

STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 510
65 South Front Street
Columbus, Ohio 43215

November 4, 1982

Rodolfo K. Stock, M.D.
2915 Kanawha Ave., S.E.
Charleston, West Virginia 25327

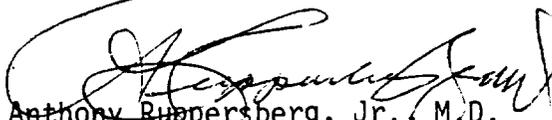
Dear Doctor Stock:

Please find enclosed a certified copy of the Order; a certified copy of the original Report and Recommendation; a certified copy of the Amended Findings and Conclusions and Amended Order of Walter H. Paulo, Member, State Medical Board of Ohio; a certified copy of the Motion by the State Medical Board, meeting in regular session on October 13, 1982, approving and confirming said Amended Findings and Conclusions and Amended Order as the Findings and Order of the State Medical Board.

You are hereby notified that you may appeal this Order to the Court of Common Pleas of the county in which your place of business is located, or the county in which you reside. If you are not a resident and have no place of business in this state, you may appeal to the Court of Common Pleas of Franklin County, Ohio.

To appeal as stated above, you must file a notice of appeal with the Board setting forth the Order appealed from, and the grounds of the appeal. You must also file a copy of such notice with the court. Such notices of appeal shall be filed within fifteen (15) days after the date of mailing of this letter and in accordance with Section 119.12, Revised Code.

THE STATE MEDICAL BOARD OF OHIO


Anthony Ruppertsberg, Jr., M.D.
Secretary

AR:em

CERTIFIED MAIL NO P 349 641 994
RETURN RECEIPT REQUESTED

cc: Jeffrey M. Wakefield, Esq.

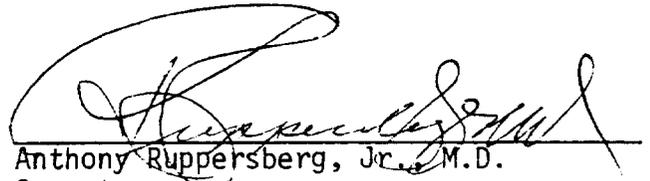
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RETURN RECEIPT REQUESTED

Encls.

STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 510
65 South Front Street
Columbus, Ohio 43215

CERTIFICATION

I hereby certify that the attached copy of the Order of the State Medical Board of Ohio; attached copy of the original Report and Recommendation; attached copy of the Amended Findings and Conclusions and Amended Order of Walter H. Paulo, Member, State Medical Board of Ohio; and the attached copy of the Motion approved by the State Medical Board, meeting in regular session on October 13, 1982 approving and confirming said Amended Findings and Conclusions and Amended Order as the Findings and Order of the State Medical Board in the matter of Rodolfo Karl Stock, M.D., as it appears in the Journal of the State Medical Board of Ohio.


Anthony Ruppertsberg, Jr., M.D.
Secretary

(SEAL)

November 4, 1982

Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF *
 *
RODOLFO KARL STOCK, M.D. *

ORDER

This matter came on for consideration before the State Medical Board of Ohio the 13th day of October, 1982.

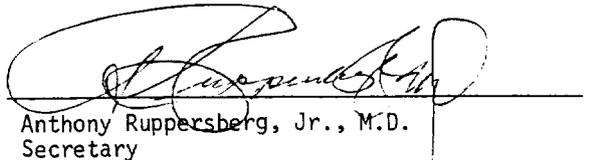
Upon the original Report and Recommendation and Amended Findings and Conclusions and Amended Order, true copies of which are attached hereto and incorporated herein, of Mr. Walter H. Paulo, the Hearing Member in this matter designated pursuant to R.C. 4731.23, the Amended Findings of Fact, Amended Conclusions, and Amended Proposed Order are Hereby APPROVED and CONFIRMED by vote of the State Medical Board of Ohio as reflected by the Motion of the Board at its meeting for the above date, a true copy of said Motion of the Board being attached hereto and incorporated herein.

WHEREFORE, it is hereby ORDERED that effective immediately the certificate of Rodolfo Karl Stock, M.D., to practice medicine and surgery in the State of Ohio is limited as follows:

1. Dr. Stock shall practice only in an Ohio Institution.
2. Dr. Stock shall not prescribe Schedule II drugs.
3. From the effective date of this Order, Dr. Stock shall appear before the Ohio Medical Board every three (3) months to report his progress.
4. These limitations shall remain in effect until further notice from the Ohio Medical Board.

This ORDER is to be entered upon the Journal of the State Medical Board of Ohio for this 4th day of November, 1982, and the original thereof shall be kept

(SEAL)


Anthony Ruppertsberg, Jr., M.D.
Secretary

November 4, 1982

Date

'82 SEP 20 11 26

AMENDED FINDINGS AND CONCLUSIONS

After considering all of the testimony and evidence presented at the hearing, and after having read and considered the transcript and all evidence introduced and the list of sincere recommendations and letters etc., from 10 doctors and nurses, 16 social friends, 61 patients and numerous business contacts, I make the following Findings and Conclusions.

1. Dr. Stock has made too many mistakes and violations in a careless manner without consideration of the dangers and the possible effects.
2. Dr. Stock pled guilty and was convicted in United States District Court for Southern District of West Virginia, pursuant to West Virginia Code 30-3-14d, on June 22, 1981, of one felony count and one misdemeanor count for illegally prescribing the Schedule 11 drug Preludin. (Ohio Revised Code 4731.22(B)(10), 4731.22(B)(11) and 4731.22(B)(3). (United States Code, Title 21, Section 841(a)(1) and Title 18, Section 2(b) and Title 21, Sections 842(a)(1) and 842(c)(4) and Title 18 Section 2(b).)
3. Dr. Stock was committed to the custody of the Attorney General or his representative for imprisonment for a period of six (6) months.

He was placed on probation for five (5) years and directed to perform, without compensation, public or community service for one 8-hour day per week for 50 weeks or a minimum of 180 days upon his release from prison. He also was fined \$20,000.00.

4. Dr. Stock has served his six-month prison term and has paid his fine of \$20,000.00. He is now performing the public service as directed.

Dr. Stock is licensed to practice medicine by both the State of Ohio and the State of Virginia. He would like to obtain a medical position with perhaps one of the institutions in Ohio so he is not moving into the State of Ohio in competition to any of the other private physicians already there.

Before seeking such employment in Ohio, Dr. Stock felt that the prudent thing to do was to bring the whole thing to the attention of the Ohio State Medical Board so that the matter could be dealt with before he made any moves.

AMENDED ORDER

It is hereby ordered that the license of Dr. Rodolfo K. Stock, M.D., to practice medicine and surgery in the State of Ohio, be limited as follows:

1. Dr. Stock shall practice only in an Ohio institution.
2. Dr. Stock shall not prescribe Schedule II drugs.

'82 SEP 23 10 26

3. From the effective date of this order, Dr. Stock shall appear before the Ohio Medical Board every three (3) months to report his progress. STATE BOARD
4. These limitations shall remain in effect until further notice from the Ohio Medical Board.

Walter H Paulo Sept 23-1982
Walter H. Paulo, Member
State Medical Board of Ohio

STATE OF OHIO
THE STATE MEDICAL BOARD.
Suite 510
65 South Front Street
Columbus, Ohio 43215

EXCERPT FROM THE MINUTES OF OCTOBER 13, 1982

REPORT AND RECOMMENDATION IN THE MATTER OF RODOLFO K. STOCK, M.D.

Mr. Bumgarner, Mr. Schmidt, Ms. Cato, Mr. Albert and Mr. Jurca remained out of the room during discussion of the above-captioned matter.

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Dr. Cover asked if each member of the Board received, read and considered the hearing record, the proposed findings and order, and any objections filed to the proposed findings and order in the matter of Rodolfo K. Stock, M.D. A roll call was taken:

ROLL CALL:	Dr. Cramblett	- aye
	Dr. Lancione	- aye
	Dr. Lovshin	- aye
	Dr. Clarke	- aye
	Dr. Yut	- aye
	Dr. Oxley	- aye
	Mr. Paulo	- aye
	Dr. Ferritto	- aye

DR. YUT MOVED TO APPROVE AND CONFIRM MR. PAULO'S AMENDED FINDINGS AND CONCLUSIONS AND AMENDED ORDER IN THE MATTER OF RODOLFO K. STOCK, M.D. DR. LANCIONE SECONDED THE MOTION. A discussion followed.

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

ROLL CALL VOTE:	Dr. Cramblett	- nay
	Dr. Lancione	- aye
	Dr. Lovshin	- aye
	Dr. Clarke	- aye
	Dr. Yut	- aye
	Dr. Oxley	- aye
	Mr. Paulo	- abstain
	Dr. Ferritto	- nay

The motion carried.

DR. YUT MOVED THAT AN EFFECTIVE DATE OF OCTOBER 13, 1982 BE SET ON THE ORDER. DR. LOVSHIN SECONDED THE MOTION. A roll call vote was taken:

ROLL CALL VOTE:	Dr. Cramblett	- nay
	Dr. Lancione	- aye
	Dr. Lovshin	- aye
	Dr. Clarke	- aye
	Dr. Yut	- aye
	Dr. Oxley	- aye
	Mr. Paulo	- abstain
	Dr. Ferritto	- aye

The motion carried.

STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 510
65 South Front Street
Columbus, Ohio 43215

April 14, 1982

Rodolfo K. Stock, M.D.
3100 Mac Corkle Avenue, S.E.
Medical Staff Building, Suite 608
Charleston, WV 25304

Dear Doctor Stock:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio intends to determine under the provisions of Section 4731.22, Ohio Revised Code, whether or not to limit, reprimand, revoke, suspend, place on probation, refuse to register, or reinstate your certificate to practice medicine or surgery for one or more of the following reasons:

1. Based upon your plea of guilty, you were convicted on June 22, 1981, of one felony count and one misdemeanor count for illegal prescribing the Schedule II drug Preludin. You were convicted of these offenses in the United States District Court for the Southern District of West Virginia.

Conviction of a felony or conviction of a misdemeanor, committed in the course of practice, constitutes grounds to limit, reprimand, revoke, suspend, place on probation, refuse to register, or reinstate your certificate to practice medicine or surgery pursuant to Sections 4731.22(B)(10) and 4731.22(B)(11) of the Ohio Revised Code.

Further, your convictions described above constitute "...conviction of violation of any federal or state law regulating the possession, distribution, or use of any drug..." as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you may request a hearing on this matter. If you wish to request such hearing, that request must be made 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 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.

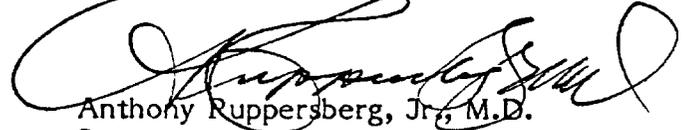
Rodolfo K. Stock, M.D.

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In the event that there is no request for such hearing made 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, reprimand, revoke, place on probation, refuse to register, or reinstate your certificate to practice medicine and surgery.

Enclosed is a copy of Section 4731.22, Ohio Revised Code, for your examination.

Very truly yours,



Anthony Ruppertsberg, Jr., M.D.
Secretary

AR:jmb

Enclosure:

CERTIFIED MAIL #P30 5190998
RETURN RECEIPT REQUESTED

cc: Jeffrey M. Wakefield
Attorney at Law
Kay, Casto & Chaney
Charleston National Plaza, 16th Floor
P.O. Box 2031
Charleston, WV 25327
CERTIFIED MAIL #P30 5190999
RETURN RECEIPT REQUESTED

Sec. 4731.22 Grounds for discipline.

(A) The state medical board, by a vote of not less than five of its members, may refuse to grant a certificate to a person found guilty of fraud in passing the examination, or fraud, misrepresentation, or deception in applying for or securing any license or certificate issued by the board.

(B) The board shall, to the extent permitted by law, limit, reprimand, revoke, suspend, place on probation, refuse to register, or reinstate a certificate for one or more of the following reasons:

- (1) Permitting one's name or one's certificate of registration to be used by a person, group, or corporation when the individual concerned is not actually directing the treatment given;
- (2) Failure to use reasonable care discrimination in the administration of drugs, or failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease;
- (3) Selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes or conviction of violation of any federal or state law regulating the possession, distribution, or use of any drug;
- (4) Wilfully betraying a professional secret or engaging in the division of fees for referral of patients, or the receiving of a thing of value in return for a specific referral of a patient to utilize a particular service or business;
- (5) Except as permitted by section 4731.44 of the Revised Code, advertising for or soliciting patients;
- (6) A departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same of similar cir-

cumstances, whether or not actual injury to a patient is established;

(7) Representing, with the purpose of obtaining compensation or other advantage for himself or for any other person, that an incurable disease or injury, or other incurable condition, can be permanently cured;

(8) Knowingly maintaining a professional connection or association with a person who is in violation of this chapter or rules of the board or with a person who knowingly aids, assists, procures, or advises an unlicensed person to practice medicine contrary to this chapter or rules of the board;

(9) The obtaining of, or attempting to obtain, money or anything of value by fraudulent misrepresentations in the course of treatment;

(10) Conviction of a felony committed not in the course of his practice;

(11) Conviction of a felony or misdemeanor committed in the course of his practice;

(12) Violation of the conditions of limitation upon which a limited or temporary license or certificate to practice is issued;

(13) Failure to pay license renewal fees specified in this chapter;

(14) Any division of fees or charges, or any agreement or arrangement to share fees or charges, made by any person licensed to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery with any other person so licensed, or with any other person;

(15) The violation of any provision of a code of ethics of a national professional organization as specified in this division. "National professional organization" means the American medical association, the American osteopathic association, the American podiatry association, the American physical therapy asso-

ciation, and such other national professional organizations as are determined, by rule, by the state medical board. The state medical board shall obtain and keep on file current copies of the codes of ethics of the various national professional organizations. The practitioner whose certificate is being suspended or revoked shall not be found guilty of the violation of a code of ethics of an organization not appropriate to his profession.

(16) Inability to practice according to acceptable and prevailing standards of care by reason of illness, excessive use of alcohol, excessive use of controlled substances, chemicals, or as a result of a physical condition or adjudication of incompetence as provided in section 4731.221 [4731.22.1] of the Revised Code. In enforcing this division, the board upon a showing or a possible violation, may compel any individual licensed or certified to practice by this chapter to submit to a mental or physical examination as required by and at the expense of the board. Failure of any individual to submit to a mental or physical examination when directed constitutes an admission of the allegations against him unless the failure is due to circumstances beyond his control, and a default and final order may be entered without the taking of testimony or presentation of evidence. An individual licensed by this chapter affected under this section shall be afforded an opportunity to demonstrate to the board that he can resume his practice in compliance with acceptable and prevailing standards under the provisions of his certificate. For the purpose of this section, any individual licensed or certified to practice by this chapter accepts the privilege of practicing in this state, and by so doing or by the making and filing of a registration to practice in this state, shall be deemed to have given his consent to submit to a mental or physical examination when directed to do so in writing by the board, and to have

waived all objections to the admissibility of the testimony or examination reports constitute a privileged communication.

(17) 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.

(18) The violation of any abortion rule adopted by the public health council pursuant to section 3701.341 of the Revised Code.

(C) (1) The board shall investigate evidence which appears to show that any person has violated any provision of this chapter. Any person may report to the board under oath any information such person may have appearing to show a violation of any provision of this chapter.

(2) Any individual licensed or certified to practice or any association or society of individuals licensed or certified under this chapter shall report to the board any information appearing to show a violation of any provision of this chapter. Any person or society who reports under this section and provides such information in good faith shall not be subject to suit for civil damages as a result thereof.

(3) In absence of fraud or bad faith, neither the board nor any member, agent, representative, or employee thereof shall be held liable in damages to any person by reason of investigating or acting upon information presented to it pursuant to this chapter.

Sec. 4731.221 Suspension of certificate of mentally ill or mentally incompetent practitioner.

If any person who has been granted a certificate under Chapter 4731. of the Revised Code is adjudicated incompetent for the purpose of holding the certificate, as provided in section 5122.301 [5122.30.1] of the Revised Code, his