

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF :

:

WILLIAM EDWARD MASTERS, M.D. :

ENTRY OF ORDER

On May 4, 2005, William Edward Masters, M.D., executed a Surrender of his Certificate to practice medicine and surgery in the State of Ohio with consent to revocation, which document is attached hereto and fully incorporated herein.

Wherefore, upon ratification by the Board of the surrender, it is hereby ORDERED that Certificate No. 35-023024 authorizing William Edward Masters, M.D., to practice medicine be permanently REVOKED, effective May 19, 2005.

This Order is hereby entered upon the Journal of the State Medical Board of Ohio for the 19th day of May 2005, and the original thereof shall be kept with said Journal.

Lance A. Talmage / RAW
Lance A. Talmage, M.D.
Secretary

(SEAL)

May 19, 2005
Date

**STATE OF OHIO
THE STATE MEDICAL BOARD
SURRENDER OF CERTIFICATE
TO PRACTICE MEDICINE AND SURGERY**

I, William E. Masters, M.D., am aware of the right to representation by counsel, which I have exercised; the right of being formally charged; and the right to have a formal adjudicative hearing. I do hereby freely execute this document and choose to take the actions described herein.

I, William E. Masters, M.D., do hereby voluntarily, knowingly, and intelligently surrender my certificate to practice medicine and surgery, license number 35.023024, to the State Medical Board of Ohio [Board], thereby relinquishing all rights to practice medicine and surgery in 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 agree that I shall be ineligible for, and shall not apply for, reinstatement of certificate to practice medicine and surgery, license number 35.023024, or issuance of any other certificate pursuant to Chapters 4730., 4731., 4760. or 4762., Ohio Revised Code, on or after the date of signing this 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 permanently revoking my certificate to practice medicine and surgery, license number 35.023024, 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, William E. Masters, M.D., hereby release the Board, its members, employees, agents, officers and representatives 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, William E. Masters, M.D., acknowledge that my social security number will be used if this information is so reported and agree to provide my social security number to the Board for such purposes.

I stipulate and agree that I am taking the action described herein in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(19), Ohio Revised Code, for the reason that, due to physical illness and cognitive deficits, I am no longer able to practice medicine and surgery according to acceptable and prevailing standards of care.

I further stipulate and agree that I am taking the action described herein in lieu of further investigation related to the matters alleged in the criminal indictment filed against me on or about March 11, 2004, in the Court of Common Pleas of Trumbull County, Ohio, Case Number 2004-CR-148.

EFFECTIVE DATE

It is expressly understood that this Surrender of Certificate is subject to ratification by the Board prior to signature by the Secretary and Supervising Member and shall become effective upon the last date of signature below.



WILLIAM E. MASTERS, M.D.

5-1-05

DATE



SAMUEL F. BLUEDORN
Attorney for Dr. Masters

5/4/05

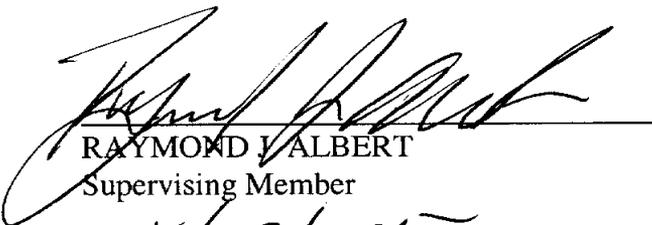
DATE



LANCE A. TALMAGE, M.D.
Secretary

5/19/05

DATE



RAYMOND J. ALBERT
Supervising Member

5/19/05

DATE

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

June 16, 1989

William E. Masters, M.D.
781 Fairway Drive
Warren, Ohio 44483

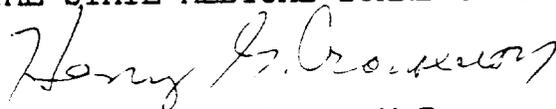
Dear Doctor Masters:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of Wanita J. Sage, Attorney Hearing Examiner, State Medical Board of Ohio; and an excerpt of the Minutes of the State Medical Board, meeting in regular session on June 14, 1989, including Motions approving and confirming the Report and Recommendation as the Findings and Order of the State Medical Board.

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

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

THE STATE MEDICAL BOARD OF OHIO


Henry G. Cramblett, M.D.
Secretary

HGC:em

Enclosures

CERTIFIED MAIL NO. P 746 510 475
RETURN RECEIPT REQUESTED

Mailed June 22, 1989

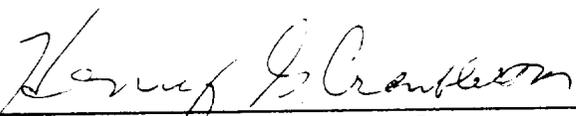
STATE OF OHIO
STATE MEDICAL BOARD

CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; attached copy of the Report and Recommendation of Wanita J. Sage, Attorney Hearing Examiner, State Medical Board; and attached excerpt of Minutes of the State Medical Board, meeting in regular session on June 14, 1989, including Motions approving and confirming said Report and Recommendation as the Findings and Order of the State Medical Board, constitute a true and complete copy of the Findings and Order of the State Medical Board in the matter of William E. Masters, M.D., as it appears in the Journal of the State Medical Board of Ohio.

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

(SEAL)



Henry G. Cramblett, M.D.
Secretary

June 16, 1989

Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

*

*

WILLIAM E. MASTERS, M.D.

*

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio the 14th day of June, 1989.

Upon the Report and Recommendation of Wanita J. Sage, Attorney Hearing Examiner, Medical Board, in this matter designated pursuant to R.C. 4731.23, a true copy of which is attached hereto and incorporated herein, and upon approval and confirmation by vote of the Board on June 14, 1989, the following Order is hereby entered on the Journal of the State Medical Board for the 14th day of June, 1989.

It is hereby ORDERED that William E. Masters, M.D., shall be and is hereby REPRIMANDED for his misrepresentation of fact in certifying his completion of C.M.E. requirements for the 1985-1986 biennial registration period.

(SEAL)



Henry G. Cramblett, M.D.
Secretary

June 16, 1989

Date

MAY 17 1989

REPORT AND RECOMMENDATION
IN THE MATTER OF WILLIAM E. MASTERS, M.D.

The Matter of William E. Masters, M.D., came on for hearing before me, Wanita J. Sage, Esq., Hearing Examiner for the State Medical Board of Ohio, on May 4, 1989.

INTRODUCTION AND SUMMARY OF EVIDENCE

I. Basis for Hearing

A. By letter of December 8, 1988 (State's Exhibit #5), the State Medical Board notified William E. Masters, M.D., that it proposed to take disciplinary action against his certificate to practice medicine and surgery in Ohio. The Board alleged that, although Dr. Masters had certified on his renewal card for the current registration period that he had completed the requisite hours of Continuing Medical Education (C.M.E.) for the 1985-1986 biennium, as required by Section 4731.281, Ohio Revised Code, he failed to respond to a notice sent on July 22, 1987, requiring him to document his C.M.E. In response to a second notice dated September 21, 1987, requiring him to document his C.M.E., Dr. Masters submitted a C.M.E. log listing 95 hours of Category I and 103 hours of Category II C.M.E. for the 1985-1986 biennium. However, he provided acceptable documentation of only 16 hours of Category I C.M.E. By letter dated September 21, 1988, Dr. Masters was notified of the need to document the remaining 24 hours of Category I C.M.E. He submitted no further documentation. The Board alleged that Dr. Masters' failure to respond established that he did not complete the requisite hours of C.M.E. and/or that he had failed to keep detailed records of C.M.E. taken. Consequently, Dr. Masters' acts and omissions were alleged to violate the following provisions of the Medical Practice Act:

1. Section 4731.22(A), Ohio Revised Code: Committing "fraud, misrepresentation, or deception in applying for or securing any license or certificate issued by the Board;" and/or
2. Section 4731.22(B)(20), Ohio Revised Code (Section 4731.22(B)(16) prior to March 17, 1987): "Violating 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", to wit: Section 4731.281, Ohio Revised Code, and Rules 4731-10-03 and 4731-10-08, Ohio Administrative Code.

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

B. By letter received by the State Medical Board on December 22, 1988 (State's Exhibit #4), Fred C. Zimmer, Esq., requested a hearing on behalf of Dr. Masters.

MAY 17 1989

II. Appearances

- A. On behalf of the State of Ohio: Anthony J. Celebrezze, Jr., Attorney General, by Rachel L. Belenker, Assistant Attorney General
- B. Dr. Masters appeared on his own behalf without counsel.

III. Testimony Heard

- A. Presented by the State
 - 1. Debra L. Jones, Chief of C.M.E., Records, and Renewal, State Medical Board
 - 2. William E. Masters, M.D., as on cross-examination
- B. William E. Masters, M.D., testified on his own behalf and was provided the opportunity to cross-examine the State's witnesses.

IV. Exhibits Examined

In addition to those noted above, the following exhibits were identified and admitted into evidence in this Matter:

- A. Presented by the State
 - 1. State's Exhibit #1: March 2, 1989, Entry of this Hearing Examiner confirming the granting of the Respondent's request for continuance of a hearing set for April 6, 1989, and rescheduling the hearing for May 4, 1989.
 - 2. State's Exhibit #2: February 1, 1989, letter to Fred C. Zimmer, Esq., from the State Medical Board scheduling the hearing for April 6, 1989.
 - 3. State's Exhibit #3: December 23, 1988, letter to Attorney Zimmer from the State Medical Board advising that a hearing initially set for January 5, 1989, was postponed pursuant to Section 119.09, Ohio Revised Code.
 - 4. State's Exhibit #6: July 22, 1987, letter to Dr. Masters from the State Medical Board notifying him that it would be necessary for him to complete a log of his Continuing Medical Education and to provide the Board with acceptable documentation that he had actually attended 40 hours of Category I credits.
 - 5. State's Exhibit #7: September 21, 1987, letter to Dr. Masters from the State Medical Board again requesting completion of a C.M.E. log and documentation of the requisite C.M.E. credits for the 1985-1986 renewal period, and advising him to contact the State Medical Board within 10 days to avoid possible disciplinary proceedings regarding his license to practice.

MAY 17 1989

6. State's Exhibit #8: C.M.E. log and documentation, with cover letter dated September 28, 1987, from Dr. Masters, received by the State Medical Board on September 30, 1987.
 7. State's Exhibit #9: September 21, 1988, letter to Dr. Masters from the State Medical Board requiring him to submit verification of an additional 24 Category I credit hours, in addition to the 16 already documented for the 1985-1986 biennium.
 8. State's Exhibit #10: January 18, 1989, file memo of Debra L. Jones with regard to a telephone call to Trumbull Memorial Hospital concerning Dr. Masters' C.M.E.
 9. State's Exhibit #11: December 20, 1988, letter to the State Medical Board from Georgianna Strang, R.N., Director, Educational Services, Trumbull Memorial Hospital, with regard to Dr. Masters' activities as course director and lecturer during 1985 and 1986.
 10. State's Exhibit #12: Information booklet of the State Medical Board with regard to Continuing Medical Education for the 1987-88 biennium.
 11. State's Exhibit #13: Dr. Masters' renewal application for the 1987-88 biennial registration period, showing his certification of completion of C.M.E. requirements for the last biennium.
- B. Presented by the Respondent
1. Respondent's Exhibit A: Summary and documentation of Dr. Masters' C.M.E. credits from 1984 through 1988.

FINDINGS OF FACT

1. In applying for renewal of his Ohio license for the 1987-1988 biennial registration period, William E. Masters, M.D., certified under penalty of the loss of his right to practice medicine and surgery in the State of Ohio, that he had completed the requisite hours of Continuing Medical Education (C.M.E.) during the last biennium.

This fact is established by State's Exhibit #13 and by the testimony of Dr. Masters (Tr. at 26).

2. Pursuant to a random audit of completion of C.M.E. requirements, the State Medical Board notified Dr. Masters by letter of July 22, 1987, that it would be necessary for him to complete a log of his C.M.E. for the 1985-1986 biennium, and to provide acceptable documentation verifying that he had actually attended 40 hours of Category I credits. Dr. Masters did not respond to this notice.

These facts are established by State's Exhibits #6 through #8 and the testimony of Debra Jones (Tr. at 19-20).

MAY 17 1989

3. By letter of September 21, 1987, the Board again requested Dr. Masters to complete a C.M.E. log and to provide documentation that he had completed the requisite number of C.M.E. credits for the 1985-1986 renewal period, warning of possible disciplinary proceedings with regard to his license to practice if he did not contact the Board within 10 days. On September 30, 1987, the State Medical Board received a letter and a C.M.E. log from Dr. Masters. The letter explained that Dr. Masters had been slow in responding because he had been away on vacation. The C.M.E. log listed 95 hours of Category I and 103 hours of Category II C.M.E. for the 1985-1986 biennium. However, Dr. Masters provided acceptable documentation for only 15 hours of Category I C.M.E. for that biennium. Although Dr. Masters was advised by letter of September 21, 1988, of the need to document an additional 24 (sic) Category I credit hours, he submitted no further documentation. Through subsequent communications with Dr. Masters and with Georgianna Strang, R.N., Director of Educational Services, Trumbull Memorial Hospital, the State Medical Board learned that 80 of the 95 hours Dr. Masters had listed as Category I credits on his C.M.E. log were for Category I courses which he had taught, rather than attended.

These facts are established by State's Exhibits #7 through #11, the testimony of Debra Jones (Tr. at 15-19), and the testimony of Dr. Masters (Tr. at 27).

4. Prior to the September, 1987, submission of his C.M.E. log, Dr. Masters had received from the State Medical Board C.M.E. booklets, such as that identified as State's Exhibit #12, containing information on mandatory Continuing Medical Education. Those C.M.E. booklets listed medical teaching as a Category II activity. Nevertheless, Dr. Masters claimed that he had submitted his teaching hours as Category I C.M.E. in good faith, believing that such activities qualified for Category I credit. Dr. Masters expressed regret for his mistake and stated that he is now aware of the proper classifications.

These facts are established by the testimony of Debra Jones (Tr. at 18-19, 20-22) and the testimony of Dr. Masters (Tr. at 23-25, 27).

5. Dr. Masters was admittedly deficient in the amount of 25 hours of Category I C.M.E. credits for the 1985-1986 biennial registration period. However, at hearing he provided satisfactory documentation showing that he had completed a total of 131 Category I and 32 Category II C.M.E. credit hours during the following biennium, thus earning 63 Category I credit hours in excess of C.M.E. requirements for the 1987-1988 biennium.

These facts are established by Respondent's Exhibit A and the testimony of Dr. Masters (Tr. at 27-28).

MAY 17 1989

CONCLUSIONS

Dr. Masters' acts, conduct, and/or omissions, as set forth in Findings of Fact #1 through #4, above, constitute:

1. "Fraud, misrepresentation, or deception in applying for or securing any license or certificate issued by the Board", as that clause is used in Section 4731.22(A)(2), Ohio Revised Code; and
2. "Violating..., directly or indirectly,...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 (Section 4731.22(B)(16) prior to March 17, 1987), to wit: Section 4731.281, Ohio Revised Code, and Rules 4731-10-03 and 4731-10-08, Ohio Administrative Code.

Section 4731.281, Ohio Revised Code and Rule 4731-10-03, Ohio Administrative Code, require a practitioner to meet and to certify his completion of the requisite hours of C.M.E. as a condition for license renewal. Further, Section 4731.281, Ohio Revised Code, and Rule 4731-10-08, Ohio Administrative Code, authorize the Board to conduct random audits to verify completion and require licensees to submit documentation of compliance as requested by the Board. In addition, Rule 4731-10-08(A)(2), Ohio Administrative Code, requires applicants for licensure renewal to keep detailed records of C.M.E. hours taken.

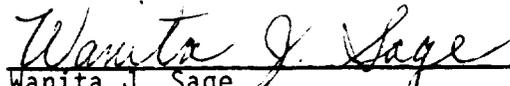
Dr. Masters admittedly failed to complete and document the requisite hours of Category I C.M.E. for the 1985-1986 biennial registration period, as required by Section 4731.281, Ohio Revised Code, and Rules 4731-10-03 and 4731-10-08, Ohio Administrative Code. Although Dr. Masters claimed that his failure was due to an honest misunderstanding of C.M.E. requirements, he was provided C.M.E. information by the Board and, as a licensed physician, is responsible for knowing and complying with the requirements of laws governing his profession. His certification of completion on his renewal card was a misrepresentation of fact, for which he must bear responsibility. Such misrepresentation, even if not intentional, constitutes a violation of Section 4731.22(A), Ohio Revised Code.

While the above violations provide grounds for disciplinary action by the Board (Section 4731.22(A)(2), Ohio Revised Code, specifically provides grounds for license revocation), Dr. Masters' acts and omissions are substantially mitigated. As set forth in Finding of Fact #5, above, Dr. Masters more than made up his C.M.E. deficiency during the following biennial registration period. Further, the testimony of Ms. Jones indicates that Dr. Masters exhibited concern and cooperation in his communications with the Board concerning this deficiency.

MAY 17 1989

PROPOSED ORDER

It is hereby ORDERED that William E. Masters, M.D., shall be and is hereby REPRIMANDED for his misrepresentation of fact in certifying his completion of C.M.E. requirements for the 1985-1986 biennial registration period.



Wanita J. Sage
Attorney Hearing Examiner

EXCERPT FROM THE MINUTES OF JUNE 14, 1989

REPORTS AND RECOMMENDATIONS

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Dr. O'Day asked if each member of the Board had received, read, and considered the hearing record, the proposed findings, conclusions, and orders, and any objections filed in the matters of Paul C. Venizelos, M.D.; Lynda Hendershot, P.A., and Linda L. Singer, P.A.; John E. Patton, P.A.; Sam Hill D.O.; Linda M. Karbonit, D.O.; Victor L. Ramos, M.D.; Alan F. Knull, M.D.; Harvey J. Snyder, Jr., M.D.; Carlton Villier, D.P.M.; Jonathan W. Nusbaum, M.D.; Frank T. W. Chin, Jr., M.D.; William E. Masters, M.D.; and Amir S. Ali, M.D. A roll call was taken:

ROLL CALL:

Dr. Cramblett	- aye
Dr. Gretter	- aye
Dr. Stephens	- aye
Dr. Agresta	- aye
Dr. Rothman	- aye
Dr. Rauch	- aye
Mr. Albert	- aye
Dr. Kaplansky	- aye
Ms. Rolfes	- aye
Dr. O'Day	- aye

.....

Mr. Dowling, Ms. Belenker, Ms. Thompson, and Mr. Dilling left the meeting at this time.

.....

REPORT AND RECOMMENDATION IN THE MATTER OF WILLIAM E. MASTERS, M.D.

.....

DR. KAPLANSKY MOVED TO APPROVE AND CONFIRM MS. SAGE'S PROPOSED FINDINGS OF FACT, CONCLUSIONS, AND ORDER IN THE MATTER OF WILLIAM E. MASTERS, M.D. DR. GRETTTER SECONDED THE MOTION.

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A roll call vote was taken on Dr. Kaplansky's motion:

ROLL CALL VOTE:

Dr. Cramblett	- abstain
Dr. Gretter	- aye
Dr. Stephens	- aye
Dr. Agresta	- aye
Dr. Rothman	- aye
Dr. Rauch	- abstain
Mr. Albert	- aye
Dr. Kaplansky	- aye
Ms. Rolfes	- aye

The motion carried.

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

December 8, 1988

William E. Masters, M.D.
781 Fairway Drive NE
Warren, OH 44483

Dear Doctor Masters:

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) In applying for registration of your certificate to practice medicine or surgery for the current registration period, you certified that you had completed during the last registration period (January 1, 1985 through December 31, 1986) the requisite hours of Continuing Medical Education (CME), as required by Section 4731.281, Ohio Revised Code.
- (2) By letter dated July 22, 1987, you were notified by the State Medical Board that you are required to complete a log listing your CME for the 1985-1986 registration period, and to provide documentation that you had actually completed at least 40 hours of Category I CME credits. You did not respond. A second letter, dated September 21, 1987, notifying you of this requirement, was mailed to you. On September 30, 1987, the Board received your CME log listing 95 hours of Category I CME and 103 hours of Category II CME for the 1985-1986 biennium. At that time you provided acceptable documentation of only 16 hours of Category I CME. By letter dated September 21, 1988, you were notified of the need to document the remaining 24 hours of Category I CME. You have submitted no further documentation of CME completed during the 1985-1986 registration period.
- (3) Your response, or lack thereof, to the notices as detailed in the above Paragraph (2) establish that you did not complete the requisite hours of Continuing Medical Education, and/or that you failed to keep detailed records of CME taken.

William E. Masters, M.D.
Page Two

December 8, 1988

The actions and omissions as alleged in the above paragraph (1), individually and/or collectively, constitute "fraud, misrepresentation, or deception in applying for or securing any license or certificate issued by the Board," as that clause is used in Section 4731.22(A), Ohio Revised Code.

Further, such acts as alleged in the above paragraphs (1), (2), and (3), individually and/or collectively, constitute "violating or attempting to violate directly or indirectly, assisting 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, (Section 4731.22(B)(16), Ohio Revised Code, prior to March 17, 1987) to wit: Section 4731.281, Ohio Revised Code, Rule 4731-10-03 and Rule 4731-10-08, Ohio Administrative Code.

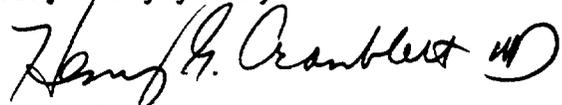
Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, that request must be received in the offices of the State Medical Board within thirty (30) days of the time of mailing of this notice.

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 #P746 510 039
RETURN RECEIPT REQUESTED