



# STATE MEDICAL BOARD OF OHIO

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

May 12, 1995

Agustin Nang, M.D.  
5000 W. Fairview Lane  
Skokie, IL 60077

Dear Doctor Nang:

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 10, 1995.

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,

Thomas E. Gretter, M.D.  
Secretary

TEG:em  
Enclosures

CERTIFIED MAIL RECEIPT NO. P 348 885 677  
RETURN RECEIPT REQUESTED

*Mailed 5-24-95*



# 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 May 10, 1995, constitute a true and complete copy of the Findings, Order and Journal Entry in the matter of Agustin Nang, 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)

Thomas E. Greter, M.D.

Secretary

5/11/95

Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

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AGUSTIN NANG, MD

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FINDINGS, ORDER AND JOURNAL ENTRY

This matter came on for consideration after a citation letter was mailed to Agustin Nang, MD by the State Medical Board of Ohio on March 9, 1995.

By letter dated March 9, 1995, notice was given to Agustin Nang, MD 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 Agustin Nang, MD, that being 5000 West Fairview Lane, Skokie IL 60077.

No hearing request has been received from Doctor Nang and more than thirty (30) days have now elapsed since the mailing of the aforesaid notice.

WHEREFORE, for the reasons outlined in the March 9, 1995 letter of notice, which is attached hereto and incorporated herein, it is hereby ORDERED that the license of Agustin Nang, MD to practice medicine and surgery in the State of Ohio be PERMANENTLY REVOKED

This Order shall become effective IMMEDIATELY

This Order is hereby entered upon the Journal of the State Medical Board of Ohio for the day of May 10, 1995, and the original thereof shall be kept with said Journal.



Thomas E. Gretter, MD  
Secretary

5/11/95

Date

(SEAL)



# STATE MEDICAL BOARD OF OHIO

77 South High Street, 17th Floor • Columbus, Ohio 43260-0313 • 614-466-6031

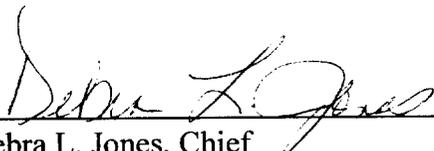
## AFFIDAVIT

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

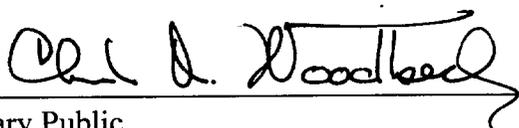
- 1) That I am employed by the State Medical Board of Ohio (hereinafter, "The Board")
- 2) That I serve the Board in the position of Chief, Continuing Medical Education, Records, and Renewal;
- 3) That in such position I am the responsible custodian of all public licensee records maintained by the Board 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 Agustin Nang, MD;
- 5) That based on such examination, I have found the last known address of record of Agustin Nang, MD to be:

5000 W. Fairview Lane  
Skokie, IL 60077

- 6) Further, Affiant Sayeth Naught.

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

Sworn to and signed before me, \_\_\_\_\_, Notary  
Public, this 27<sup>th</sup> day of April, 1995.

  
\_\_\_\_\_  
Notary Public



**CHARLES A. WOODBECK, Attorney At Law**  
NOTARY PUBLIC, STATE OF OHIO  
My commission has no expiration date.  
Section 147.03 R.C.



# STATE MEDICAL BOARD OF OHIO

March 8, 1995

Agustin Nang, M.D.  
5000 W. Fairview Lane  
Skokie, IL 60077

Dear Doctor Nang:

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 May 24, 1989, the Circuit Court of Cook County, Illinois, found you guilty of one felony count of violation of Chapter 23, Section 8A, Paragraph 3 (a) Vendor Fraud, Illinois Revised Statutes. As a Medicaid Provider you were, by means of fraudulent scheme and device, billing the Illinois Department of Public Aid for services not provided, obtaining and attempting to obtain benefits under the Public Aid Code to which you were not entitled and in a greater amount than that to which you were entitled. The acts which underlie this conviction were committed in the course of practice.

The acts, conduct, and/or omissions underlying this finding of guilt in paragraph (1) above, individually and/or collectively, constitute "(t)he obtaining of, or attempting to obtain, money or anything of value by fraudulent misrepresentations in the course of practice," as that clause is used in Section 4731.22(B)(8), Ohio Revised Code.

The finding of guilt as alleged in paragraph (1) above, individually and/or collectively, constitutes "(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.

- (2) Effective July 11, 1990, the Department of Health and Human Services excluded you under Section 1128(a)(1) of the Social Security Act for five (5) years as a result of the above conviction of Vendor Fraud for billings to the Illinois Medicaid program for services not rendered.

Your acts, conduct, and/or omissions as alleged in paragraph (2) above, individually and/or collectively, constitute "(t)ermination or suspension from Medicare or Medicaid programs by the department of health and human services or other responsible agency for any act or acts that would also constitute a violation of division (B)(2), (3), (6), (8), or

Mailed 3/9/95

(19) of this section," as that clause is used in Section 4731.22(B)(25), Ohio Revised Code, to wit: Section 4731.22 (B)(8), Ohio Revised Code.

- (3) On or about April 27, 1990, the Director of Professional Regulation for the State of Illinois approved a Consent Order (a copy of which is attached hereto and fully incorporated herein) which suspended your license for ninety (90) days, placed you on two (2) years probation following this suspension, required quarterly reports stating place of employment and duties and fined you \$1500.00.

The Consent Order as alleged in paragraph (3) above, individually and/or collectively, constitute "(t)he 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 also would 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: 4731.22(B)(8) and (9).

- (4) On or about October 1, 1990, you completed and signed an application for renewal of medical licensure for the biennium January 1, 1991 - September 30, 1992 certifying that the information was true and correct in every respect.
  - a) In response to the application question, "Have you been found guilty of, or plead guilty or no contest to: A.) A felony," you responded, "No."

In fact, as provided in paragraph (1) above, you were found guilty of one felony count of vendor fraud by the Circuit Court of Cook County, Illinois, on or about May 24, 1989.

- b) In response to the application question, "At any time since signing your last application for renewal of your certificate have you: ... 3) Surrendered, or consented to limitation upon: a) A license to practice medicine; OR b) State or federal privileges to prescribe controlled substances?" you responded, "No."

In fact, on or about January 31, 1990, you signed the Consent Order as set forth in paragraph (3) above and by so signing you agreed to "surrender ... all current indicia of licensure, including all copies of wall certificates and wallet cards ... ."

Your acts, conduct, and/or omissions as alleged in paragraph (4) above, 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, your acts, conduct, and/or omissions as alleged in paragraph (4) above, individually and/or collectively, constitute "publishing a false, fraudulent, deceptive, or misleading statement," as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.

- (5) On or about June 16, 1992, you completed and signed an application for renewal of medical licensure for the biennium July 1, 1992 - September 30, 1994 certifying that the information was true and correct in every respect.
  - a) In response to the application question, "At any time since signing your last application for renewal of your certificate have you: ... 3.) Surrendered, or consented to limitation upon: a) A license to practice medicine; OR b) State or federal privileges to prescribe controlled substances?" you responded, "No."

In fact, on or about November 18, 1991, you signed an Amended Consent Order which was approved by the Director of Professional Regulation for the State of Illinois on or about January 29, 1992 (a copy of this Amended Consent Order is attached hereto and fully incorporated herein). You agreed in this order to the amended conditions that your Controlled Substance license shall be placed on probation concurrent with that of your Physician and Surgeon license (as in paragraph (3) above), that you shall not dispense or prescribe any controlled substances during the probationary period unless done in a supervised setting and that you shall submit quarterly controlled substance logs to the Illinois Department of Professional Regulations.

Your acts, conduct, and/or omissions as alleged in paragraph (5) above, 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, your acts, conduct, and/or omissions as alleged in paragraph (5) above, individually and/or collectively, constitute "publishing a false, fraudulent, deceptive, or misleading statement," as that clause is used in Section 4731.22(B)(5), 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

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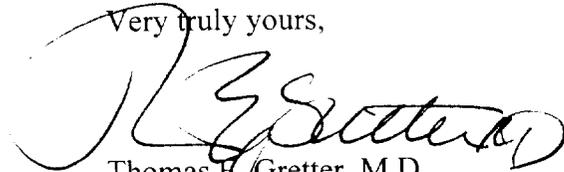
be made in writing and must be received in the offices of the State Medical Board within thirty (30) days of the time of mailing of this notice.

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,

A handwritten signature in cursive script, appearing to read 'T. E. Gretter', written in dark ink.

Thomas E. Gretter, M.D.  
Secretary

TEG/bjm  
Enclosures

CERTIFIED MAIL # P 348 888 194  
RETURN RECEIPT REQUESTED