STATE MEDICAL BOARD OF OHIO
77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

August 12, 1994

Richard L. Klecker, M.D.
1601 W. Fifth Avenue, Suite 122
Columbus, Ohio 43212

Dear Doctor Klecker:

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 August 10, 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 Frankin 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

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

CSO:em
Enclosures

CERTIFIED MAIL RECEIPT NO. P 741 123 672
RETURN RECEIPT REQUESTED

Mailed 8-12-94

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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 August 10, 1994, constitute a true and complete copy of the Findings, Order and Journal Entry in the matter of Richard Lawrence Klecker, 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

8/10/94
Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF *

*

RICHARD LAWRENCE KLECKER, M.D. *

FINDINGS, ORDER AND JOURNAL ENTRY

This matter came on for consideration after a citation letter was mailed to Richard Lawrence Klecker, M.D., by the State Medical Board of Ohio on May 12, 1994.

By letter dated May 11, 1994, notice was given to Richard Lawrence Klecker, 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 Richard Lawrence Klecker, M.D., that being 1601 W. Fifth Avenue, Suite 122, Columbus, Ohio, 43212.

No response has been received from Dr. Klecker, and more than thirty days have now elapsed since the mailing of the aforesaid notice.

WHEREFORE, for the reasons outlined in the May 11, 1994 letter of notice, which is attached hereto and incorporated herein, it is hereby ORDERED:

1. That the license of Richard Lawrence Klecker, M.D., to practice medicine and surgery in Ohio be suspended for an indefinite term, which shall last a minimum of thirty (30) days.

2. Further, that the State Medical Board of Ohio shall not consider reinstatement of Dr. Klecker's certificate unless and until all the following minimum requirements are met:

   A. Richard Lawrence Klecker, M.D., shall submit an application for reinstatement accompanied by appropriate fees.

   B. Richard Lawrence Klecker, M.D., shall provide documentation acceptable to the Board of his satisfactory completion of 75 hours of Continuing Medical Education credits for the registration period January 1, 1991 - September 30, 1992, at least thirty (30) hours of which shall be in Category I. It shall be Dr. Klecker's responsibility to work with appropriate Board staff to ascertain what will be considered as satisfactory documentation and to obtain the same.

   C. Richard Lawrence Klecker, M.D., shall supply documentation acceptable to the Board of satisfactory completion of one hundred (100) hours of approved Continuing

Medical Education, at least forty (40) hours of which shall be in Category I, for the period from July 1, 1992 to June 30, 1994, and for each complete biennium, if any, during which his certificate remains suspended after the 1991 - 1992 biennium.

D. In the event that Richard Lawrence Klecker, M.D., has not been engaged in the active practice of medicine for a period of more than two (2) years prior to his application for reinstatement, Richard Lawrence Klecker, M.D., shall take and pass the SPEX examination or any similar written examination which the Board may deem appropriate to assess his clinical competency.

3. Subsequent to reinstatement of his certificate, Richard Lawrence Klecker, M.D., shall remain on probation for three (3) additional biennial registration periods and shall submit documentation acceptable to the Board of satisfactory completion of requisite hours of Continuing Medical Education for each biennium. Such documentation shall be due in the Board's offices within thirty (30) days of re-registration for each biennium.

4. Upon successful completion of probation, Dr. Klecker'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.

This ORDER is hereby entered upon the Journal of the State Medical Board of Ohio for the 10th day of August, 1994, and the original thereof shall be kept with said Journal.

(SEAL)

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

8/10/94
Date

AFFIDAVIT

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

1) That I am employed by the State Medical Board of Ohio (hereinafter, "The Board");

2) That I serve the Board in the position of Chief, Continuing Medical Education, Records, and Renewal;

3) That in such position I am the responsible custodian of all public licensee records maintained by the Board pertaining to individuals who have received certificates issued pursuant to Chapter 4731., Ohio Revised Code;

4) That I have this day carefully examined the records of the Board pertaining to Richard Lawrence Klecker, M.D.;

5) That based on such examination, I have found the last known address of record of Richard Lawrence Klecker, M.D., to be:

1601 W. Fifth Avenue, Suite 122
Columbus, Ohio 43212

6) Further, Affiant Sayeth Naught.

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

Sworn to and signed before me, Lauren Lubow,
Notary Public, this 29th day of July, 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

May 11, 1994

Richard L. Klecker, M.D.
1601 W. Fifth Avenue, Suite 122
Columbus, OH 43212

Dear Doctor Klecker:

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, 1991 - September 30, 1992) the requisite hours of Continuing Medical Education (CME) as required by Section 4731.281, Ohio Revised Code.

(2) On April 26, 1993, your agent signed for the certified mail letter from the State Medical Board which informed you that you were required to complete a log listing your CME for the January 1, 1991 to September 30, 1992, registration period and to provide documentation that you had actually completed at least thirty (30) hours of Category 1 CME credits. By certified mail letter dated December 2, 1993, which your agent signed for on or about December 3, 1993, the State Medical Board again requested that you submit documentation of your CME credits for the registration period January 1, 1991, to September 30, 1992. You have not responded to either of the above notices. You have failed to submit any documentation of CME completed for the above registration period.

(3) Your lack of response to the notices as detailed in the above paragraph (2) rebuts the presumption that you did complete the requisite hours of Continuing Medical Education, and/or demonstrates that you failed to keep detailed records of CME taken.

Your acts in certifying to the State Medical Board that you had completed the statutorily required Continuing Medical Education, as set forth in the above paragraph (1), when you had not, in fact, done so, 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.

Mailed 5/12/94

May 11, 1994

Further, such failure to obtain the requisite Continuing Medical Education and submit documentation of same constitutes "(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: Section 4731.281, Ohio Revised Code, and Rules 4731-10-03 and 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, 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.

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

CSO:jmb

Enclosures:

CERTIFIED MAIL #P 348 888 312
RETURN RECEIPT REQUESTED