



STATE MEDICAL BOARD OF OHIO

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

September 16, 1994

Edward J. Lowe, M.D.
113 Cassell Street
Piqua, Ohio 45356

Dear Doctor Lowe:

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 September 14, 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
Carla S. O'Day, M.D.
Secretary

CSO:em
Enclosures

CERTIFIED MAIL NO. P 348 885 208
RETURN RECEIPT REQUESTED

cc: Kevin P. Byers, Esq.

CERTIFIED MAIL NO. P 348 885 209

Mailed 9/26/94



STATE MEDICAL BOARD OF OHIO

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

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 September 14, 1994, constitute a true and complete copy of the Findings, Order and Journal Entry in the matter of Edward Joseph Lowe, 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

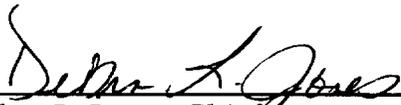
AFFIDAVIT

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 Edward J. Lowe, M.D.;
- 5) That based on such examination, I have found the last known address of record of Edward J. Lowe, M.D., to be:

113 Cassell
P.O. Box 1213
Piqua, Ohio 45356

- 6) Further, Affiant Sayeth Naught.



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

Sworn to and signed before me, Lauren Hubow
Notary Public, this 9th day of September, 1994.



Notary Public

LAUREN HUBOW, Attorney At Law
STATE OF OHIO
Commission Expires _____



STATE MEDICAL BOARD OF OHIO

77 South High Street, 17th Floor • Columbus, Ohio 3266-0315 • (611) 466-3934

October 13, 1993

Edward J. Lowe, M.D.
113 Cassell Street
Piqua, OH 45356

Dear Doctor Lowe:

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) From on or about October 11, 1988, until on or about November 4, 1988, you authorized a non-medical staff member to dispense controlled substances for weight loss while you were out of the country. Approximately 5,664 dosage units of Schedule III and IV controlled substance anorectic agents were dispensed during this period. Instances of this conduct include but are not necessarily limited to the drugs dispensed to the individuals listed on the attached list of Drugs Dispensed by Patient Number.
- (2) You excessively dispensed controlled substances for Patients indicated in paragraphs (a) through (i) identified in the attached Patient Key (Key Confidential-not for public disclosure) for weight loss. You routinely failed to utilize the controlled substances as an adjunct in the treatment of obesity, failed to follow F.D.A. approved labeling for the products, failed to determine that the patient made a substantial good-faith effort to lose weight in a treatment program prior to the utilization of controlled substances, failed to obtain a thorough physical examination or rule out the existence of any recognized contraindications, and/or failed to discontinue the controlled substances when the patient did not lose weight.

Further, you routinely failed to maintain medical records accurately reflecting an appropriate purpose for the utilization of controlled substance anorectics. You routinely failed to consider the drugs' potential for abuse, the possibility that the patients were using the drugs for nontherapeutic purposes or the possibility that the drugs would be distributed to third parties.

- (a) You treated Patient 54, an individual with hypertension, primarily for weight control from 1978 until 1991. At the time of his initial visit Patient 54 was five feet ten inches in height and weighed one hundred eighty-two (182) pounds. In the thirteen (13) years under your care and treatment for weight loss, Patient 54 lost only four (4) pounds.

Mailed 10/14/93

On or about April 20, 1992, Patient 54 presented to your office for weight loss medication. You dispensed twenty-eight (28) Adipex-P tablets to him, took his blood pressure and advised him that it was so high he could have a stroke. Four (4) days later, Patient 54 presented to your office for weight loss medication. You dispensed fourteen (14) additional Adipex-P tablets to him, took his blood pressure, advised him that it was 210 over 80 and that "(t)he top number can make, you know, your blood pressure burst from your brain".

- (b) You treated Patient 36 primarily for weight control from 1984 until 1990. At the time of her initial visit Patient 36 was five feet five inches in height and weighed one hundred thirty-six (136) pounds. In the six (6) years under your care and treatment for weight loss, Patient 36 gained twenty-five (25) pounds. On or about February 16, 1990, Patient 36 was admitted to a local hospital and diagnosed as being chemically dependent to stimulants.
- (c) You treated Patient 35 primarily for weight control from 1979 until 1988. No height was recorded in the patient records, however, at the time of her first visit she weighed one hundred thirty-two (132) pounds. In the nine years (9) under your care and treatment for weight loss, Patient 35 gained ten (10) pounds.
- (d) You treated Patient 22 primarily for weight control from 1983 until 1992. At the time of his initial visit Patient 22 was five feet eight and one-quarter inches in height and weighed one hundred sixty-two (162) pounds. In the nine (9) years under your care and treatment for weight loss, Patient 22 gained one hundred fifty-seven (157) pounds.
- (e) You treated Patient 51 primarily for weight control from 1984 until 1991. No height was recorded in the patient records, however, at the time of her first visit she weighed one hundred fifty-two and one half (152 1/2) pounds. In the seven (7) years under your care and treatment for weight loss, Patient 51 gained ninety-seven and one-half (97 1/2) pounds.
- (f) You treated Patient 86 primarily for weight control from 1986 until 1992. At the time of her initial visit Patient 86 was five feet three inches in height and weighed one hundred thirty-seven and one-half (137 1/2) pounds. In the six (6) years under your care and treatment for weight loss, Patient 86 gained one hundred thirty-seven and one-half (137 1/2) pounds.
- (g) You treated Patient 89 primarily for weight control from 1983 until 1990. At the time of her initial visit Patient 89 was five feet four inches in height and weighed two hundred and nine (209) pounds. In the seven (7) years under your care and treatment for weight loss, Patient 89 gained sixty (60) pounds.

- (h) You treated Patient 14 primarily for weight control from 1983 until 1992. At the time of her initial visit, Patient 14 was five feet four and one-half inches in height and weighed one hundred fifty-three pounds. In the eight (8) years under your care and treatment for weight loss, Patient 14 gained one hundred fifty (150) pounds.
- (i) You treated Patient 113 primarily for weight control from 1975 until 1992. At the time of her initial visit Patient 113 was five feet three inches in height and weighed one hundred thirty-seven (137) pounds. In the seventeen (17) years under your care and treatment for weight loss, Patient 113 gained one hundred thirty-seven (137) pounds.

Your acts, conduct, and/or omissions as alleged in paragraph (1) above, individually and/or collectively, constitute "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," as that clause is used in Section 4731.22(B)(1), Ohio Revised Code.

Further, your 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 "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 committed after November 11, 1986, as alleged in paragraphs (1) and (2) above, individually and/or collectively constitute "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," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-02(A), (C) and (D), Ohio Administrative Code. Pursuant to paragraph (F) of Rule 4731-11-02, Ohio Administrative Code, a violation of any provision of this rule, as determined by the board, shall also constitute a violation of Sections 4731.22(B)(2) and (B)(6), Ohio Revised Code. A violation of paragraph (C) of this rule, if committed purposely, knowingly, or recklessly as those words are defined in Section 2901.22 of the Revised Code, shall also constitute a violation of Section 4731.22(B)(3), Ohio Revised Code.

Further, your acts, conduct, and/or omissions committed after November 11, 1986, 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 4731-11-04(A), (B)(1), (2), (3) and (5)(a) and (b), Ohio Administrative Code. Pursuant to Paragraph (C) of Rule 4731-11-04, Ohio Administrative Code, a violation of any provision of the rule shall constitute a violation of Sections 4731.22(B)(2), (3) and (6), Ohio Revised Code.

October 13, 1993

Edward J. Lowe, M.D.

Page 4

- (3) In the routine course of your practice, controlled substance stimulants were customarily dispensed to patients in unmarked bottles.

Your acts, conduct, and/or omissions as alleged in paragraph (3) above, individually and/or collectively constitute "commission of an act that constitutes a misdemeanor in this state regardless of the jurisdiction in which the act was committed, if the act was committed in the course of practice," as that clause is used in Section 4731.22(B)(12), Ohio Revised Code, to wit: Section 3719.08, Ohio Revised Code, Labeling, and Rule 4731-11-02(E), Ohio Administrative Code. Pursuant to paragraph (F), of Rule 4731-11-02, Ohio Administrative Code, a violation of any provision of this rule, as determined by the board, shall also constitute a violation of Sections 4731.22(B)(2) and (B)(6), Ohio Revised Code.

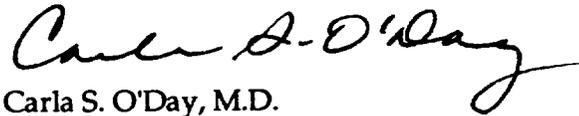
Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, the request must be made in writing and must be received in the offices of the State Medical Board within thirty (30) days of the time of mailing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

CSO:jmb

Enclosures:

CERTIFIED MAIL #P 741 123 907
RETURN RECEIPT REQUESTED

Drugs Dispensed by Patient

(Patients identified on attached Patient Key)

PATIENT #	CHART #	DATE	DRUG	DOSAGE UNITS
1	495	10/13/88	Adipex-P	14
1	495	11/4/88	Adipex-P	14
2	494	10/18/88	Adipex-P	14
2	494	11/4/88	Adipex-P	14
3	501	10/14/88	Adipex-P	14
3	501	11/4/88	Adipex-P	14
4	505	10/14/88	Adipex-P	14
4	505	11/4/88	Adipex-P	14
5	418	10/17/88	Adipex-P	14
5	418	11/4/88	Adipex-P	14
6	422	11/4/88	Adipex-P	14
7	223	11/4/88	Adipex-P	28
8	201	11/4/88	Adipex-P	14
9	202	10/21/88	Umiphen	14
9	202	11/4/88	Umiphen	14
10	159	10/11/88	Adipex-P	14
10	159	10/24/88	Adipex-P	14
10	159	11/4/88	Adipex-P	14
11	172	11/4/88	Adipex-P	14
12	98	10/20/88	Adipex-P	14
12	98	11/4/88	Adipex-P	14
13	109	11/4/88	Adipex-P	14
14	81	10/21/88	Umiphen	14
14	81	11/4/88	Umiphen	14
15	49	10/24/88	Umiphen	14
15	49	11/4/88	Umiphen.	14
16	30	10/13/88	Adipex-P	14
16	30	10/24/88	Adipex-P	14
16	30	11/4/88	Adipex-P	14
18	421	11/3/88	Adipex-P	28
19	457	10/12/88	Adipex-P	14
19	457	10/20/88	Adipex-P	14
19	457	11/3/88	Adipex-P	14
20	348	10/13/88	Adipex-P	14
20	348	10/24/88	Adipex-P	14
20	348	11/3/88	Adipex-P	14
21	161	10/24/88	Adipex-P	14
21	161	11/3/88	Adipex-P	14

Drugs Dispensed by Patient

PATIENT #	CHART #	DATE	DRUG	DOSAGE UNITS
22	111	11/3/88	Adipex-P	14
23	131	10/21/88	Adipex-P	14
23	131	11/3/88	Adipex-P	14
24	135	10/12/88	Adipex-P	14
24	135	11/3/88	Adipex-P	14
25	38	10/13/88	Adipex-P	14
25	38	11/3/88	Adipex-P	14
26	433	11/2/88	Adipex-P	14
27	442	10/21/88	Adipex-P	14
27	442	11/2/88	Adipex-P	14
28	450	10/18/88	Adipex-P	14
28	450	11/2/88	Adipex-P	14
29	293	10/24/88	Adipex-P	14
29	293	11/2/88	Adipex-P	14
30	238	10/18/88	Adipex-P	14
30	238	11/2/88	Adipex-P	14
31	209	11/2/88	Adipex-P	28
32	173	10/14/88	Adipex-P	14
32	173	10/21/88	Adipex-P	14
32	173	11/2/88	Adipex-P	14
33	93	11/2/88	Adipex-P	14
34	50	10/11/88	Adipex-F	14
34	50	11/2/88	Adipex-P	14
35	29	10/18/88	Adipex-P	14
35	29	11/2/88	Adipex-P	14
36	408	10/20/88	Adipex-P	14
36	408	11/1/88	Adipex-P	14
36	408	11/1/88	AdiDex-P	14
37	445	11/1/88	Adipex-P	14
38	268	10/18/88	Umiphen	14
38	268	11/1/88	Umiphen	14
39	310	10/18/88	Umiphen	14
39	310	11/1/88	Umiphen	14
40	317	11/1/88	Adipex-P	14
41	319	10/5/88	Umiphen	14
41	319	11/1/88	Umiphen	14
42	182	11/1/88	Umiphen	14
43	213	10/17/88	Adipex-P	14

Drugs Dispensed by Patient #

PATIENT #	CHART #	DATE	DRUG	DOSAGE UNITS
43	213	11/1/88	Adipex-P	14
44	147	11/1/88	Adipex-P	14
45	150	10/17/88	Umiphen	14
45	150	11/1/88	Umiphen	14
46	152	10/14/88	Adipex-P	14
46	152	11/1/88	Adipex-P	14
47	158	10/12/88	Adipex-P	14
47	158	11/1/88	Adipex-P	14
48	163	10/18/88	Umiphen	14
48	163	11/1/88	Umiphen	14
49	130	11/1/88	Adipex-P	14
50	144	10/18/88	Adipex-P	14
50	144	11/1/88	Adipex-P	14
51	86	11/1/88	Adipex-P	14
52	97	10/13/88	Adipex-P	14
52	97	11/1/88	Adipex-P	28
53	43	11/1/88	Adipex-P	14
54	654	11/1/88	Adipex-P	14
55	5	10/13/88	Adipex-P	14
55	5	11/1/88	Adipex-P	14
56	228	10/6/88	Adipex-P	14
56	228	10/31/88	Adipex-P	14
57	103	10/31/88	Adipex-P	28
58	134	10/31/88	Adipex-P	28
59	513	10/28/88	Adipex-P	28
60	419	10/14/88	Adipex-P	14
60	419	10/28/88	Adipex-P	14
61	417	10/28/88	Adipex-P	28
62	423	10/11/88	Adipex-P	14
62	423	10/28/88	Adipex-P	14
63	444	10/14/88	Adipex-P	14
63	444	10/28/88	Adipex-P	14
64	453	10/14/88	Adipex-P	14
64	453	10/28/88	Adipex-P	14
65	279	10/28/88	Adipex-P	14
67	313	10/28/88	Umiphen	14
68	318	10/14/88	Adipex-P	14
68	318	10/28/88	Adipex-P	14

Drugs Dispensed by Patient

PATIENT #	CHART #	DATE	DRUG	DOSAGE UNITS
69	327	10/5/88	Adipex-P	14
69	327	10/28/88	Adipex-P	14
70	351	10/6/88	Adipex-P	14
70	351	10/28/88	Adipex-P	14
71	236	10/14/88	Adipex-P	14
71	236	10/28/88	Adipex-P	14
72	247	10/14/88	Adipex-P	14
72	247	10/28/88	Adipex-P	14
73	188	10/14/88	Adipex-P	14
73	188	10/28/88	Adipex-P	14
74	205	10/14/88	Adipex-P	14
74	205	10/28/88	Adipex-P	14
75	145	10/13/88	Adipex-P	28
75	145	10/28/88	Adipex-P	28
76	99	10/14/88	Adipex-P	14
76	99	10/28/88	Adipex-P	14
77	88	10/14/88	Adipex-P	14
77	88	10/28/88	Adipex-P	14
78	45	10/14/88	Adipex-P	14
78	45	10/28/88	Adipex-P	14
79	54	10/14/88	Adipex-P	14
79	54	10/14/88	Adipex-P	14
79	54	10/28/88	Adipex-P	14
80	44	10/28/88	Adipex-P	14
81	462	10/27/88	Umiphen	14
82	438	10/13/88	Adipex-P	14
82	438	10/27/88	Adipex-P	14
83	271	10/13/88	Adipex-P	14
83	271	10/27/88	Adipex-P	14
84	329	10/12/88	Adipex-P	14
84	329	10/27/88	Adipex-P	14
85	240	10/27/88	Umiphen	28
86	100	10/13/88	Adipex-P	28
86	100	10/27/88	Adipex-P	28
87	101	10/13/88	Adipex-P	14
87	101	10/27/88	Adipex-P	14
88	115	10/13/88	Adipex-P	14
88	115	10/27/88	Adipex-P	14

Drugs Dispensed by Patient #

PATIENT #	CHART #	DATE	DRUG	DOSAGE UNITS
89	18	10/14/88	Adipex-P	14
89	18	10/27/88	Adipex-P	14
90	452	10/26/88	Adipex-P	14
91	215	10/26/88	Adipex-P	28
92	136	10/26/88	Adipex-P	28
93	242	10/25/88	Adipex-P	14
94	110	10/25/88	Adipex-P	14
95	485	10/24/88	Umiphen	14
96	507	10/11/88	AdiPex-p	14
96	507	10/24/88	Adipex-P	14
97	427	10/24/88	Umiphen	14
98	187	10/11/88	Adipex-P	28
98	187	10/24/88	Adipex-P	28
99	92	10/24/88	Adipex-P	14
100	51	10/11/88	Adipex-P	14
100	51	10/24/88	Adiptex-P	14
101	16	10/24/88	Adipex-P	14
102	272	10/21/88	Adipex-P	14
103	292	10/21/88	Adipex-P	14
104	146	10/21/88	Adipex-P	14
105	104	10/21/88	Adipex-P	14
106	87	10/21/88	Adipex-P	14
107	287	10/20/88	Umiphen	14
108	267	10/20/88	Adipex-P	28
109	265	10/20/88	Umiphen	14
111	214	10/20/88	Adipex-P	28
111	214	10/14/88	Adipex-P	28
112	105	10/20/88	Adipex-P	28
113	142	10/20/88	Adipex-P	14
113	142	10/20/88	Adipex-P	14
114	455	10/18/88	Adipex-P	14
115	249	10/18/88	Umiphen	14
116	77	10/18/88	Adipex-P	14
117	225	10/17/88	Adipex-P	28
118	217	10/17/88	Umiphen	28
119	153	10/17/88	Adipex-P	14
120	175	10/17/88	Umiphen	28
121	460	10/14/88	Adipex-P	14

Drugs Dispensed by Patient

PATIENT #	CHART #	DATE	DRUG	DOSAGE UNITS
122	510	10/14/88	Adipex-P	14
123	652	10/14/88	Adipex-P	14
123	652	10/14/88	Adipex-P	28
124	306	10/14/88	Adipex-P	14
125	237	10/14/88	Adipex-P	14
126	234	10/14/88	Adipex-P	28
127	165	10/14/88	Adipex-P	14
128	106	10/14/88	Adipex-P	28
129	653	10/14/88	Adipex-P	14
130	468	10/13/88	Umiphen	14
131	420	10/13/88	Umiphen	14
132	432	10/13/88	Adipex-P	14
133	276	10/13/88	Adipex-P	14
134	255	10/13/88	Adipex-P	14
135	246	10/13/88	Adipex-P	14
136	171	10/13/88	Adipex-P	28
137	137	10/13/88	Adipex-P	14
138	71	10/12/88	Adipex-P	28
139	13	10/12/88	Adipex-P	14
140	286	10/11/88	Adipex-P	14
141	235	10/11/88	Adipex-P	14
142	167	10/11/88	Adipex-P	28
143	41	10/11/88	Adipex-P	14



STATE MEDICAL BOARD OF OHIO

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

September 8, 1993

NOTICE OF IMMEDIATE SUSPENSION AND OPPORTUNITY FOR HEARING

Edward J. Lowe, M.D.
113 Cassell Street
Piqua, OH 45356

Dear Doctor Lowe:

In accordance with Sections 2929.17, 3719.12(B), 4731.223(B) and/or 4731.223(C), Ohio Revised Code, the Office of the Prosecuting Attorney of Miami County, Ohio reported that on or about August 27, 1993, the Miami County Court of Common Pleas found you guilty of twenty-five (25) counts of Illegal Processing of Drug Documents in violation of Section 2925.23(A), Ohio Revised Code, all felonies of the fourth degree.

Therefore, pursuant to Section 3719.121(C), Ohio Revised Code, you are hereby notified that your license to practice medicine and surgery in the State of Ohio is immediately suspended. Continued practice after this suspension shall be considered practicing medicine without a certificate in violation of Section 4731.41, Ohio Revised Code.

Furthermore, 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 August 27, 1993, the Miami Court of Common Pleas found you guilty of violations of twenty-five (25) counts of Section 2925.23(A), Ohio Revised Code, Illegal Processing of Drug Documents, all felonies of the fourth degree.

These judicial findings of guilt as alleged in paragraph (1) above, individually and/or collectively, constitute "a plea of guilty to, or a judicial finding of guilt of, a 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.

Mailed 9/10/93

September 8, 1993

Further, these judicial findings of guilt as alleged in paragraph (1) above, individually and/or collectively, constitute "a plea of guilty to, or a judicial finding of guilt of, a felony," as that clause is used in Section 4731.22(B)(9), Ohio Revised 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.
Secretary

CSO:jmb

Enclosures:

CERTIFIED MAIL #P 348 885 278
RETURN RECEIPT REQUESTED