately six months you prescribed controlled substances without referring Patient 12 to a pain center or to another physician for diagnosis and appropriate treatment.

Nevertheless, the Dilaudid prescriptions variously indicate that the prescriptions were issued for "pain," and "severe back pain."

Further, your office record dated March 1, 1989 states that the patient "made another appointment with me on March 19, 1988 and pleaded for DILAUDID. He did not receive that drug or any other on that date." In fact, you did write a prescription for Dilaudid on March 19, 1988.

(36) Although you hold yourself out as a psychiatrist, and your office notes contain statements alluding to psychiatric disorders of Patient 12, your records fail to indicate that you ever made a psychiatric diagnosis or devised a treatment plan. Further, your records give no indication of psychotherapy and do not reflect how or whether Patient 12 is progressing.

Such acts, conduct, and/or omissions as alleged in paragraphs (34) and (35) above, individually and/or collectively, constitute "failure to use reasonable care discrimination in the administration of drugs," and "failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease," as those clauses are used in Section 4731.22(B)(2), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (34) and (35) above, individually and/or collectively, constitute "selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes," as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (34), (35) and (36) above, individually and/or collectively, constitute "a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established," as that clause is used in Section 4731.22(B)(6), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (34) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(C), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, violation of Rule 4731-11-02(C), Ohio Administrative Code, also violates Sections 4731.22(B)(2) and (6) and further, if such violation is committed purposely, knowingly or recklessly, it also constitutes a violation of Section 4731.22(B)(3).

Further, your acts, conduct, and/or omissions as alleged in paragraph (35) above, individually and/or collectively, constitute "(v)iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(D), Ohio Administrative Code. Pursuant to Rule 4731-11-02(F), Ohio Administrative Code, a violation of Rule 4731-11-02(D) also violates Sections 4731.22(B)(2) and (6).

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, that request 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 the 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
Encls.

CERTIFIED MAIL #P 746 510 102
RETURN RECEIPT REQUESTED