



STATE MEDICAL BOARD OF OHIO

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

May 13, 1994

Joseph C. Ungvari, M.D.
Suite 107
6500 Chippewa Avenue
St. Louis, MO 63109

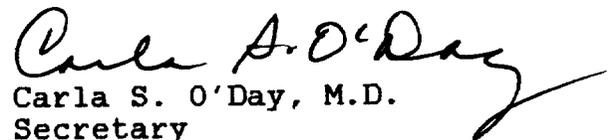
Dear Doctor Ungvari:

Please find enclosed a certified copy of the Findings, Order and Journal Entry approved and confirmed by the State Medical Board meeting in regular session on May 11, 1994.

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

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

Very truly yours,


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

CSO:em
Enclosures

CERTIFIED MAIL RECEIPT NO. P 290 319 200
RETURN RECEIPT REQUESTED

Mailed 5/13/94



STATE MEDICAL BOARD OF OHIO

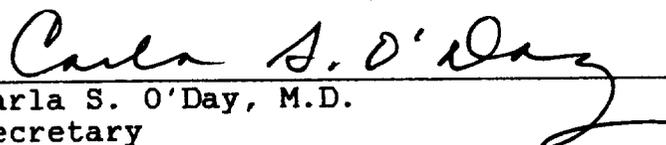
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CERTIFICATION

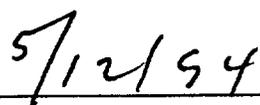
I hereby certify that the attached copy of the Findings, Order and Journal Entry, approved by the State Medical Board, meeting in regular session on May 11, 1994, constitute a true and complete copy of the Findings, Order and Journal Entry in the matter of Joseph C. Ungvari, M.D., as it appears in the Journal of the State Medical Board of Ohio.

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

(SEAL)



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



Date



STATE MEDICAL BOARD OF OHIO

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

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

*

*

JOSEPH C. UNGVARI, M.D.

*

FINDINGS, ORDER AND JOURNAL ENTRY

This matter came on for consideration after a citation letter was mailed to Joseph C. Ungvari, M.D., by the State Medical Board of Ohio on March 9, 1994.

By letter dated March 9, 1994, notice was given to Joseph C. Ungvari, M.D., that the State Medical Board intended to consider disciplinary action regarding his license to practice medicine and surgery in Ohio, and that he was entitled to a hearing if such hearing was requested within thirty (30) days of the mailing of said notice. In accordance with Section 119.09, Ohio Revised Code, said notice was sent via certified mail, return receipt requested, to the last known address of Joseph C. Ungvari, M.D., that being 6500 Chippewa Avenue, Suite 107, St. Louis, Missouri 63109.

No request for hearing has been received, and more that thirty days have now elapsed since the mailing of the aforesaid notice.

WHEREFORE, it is hereby ORDERED that for the reasons outlined in the March 9, 1994 letter of notice, which is attached hereto and incorporated herein, accordingly:

1. The certificate of Joseph C. Ungvari, M.D., to practice medicine and surgery in the State of Ohio shall be SUSPENDED for an indefinite period of time, but not less than one (1) year.
2. The State Medical Board shall not consider reinstatement of Dr. Ungvari's certificate to practice unless and until all of the following minimum requirements are met:
 - A. Dr. Ungvari shall submit an application for reinstatement, accompanied by appropriate fees.
 - B. Dr. Ungvari shall provide acceptable documentation of successful completion of a course dealing with the prescribing of controlled substances, such course to be approved in advance by the Board or its designee.



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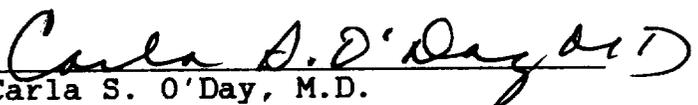
Page 2

Joseph C. Ungvari, M.D.

- C. In the event that any license held by Dr. Ungvari is restricted as a direct result of this Order, Dr. Ungvari shall so advise the Board and shall provide acceptable documentation verifying same. Further, Dr. Ungvari shall provide written documentation acceptable to the Board verifying that he otherwise holds a full and unrestricted license to practice medicine and surgery in all other states in which he is licensed at the time of application or has been in the past licensed, or that he would be entitled to such license but for the non-payment of renewal fees.
- D. In the event that Dr. Ungvari has not been engaged in the active practice of medicine and surgery for a period in excess of two years prior to application for reinstatement, the Board may exercise its discretion under Section 4731.222, Ohio Revised Code, to require additional evidence of Dr. Ungvari's fitness to resume practice.
3. Upon successful completion of the above conditions, Dr. Ungvari's certificate will be fully restored.

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

(SEAL)


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

5/12/94
Date



STATE MEDICAL BOARD OF OHIO

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

AFFIDAVIT

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

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

6500 Chippewa Avenue, Suite 107
St. Louis, MO 63109

- 6) Further, Affiant Sayeth Naught.

(SEAL)



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

Sworn to and signed before me, Lauren Lubow,
Notary Public, this 12th day of May, 1994.



Notary Public

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



STATE MEDICAL BOARD OF OHIO

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

March 9, 1994

Joseph C. Ungvari, M.D.
Suite 107
6500 Chippewa Avenue
St. Louis, MO 63109

Dear Doctor Ungvari:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio intends to determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery, or to reprimand or place you on probation for one or more of the following reasons:

- (1) On or about January 28, 1993, you entered into an Agreement with the Missouri Board of Registration for the Healing Arts (a copy of which is attached hereto and fully incorporated herein). In the Agreement, your Missouri license to practice medicine was placed on probation for three years and you were prohibited from prescribing amphetamines, amphetamine-like drugs, or sympathomimetic amines as a result of your inappropriate and long-term prescribing of anorectics, amphetamines, and thyroid medications to several patients.

Your acts, conduct, and/or omissions as alleged in paragraph (1) above, individually and/or collectively constitute "the limitation, revocation or suspension by another state of a license or certificate to practice issued by the proper licensing authority of that state, the refusal to license, register, or reinstate an applicant by that authority, or the imposition of probation by that authority, for an action that would also have been a violation of this chapter, except for nonpayment of fees," as that clause is used in Section 4731.22(B)(22), Ohio Revised Code, to wit: Sections 4731.22(B)(2), (B)(6)(a) and (B)(20), Ohio Revised Code, to wit: Rule 4731-11-04, Ohio Administrative Code.

Mailed 3/10/94

March 9, 1994

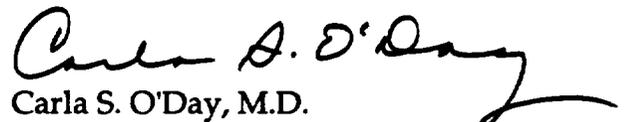
Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, the request must be made in writing and must be received in the offices of the State Medical Board within thirty (30) days of the time of mailing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

You are further advised that you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing received within thirty (30) days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation.

Copies of the applicable sections are enclosed for your information.

Very truly yours,


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

CSO:jmb

Enclosures:

CERTIFIED MAIL #P 348 885 071
RETURN RECEIPT REQUESTED

AGREEMENT BETWEEN THE STATE BOARD OF REGISTRATION FOR
THE HEALING ARTS AND JOSEPH C. UNGVARI, M.D. REGARDING
DISCIPLINE OF THE LICENSE OF JOSEPH C. UNGVARI, M.D.

I

Come now Joseph C. Ungvari, M.D. and the State Board of Registration for the Healing Arts and enter into this Agreement for the purpose of resolving the question of whether Joseph C. Ungvari's license as a physician and surgeon will be subject to discipline.

Joseph C. Ungvari, M.D. (hereinafter "Licensee") understands that this Agreement is in lieu of a trial-type hearing of the charges by the Administrative Hearing Commission where he would have the right to appear and be represented by legal counsel; the right to have all charges proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing; the right to a decision upon the record by a fair and impartial administrative hearing commissioner concerning the charges pending and, subsequently, the right to a disciplinary hearing before the State Board of Registration for the Healing Arts at which time evidence in mitigation of discipline may be presented; and the right to a claim for attorney's fees and expenses if Licensee was a prevailing party. Being aware of these rights, the parties knowingly and voluntarily waive each and every one of these rights and agree to abide by the terms of

this document, in lieu of proceedings before the Administrative Hearing Commission.

II

Licensee hereby stipulates with the State Board of Registration for the Healing Arts to the following facts:

1. The State Board of Registration for the Healing Arts ("the Board") is an agency of the state of Missouri created and established pursuant to § 334.120, RSMo Supp. 1990, for the purpose of executing and enforcing the provisions of Chapter 334, RSMo.

2. The Licensee is licensed by the Board as a physician and surgeon, License No. 27370. The Licensee's Missouri license is current.

3. Between November 1, 1960, and January 20, 1992, Licensee prescribed various anorectics including Preludin, Obestat, Adipost, Fastin, and Tepanil to patient R. E. for weight loss.

4. The Licensee also prescribed thyroid to patient R. E. in conjunction with the anorectics. Licensee failed to conduct or document appropriate studies indicating a need for thyroid in patient R. E.'s case.

5. Between 1984 and 1990, Licensee prescribed anorectics including Preludin and Fastin to patient C. L. on a regular basis for weight loss.

6. Between August 7, 1987, and June 28, 1991, Licensee prescribed anorectics including Adipex and Adipost to patient M. A. D. for weight loss.

7. The Licensee also prescribed thyroid to patient M. A. D. in conjunction with the anorectics. Licensee failed to conduct or document appropriate studies indicating a need for thyroid in patient M. A. D.'s care.

8. Amphetamines and amphetamine-like drugs are not indicated for long-term use in weight loss treatment programs.

9. Cause exists for discipline against Licensee's license as a physician and surgeon pursuant to § 334.100.2(4)(h) and (5), RSMo Supp. 1987.

III

In light of the foregoing stipulation of facts, Licensee and the Board hereby consent and agree to the following disciplinary action to be imposed against License No. 27370 effective the date this document is signed by the Board.

1. For purposes of this Agreement, unless otherwise specified in this Agreement, all reports, documentation, evaluations, notices, or other materials required to be submitted to the Board in this Agreement shall be forwarded to the State Board of Registration for the Healing Arts, Attention: Investigations, P.O. Box 4, Jefferson City, Missouri 65102.

2. The license to practice the healing arts, No. 27370, issued to Licensee is hereby placed on probation for a period of

three years beginning November 1, 1992 (the disciplinary period). During Licensee's probation, Licensee shall be entitled to engage in the practice of medicine under Chapter 334 provided he adheres to all of the terms of this Agreement.

3. The Licensee stipulates and agrees that he will under no circumstances prescribe any form of amphetamine to any person or patient. For purposes of this Agreement, amphetamine shall include all drugs classified by the Physician's Desk Reference 1992 edition as amphetamines, amphetamine-like, or sympathomimetic amines.

4. The Licensee will under no circumstances prescribe any form of thyroid medication without documenting appropriate studies indicating thyroid disease in a patient.

5. During the disciplinary period, Licensee shall keep the Board informed of Licensee's current work and home telephone numbers and addresses. Licensee shall notify the Board in writing within ten days of any change in this information.

6. During the disciplinary period, Licensee shall pay all fees required for licensing and comply with all other board requirements necessary to maintain Licensee's license in a current and active state.

7. The Licensee shall accept and comply with unannounced visits from the Board's representatives to monitor his compliance with the terms and conditions of this disciplinary Agreement.

8. During the disciplinary period, Licensee shall comply with all provisions of Chapters 334 and 195, RSMo; all the regulations of the Board; all applicable federal and state drug laws, rules, and regulations; and all federal and state laws. State here includes all states and territories of the United States.

9. In the event Licensee should leave Missouri to reside or to practice outside the state, Licensee, within ten days, must notify the Board in writing of the dates of departure and return. Periods of residency or practice outside Missouri will not apply to the reduction of this disciplinary period; and the medical licensing authorities of the jurisdiction to which the Licensee is moving or has moved must be notified, in writing within ten days by Licensee, of Licensee's disciplinary status in Missouri. Licensee shall forward a copy of Licensee's written notice to the Board at the time it is sent to the relevant licensing authority.

10. The Licensee shall appear in person for interviews with the Board or its designee upon request at various intervals and with reasonable notice.

11. The Licensee shall notify, within 15 days of the effective date of this Agreement, all hospitals, nursing homes, out-patient centers, surgical centers, clinics, and all other facilities where the physician has privileges or practices of the Licensee's disciplinary status. Notification shall be in writing and Licensee shall, at the time of the notice, submit a

copy of the notice to the Board for verification by the Board or its designated representative.

12. The Licensee shall submit annual written reports to the Board by November 1 each year during the disciplinary period on forms provided by the Board, stating truthfully whether there has been compliance with all the conditions of this Agreement. It is the Licensee's responsibility to see that the reports are submitted. Failure of the Board to provide the reporting forms shall not relieve the Licensee of the obligation to make the required reports.

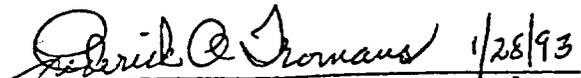
13. Upon the expiration of the disciplinary period, Licensee's license shall be fully restored if all requirements of law have been satisfied; provided, however, that in the event the State Board of Registration for the Healing Arts determines that the Licensee has violated any term or condition of this Agreement, the Board may, in its discretion, vacate this Agreement and impose such further discipline as the Board shall deem appropriate.

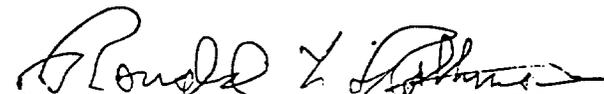
14. This Agreement does not bind the Board or restrict the remedies available to it concerning any future violation of Chapter 334, RSMo, by the Licensee.

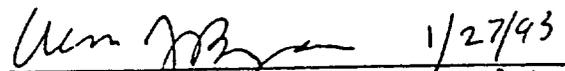
15. The Licensee hereby waives and releases the Board and any of its employees, agents, or attorneys, including any former Board members, employees, agents, and attorneys, of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, which may be based upon, arise out

of, or relate to any of the matters raised in this Agreement or resulting from the negotiation or execution thereof.


Joseph C. Ungvari, M.D. date
Licensee

 1/28/93
Frederick A. Tromans date
Executive Director


Ronald L. Rothman date
Attorney at Law

 1/27/93
William D. Bryan date
Assistant Attorney General

Effective this 28th day of January 199³.
(Effective date to be filled in by Executive Director.)

STATE MEDICAL BOARD
OF OHIO
93 DEC 27 PM 4:10