

COMMON PLEAS COURT
FILED

IN THE COMMON PLEAS COURT OF ALLEN COUNTY, OHIO

IN THE MATTER OF:

CHRISTOS B. IOANNIDIS,

Appellant

ROBERT H. DUNLAP,
CLERK OF COURTS,
ALLEN COUNTY, OHIO

CASE NO. 86 CIV 0366

JUDGE RUMER

.. .. .

This 30th day of July, 1986, this cause came on to be heard on the motion of the appellant for a suspension of the order of the State Medical Board dated July 24, 1986, pending determination of this appeal from said order.

The matter was considered on said motion, the memorandum in support of the same, the supplemental memorandum in support of said motion all filed by the appellant, and upon the memorandum of the appellee opposing the motion and upon the oral arguments of counsel for both parties in open court.

Upon due consideration of all said matters, the court finds:

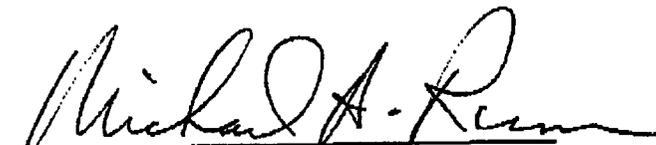
1. That an undue hardship would exist for the appellant if a stay of the order of the State Medical Board of July 24, 1986, is not granted; and
2. That the health, safety, and welfare of the public will not be threatened by staying said order.

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It is hereby ORDERED, ADJUDGED, and DECREED that the order of the State Medical Board of July 24, 1986, be and the same hereby is stayed and the terms and conditions upon which the suspension of the revocation of the license of Christos B. Ioannidis, M.D., except for paragraph 3 thereof are hereby stayed.

The Clerk of Courts is ORDERED to forward a certified copy of this ORDER to Lauren M. Ross, Assistant Attorney General, 30 E. Broad Street, 10th Floor, Columbus, Ohio, 43215.


Judge Michael A. Rumer

8/22/98

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

July 24, 1986

Christos B. Ioannidis, M.D.
825 West Market Street
Lima, Ohio 45805

Dear Doctor Ioannidis:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of Leonard L. Lovshin, M.D., Hearing Member, State Medical Board of Ohio; a certified copy of the Motions by the State Medical Board, meeting in regular session on July 10, 1986, amending said Report and Recommendation 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



Henry G. Cramblett, M.D.
Secretary

HGC:em

Enclosures

CERTIFIED MAIL NO. P 569 365 711
RETURN RECEIPT REQUESTED

cc: Lawrence S. Huffman, Esq.
127-129 North Pierce St., P.O. Box 546
Lima, Ohio 45802

cc: Sandra J. Anderson, Esq.
52 E. Gay St., P. O. Box 1008
Columbus, Ohio 43216-1008

CERTIFIED MAIL NO. P 569 365 712
RETURN RECEIPT REQUESTED

CERTIFIED MAIL NO. P 569 364 868
RETURN RECEIPT REQUESTED

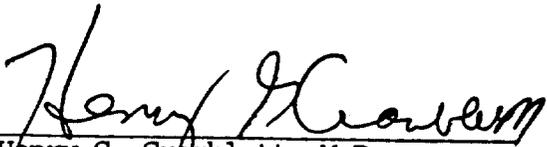
STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 510
65 South Front Street
Columbus, Ohio 43215

CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; attached copy of the Report and Recommendation of Leonard L. Lovshin, M.D., Hearing Member, State Medical Board of Ohio; and the attached copy of the Motions by the State Medical Board, meeting in regular session on July 10, 1986, amending said Report and Recommendation as the Findings and Order of the State Medical Board, constitutes a true and complete copy of the Findings and Order of the State Medical Board in the matter of Christos B. Ioannidis, 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 and in its behalf.

(SEAL)


Henry G. Cramblett, M.D.
Secretary

July 24, 1986
Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

*

*

CHRISTOS B. IOANNIDIS, M.D.

*

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio the 10th day of July, 1986.

Upon the Report and Recommendation of Leonard L. Lovshin, M.D., Member, in this matter designated pursuant to R.C. 119.09, a true copy of which is attached hereto and incorporated herein, which Report and Recommendation was amended by vote of the Board on the above date, the following Order is hereby entered on the Journal of the State Medical Board for the 10th day of July, 1986.

It is hereby ORDERED:

That the license of Christos B. Ioannidis, M.D., to practice medicine and surgery in the State of Ohio be Revoked. Such revocation is stayed, and Dr. Ioannidis' license is hereby SUSPENDED for six (6) months, to be followed by a probationary term of not less than five (5) years nor more than eight (8) years, upon the following terms and conditions:

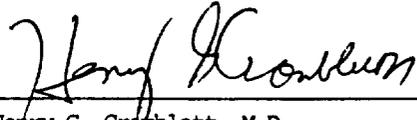
1. Within thirty (30) days of the effective date of this Order, Dr. Christos B. Ioannidis shall submit to the Board for its prior approval the name and qualifications of the psychiatrist of his choice, from whom he shall receive evaluation and ongoing treatment no less than once per month, or as otherwise directed by the Board. Dr. Ioannidis shall ensure that psychiatric reports are forwarded by his treating psychiatrist to the Board on a quarterly basis, or as frequently as the Board otherwise directs.
2. In the event that Dr. Ioannidis should leave Ohio for three (3) consecutive months to reside or to practice outside the State, Dr. Ioannidis must notify the State Medical Board in writing of the dates of departure or return. Periods of time spent outside of Ohio will not apply to the reduction of the suspension period.

CHRISTOS B. IOANNIDIS, M.D.

3. Prior to the effective date of suspension and subsequent to the reinstatement of his license, Dr. Christos B. Ioannidis shall hereafter be accompanied at all times by a third party when examining or treating female patients.
4. Dr. Christos B. Ioannidis shall appear in person for interviews before the full Board or its designated representative at three (3) month intervals, or as otherwise directed by the Board.
5. Dr. Ioannidis shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio.
6. If Dr. Ioannidis violates these terms in any respect, the Board, after giving him notice and an opportunity to be heard, may set aside the stay order and impose the revocation of Dr. Ioannidis' medical license.

This ORDER shall become effective thirty (30) days from the date of mailing of notification, except that provision #3, above, shall be effective immediately upon approval by the Board.

SEAL)



Henry G. Cramblett, M.D.
Secretary

July 24, 1986

Date

STATE OF OHIO
THE STATE MEDICAL BOARD

REPORT AND RECOMMENDATION
IN THE MATTER OF CHRISTOS B. IOANNIDIS, M.D.

The matter of Christos B. Ioannidis, M.D., came before me, Leonard L. Lovshin, M.D., Member of the State Medical Board of Ohio, on August 30, 1985, September 19 and 20, 1985, and October 21 and 22, 1985.

INTRODUCTION AND SUMMARY OF EVIDENCE

I. BASIS FOR HEARING

- A. By letter of March 13, 1985, the State Medical Board of Ohio notified Dr. Christos B. Ioannidis that it proposed to take disciplinary action against his license to practice medicine and surgery in the State of Ohio on the basis of allegations that his conduct with regard to six specified female patients constituted a departure from, or a failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, in violation of Section 4731.22(B)(6), Ohio Revised Code.
- B. In response, Dr. Ioannidis petitioned the Board for a hearing concerning the charges outlined in the March 13, 1985 letter.

II. APPEARANCE OF COUNSEL

- A. On behalf of the State of Ohio: Anthony J. Celebrezze, Attorney General, by Lauren M. Ross, Assistant Attorney General.
- B. On behalf of the Respondent: Lawrence S. Huffman, Esq.

III. TESTIMONY HEARD

- A. Presented by the State:
 1. Lisa (Brookhart) Davis, R.N., formerly a nursing student at St. Rita's Medical Center, Lima, Ohio, and patient of the Respondent
 2. Darlene Germann, patient of the Respondent
 3. Sally Blew, patient of the Respondent

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4. Alice Braun, ward secretary at Coldwater Community Hospital and patient of the Respondent
5. Karen Romer, patient of the Respondent
6. Betty Geist, patient of the Respondent

B. Presented by the Respondent:

1. Karen Kales, R.N., formerly instructor in nurses' training program at Lima Memorial Hospital
2. L. Y. Soo, M.D.
3. Theophile Andjus, M.D.
4. Anthony DeNisco, M.D.
5. David A. Barr, M.D.
6. Fred D. Rohdes, M.D.
7. Charles D. Niswander, M.D.
8. Christine Brinkman, EKG technician
9. Diana Peggs, Medical Services secretary, St. Rita's Medical Center
10. Ruth Weber, office manager, office of Dr. L. Y. Soo
11. Jerilyn Hunt, R.N., Coldwater Community Hospital
12. Lisa Steinke, R.N., formerly of Coldwater Community Hospital
13. Kay Overman, secretary, formerly of Coldwater Community Hospital
14. Linda Magoto, patient of the Respondent
15. Carolyn Hayes, R.N., Lima Memorial Hospital
16. Kay Ball, patient of the Respondent
17. Becky Martin, R.N., St. Rita's Medical Center
18. Joyce Goldsmith, R.N., Lima Memorial Hospital
19. Nancy Bowerman, R.N., Lima Memorial Hospital
20. Mary Ann Ross, R.N., Lima Memorial Hospital

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21. Barbara McKowen, R.N., St. Rita's Medical Center
22. Mary LaCourse, R.N., nurse and EKG technical for Respondent's office
23. Mary Ann Clifford, R.N., St. Rita's Medical Center
24. Ruth Prowant, R.N., St. Rita's Medical Center
25. Linda Lou Engel, R.N., St. Rita's Medical Center
26. Kottil W. Rammohan, M.D., Assistant Professor of Neurology, Ohio State University
27. Eugene S. Cherry, Ph.D., clinical psychologist
28. Deborah Ioannidis, office assistant for the Respondent
29. Christos B. Ioannidis, M.D.

IV. EXHIBITS EXAMINED

A. Presented by the State:

1. Exhibit #1: Notice of charges and opportunity for hearing dated March 13, 1985 from the State Medical Board of Ohio to Christos B. Ioannidis, M.D.
2. Exhibit #2: March 29, 1985 letter from Attorney Lawrence Huffman requesting a hearing on behalf of the Respondent
3. Exhibit #3: April 4, 1985 letter from the State Medical Board scheduling a hearing in this matter and postponing the hearing pursuant to Section 119.09, Ohio Revised Code
4. Exhibit #4: May 14, 1985 letter from the Medical Board scheduling Dr. Ioannidis' hearing for June 27 and 28, 1985.
5. Exhibit #5: July 12, 1985 letter to Mr. Huffman rescheduling Dr. Ioannidis' hearing to August 30, September 19, and September 20, 1985
6. Exhibit #6: Copies of medical records of Lisa (Brookhart) Davis
7. Exhibit #7: Copies of medical records of Darlene Germann

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-11-2010 BY 60322/UC/STP

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8. Exhibit #8: Copies of medical records of Denise Braun
9. Exhibit #9: Copies of medical records of Sally Blew
10. Exhibit #10: Copies of medical records of Betty Geist
11. Exhibit #11: Copies of medical records of Karen Romer

B. Presented by the Respondent:

1. Exhibit A: Affidavit of Darlene Germann filed in the Common Pleas Court of Mercer County
2. Exhibit B: Complaint of William Blew against Christos Ioannidis, M.D., filed in Allen County, Ohio
3. Exhibit C: Signed statement with signatures, attesting to Dr. Ioannidis' reputation
4. Exhibit D: Certified copies of the medical records of Lisa (Brookhart) Davis from St. Rita's Medical Center
5. Exhibit E: Certified copies of the medical records of Darlene Germann from St. Rita's Medical Center
6. Exhibit F: Certified copies of the medical records of Denise Braun from St. Rita's Medical Center
7. Exhibit G: Certified copies of the medical records of Sally Blew from St. Rita's Medical Center
8. Exhibit H: Certified copies of medical records of Betty Geist from St. Rita's Medical Center
9. Exhibit I: Certified copies of the medical records of Karen Romer from St. Rita's Medical Center
10. Exhibit J: Diagram of the EMG room at St. Rita's Medical Center
11. Exhibits K through P: Photographs of the EMG room at St. Rita's Medical Center
12. Exhibit Q: Patient record of Karen Romer
13. Exhibit R: Diagram by Mary LaCourse of Dr. Ioannidis' office during 1979
14. Exhibit Z: Psychological report of Dr. Ioannidis by Dr. Eugene Cherry
15. Exhibit AA: Curriculum Vitae of Dr. Eugene Cherry

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V. EVIDENCE PROFFERED

1. Portions of the testimony of Eugene Cherry, Ph.D., on October 21, 1985, were not admitted to the record. That testimony and various exhibits identified as Respondent's Exhibits BB-GG were proffered for purposes of appeal.

FINDINGS OF FACT

1. On or about May 22, 1981, at St. Rita's Medical Center, Lima, Ohio, within the scope of the physician-patient relationship, Christos B. Ioannidis, M.D., required Lisa Davis (Patient 1) to completely disrobe in his presence and rubbed the patient's upper thigh for other than medical reasons.
2. On or about June 20, 1981, at his office located in Coldwater, Ohio and within the scope of the physician-patient relationship, Christos B. Ioannidis, M.D., required Ms. Davis to remove her blouse and bra in his presence, refused to provide her with a gown, massaged her breasts for other than medical reasons, and touched her genitalia for other than medical reasons.
3. On or about March 10, 1981, within the scope of the physician-patient relationship, Christos B. Ioannidis, M.D., required Ms. Darlene Germann (Patient 2) to completely disrobe and stand facing a wall with her hands against the wall for a purported examination of a shoulder injury.
4. Between March 18 and 24, 1981 while Ms. Germann was admitted as a patient at St. Rita's Medical Center, Lima, Ohio, Christos B. Ioannidis, M.D., within the scope of the physician-patient relationship, required her to remove all clothing for purposes of performing an electromyography. During the purported examination he rested his arm on her buttocks for other than medical reasons.
5. In July of 1981 at his office in Coldwater, Ohio and within the scope of the physician-patient relationship, Christos B. Ioannidis, M.D., required Ms. Germann to completely disrobe and lay on an examining table in order to administer an injection in her shoulder. After administering said injection he grabbed Ms. Germann's right breast for other than medical reasons.
6. On or about September 25, 1979 at the Coldwater Community Hospital Emergency Room, Coldwater, Ohio, and within the scope of the physician-patient relationship, Christos B. Ioannidis, M.D., examined Ms. Denise Braun (Patient 3). During the purported examination he drew Ms. Braun towards him forcing her leg to touch his genitalia, rubbed her arm and hip for other than medical reasons, and touched her breast for other than medical reasons.

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7. On or about July 3, 1981 at St. Rita's Medical Center, Lima, Ohio and within the scope of the physician-patient relationship, Christos B. Ioannidis, M.D., did require Ms. Braun to completely disrobe, and while performing an EMG rested his forearm across Ms. Braun's pubic bone for other than medical reasons.
8. On or about February 27, 1979 at his office located in Lima, Ohio and within the scope of the physician-patient relationship, Christos B. Ioannidis, M.D., turned off the lights in the examining room, required Ms. Sally Blew (Patient 4) to remove all her clothing and did not provide a gown. He later turned on lights, grabbed Ms. Blew by the waist and pulled her towards him. He then pulled her onto his lap while she was disrobed. Said acts were for other than medical reasons.
9. During March, 1979, while Ms. Blew was a patient at St. Rita's Medical Center and within the scope of the physician-patient relationship, Christos B. Ioannidis, M.D., rubbed Ms. Blew's leg and again attempted to grab her by the waist and pulled her onto his lap. Said acts were for other than medical reasons.
10. On or about March 2, 1982 at his office located in Coldwater, Ohio and within the scope of the physician-patient relationship, Christos B. Ioannidis, M.D., examined Ms. Betty Geist (Patient 5). During the purported examination he rubbed his genitalia against Ms. Geist. Said act was for other than medical reasons.
11. On or about March 19, 1982 at St. Rita's Medical Center, Lima, Ohio within the scope of the physician-patient relationship, Christos B. Ioannidis, M.D., rubbed Ms. Geist's thigh and hips, and massaged her breast for other than medical reasons.
12. On or about April 13, 1982 at his office located in Coldwater, Ohio within the scope of the physician-patient relationship, Christos B. Ioannidis, M.D., did request Ms. Geist to disrobe. She did not remove her underwear. He then unhooked her brassiere to administer an injection, touched her left breast, and placed his hand on her vaginal area for other than medical reasons.
13. On or about May 4, 1982 at his office located in Coldwater, Ohio, within the scope of the physician-patient relationship, Christos B. Ioannidis, M.D., touched Ms. Geist's vaginal area for other than medical reasons.
14. On or about May 18, 1982 at his office located in Coldwater, Ohio and within the scope of the physician-patient relationship, Christos B. Ioannidis M.D., unbuttoned Ms. Geist's shirt. He proceeded to reach under her slacks and to rub her vaginal area for other than medical reasons.
15. During August, 1979 at St. Rita's Medical Center, Lima, Ohio, and within the scope of the physician-patient relationship, Christos B. Ioannidis, M.D., fondled the breasts of Ms. Karen Romer (Patient 6), for other than medical reasons.

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LIMA, OHIO

16. On or about August 17, 1979 at St. Rita's Medical Center, Lima, Ohio, within the scope of the physician-patient relationship, Christos B. Ioannidis, M.D., performed a spinal tap on Ms. Romer. Following said test he instructed the nurse to leave the room and close the door. At that time he placed his hand between the patient's legs and inserted his finger in her vagina. Said act was done for other than medical reasons. Upon immediate confrontation, Christos B. Ioannidis, M.D., stated he could do this because he was "the doctor" and she was "the neurotic patient."

CONCLUSIONS

There have been times during my tenure with this Board when we have confronted cases of appalling medical practice: doctors who perform surgery when none is warranted, or who blithely dispense thousands of pills to drug addicts and criminals without so much as an examination. This Board's duty to take strong and immediate disciplinary action in such clear-cut instances is not subject to debate.

The State's case against Christos B. Ioannidis, M.D., is not so simple a matter. Dr. Ioannidis has not been charged with negligent or incompetent medical practice. On the contrary, he appears to be a talented, highly regarded neurologist whose skills are essential to a small community. No one, including the State, has claimed that Dr. Ioannidis' medical techniques have threatened lives.

In his defense, Dr. Ioannidis has offered the testimony of hospital employees, prominent colleagues and a psychologist. But their attempts to discredit the State's witnesses all fail in the same respect: plainly, they were not themselves the subjects of Dr. Ioannidis' unsolicited attentions. Ms. Davis, Ms. Germann, Ms. Blew, Ms. Braun, Ms. Romer and Ms. Geist were.

That the State's witnesses were somewhat uncertain of exact dates cannot be argued. Yet their inability to remember precise dates five years later does not diminish their recall of the ordeal to which each has been subjected by a trusted physician. Even when the Respondent's actions were not overt, his improper intentions were apparent from the way he conducted his examinations in these cases. Requiring patients to completely disrobe for the tests or treatment involved has absolutely no medical justification.

The credibility of a witness cannot be perceived from a careful reading of the transcript alone. Even the most proficient court reporter cannot convey the embarrassment in a whispered response or the expression of pain on the face of a young woman who is compelled to recount an incident she would prefer to forget. Courtroom tactics and posturing may occasionally muddy the issues, but they cannot dilute an honest statement.

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These women are telling the truth, and their courage in speaking out against a prominent physician in a small, closely-knit community must not be minimized. Dr. Ioannidis' conduct toward Ms. Davis, Ms. Germann, Ms. Blew, Ms. Braun, Ms. Romer, and Ms. Geist did not have fatal results, but the scars will be permanent. Each of these women will carry the memory of this trauma for the rest of their lives. It is this Board's duty to ensure that there are no other victims.

Violation 1

Dr. Ioannidis' acts as set forth in Findings of Fact #1 and #2 constitute a violation of Section 4731.22(B)(6), Ohio Revised Code.

Violation 2

Dr. Ioannidis' acts as set forth in Findings of Fact #3 through #5 constitute a violation of Section 4731.22(B)(6), Ohio Revised Code.

Violation 3

Dr. Ioannidis' acts as set forth in Findings of Fact #6 and #7 constitute a violation of Section 4731.22(B)(6), Ohio Revised Code.

Violation 4

Dr. Ioannidis' acts as set forth in Findings of Fact #8 and #9 constitute a violation of Section 4731.22(B)(6), Ohio Revised Code.

Violation 5

Dr. Ioannidis' acts as set forth in Findings of Fact #10 through #14 constitute a violation of Section 4731.22(B)(6), Ohio Revised Code.

Violation 6

Dr. Ioannidis' acts as set forth in Findings of Fact #15 and #16 constitute a violation of Section 4731.22(B)(6), Ohio Revised Code.

Each of these violations warrants this physician's removal from practice. For that reason, I propose the following Order:

PROPOSED ORDER

For each of the six violations determined, as well as for all of them collectively, it is hereby ORDERED that the license of Christos B. Ioannidis, M.D., to practice medicine and surgery in the State of Ohio be and is hereby revoked.

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This Order shall become effective 30 days from the date of mailing of notification of Board approval. Prior to the effective date of revocation, Dr. Ioannidis shall not undertake examination or treatment of any patients other than those previously under his care. Further, Dr. Ioannidis shall not undertake examination or treatment of any female patients without the presence of a third party.

Leonard L. Lovshin

Leonard L. Lovshin, M.D.
Hearing Member
State Medical Board of Ohio

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EXCERPT FROM THE MINUTES OF JULY 10, 1986

REPORT AND RECOMMENDATION IN THE MATTER OF CHRISTOS B. IOANNIDIS, M.D.

Dr. Rauch asked if each member of the Board had 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 Christos B. Ioannidis, M.D. A roll call was taken:

ROLL CALL:	Dr. Cramblett	- aye
	Dr. Lancione	- aye
	Dr. Barnes	- aye
	Dr. Buchan	- aye
	Ms. Rolfes	- aye
	Dr. Rothman	- aye
	Dr. O'Day	- aye
	Dr. Stephens	- aye
	Mr. Johnston	- aye

Ms. Lubow read the Conclusions and Proposed Order of Leonard L. Lovshin, M.D. in the matter of Christos B. Ioannidis, M.D.

Dr. Rauch referred the Board to a request from Sandra Anderson, Dr. Ioannidis' attorney, to have a court reporter present during deliberation of the report and recommendation. He stated that this would be at Dr. Ioannidis' expense, and a copy of the transcript would be supplied to the Board.

DR. BARNES MOVED TO ALLOW THE PRESENCE OF THE COURT REPORTER. MR. JOHNSTON SECONDED THE MOTION. A roll call vote was taken:

ROLL CALL VOTE:	Dr. Cramblett	- aye
	Dr. Lancione	- aye
	Dr. Barnes	- aye
	Dr. Buchan	- aye
	Ms. Rolfes	- nay
	Dr. Rothman	- aye
	Dr. O'Day	- aye
	Dr. Stephens	- aye
	Mr. Johnston	- aye
	Dr. Rauch	- aye

The motion carried.

Dr. Rauch advised that Ms. Anderson has also requested permission to address the Board. He advised that under Ohio's Administrative Procedure Act, it is a matter of the Board's discretion to accept additional statements, evidence, or testimony, and that he would call for a vote to determine whether the Board believed it would be appropriate and necessary for Ms. Anderson to address it at this time. He asked in what way Ms. Anderson's statements would address matters not already contained in the hearing record.

Ms. Anderson stated that one of the matters she would raise concerns letters that

have been directed to the Board from nurses, colleagues, and friends of Dr. Ioannidis. She would also like to advise the Board concerning new developments in the lawsuits against Dr. Ioannidis.

DR. BARNES MOVED TO ALLOW MS. ANDERSON TO ADDRESS THE BOARD. DR. ROTHMAN SECONDED THE MOTION.

DR. STEPHENS MOVED TO AMEND DR. BARNES MOTION TO LIMIT MS. ANDERSON'S STATEMENT TO NEW MATERIAL CONCERNING THE LAWSUIT. DR. BUCHAN SECONDED THE MOTION. A roll call vote was taken:

ROLL CALL VOTE:	Dr. Cramblett	- abstain
	Dr. Lancione	- aye
	Dr. Barnes	- aye
	Dr. Buchan	- aye
	Ms. Rolfes	- abstain
	Dr. Rothman	- aye
	Dr. O'Day	- aye
	Dr. Stephens	- aye
	Mr. Johnston	- abstain

The motion carried.

A roll call vote was taken on Dr. Barnes' motion as amended:

ROLL CALL VOTE:	Dr. Cramblett	- abstain
	Dr. Lancione	- aye
	Dr. Barnes	- aye
	Dr. Buchan	- aye
	Ms. Rolfes	- abstain
	Dr. Rothman	- aye
	Dr. O'Day	- aye
	Dr. Stephens	- aye
	Mr. Johnston	- abstain

The motion carried.

Ms. Anderson asked that the Board make the letters which have been mailed to its members a part of the hearing record in the above matter.

DR. BARNES MOVED THAT THE LETTERS BE MADE A PART OF THE HEARING RECORD. The motion died for lack of a second.

Mr. Johnston asked if the Assistant Attorney General would wish to respond to Ms. Anderson's request.

Ms. Ross advised that she is the prosecuting attorney in this case, and she would object to the taking of additional evidence submitted at this time, whether in written or oral form, sworn or unsworn. She noted that the Board has already moved to allow Ms. Anderson to address it, but she would like to object to this for the

record.

Concerning the letters in question, Ms. Ross stated that documents that come to the Board after the report of the hearing officer has been entered were not considered by the hearing officer. These letters were not written under oath, nor were the writers subject to cross-examination. For that reason she would object to their admission.

Dr. Rauch stated that the motion to admit the letters died for lack of a second, so the letters will not be admitted to the record.

Ms. Anderson voiced objection to the Board not having the benefit of the information from Dr. Ioannidis' colleagues and friends. She stated that she would like the letters to be made part of the record because she feels that some of the doctors who wrote have reviewed the facts and have made a better argument than the attorneys could.

Dr. Lancione commented that the board members have received the letters and read them.

Ms. Anderson continued that there have been new developments in one of the lawsuits that have been filed by Attorney Greg Wilson. She reminded the Board that Mr. Wilson has had a number of lawsuits pending against Dr. Ioannidis since 1983. Some of these have been dismissed and dropped, and nothing has happened on the others. Since the hearing officer's recommendation was released, new life has been given to the pending lawsuits, and Mr. Wilson has gone to the courts and asked that the matter be set for trial because he now has the information he needs to proceed with the trial. Ms. Anderson stated that this is consistent with the motive for the suits.

Mr. Johnston stated that he wants the record to be clear that the letters which Ms. Anderson asked to be admitted as part of the record were not admitted by this Board.

Dr. Cramblett stated that he will not be voting on the merits of this case since he is the Secretary of the Board, but he added that he feels it is important that the Board understand Mr. Johnston's statements. The Board indicated its understanding.

Dr. Rauch directed the Board that the letters it has received and read are not to be considered in the deliberations of this case.

MS. ROLFES MOVED TO APPROVE AND CONFIRM DR. LOVSHIN'S FINDINGS OF FACT, CONCLUSIONS AND PROPOSED ORDER IN THE MATTER OF CHRISTOS B. IOANNIDIS, M.D. DR. O'DAY SECONDED THE MOTION.

DR. LANCIONE MOVED THAT THE PROPOSED ORDER OF HEARING OFFICER LEONARD L. LOVSHIN, M.D., IN THE MATTER OF CHRISTOS B. IOANNIDIS, M.D. BE AMENDED TO READ AS FOLLOWS:

IT IS HEREBY ORDERED THAT THE LICENSE OF CHRISTOS B. IOANNIDIS, M.D., TO PRAC-

TICE MEDICINE AND SURGERY IN THE STATE OF OHIO BE REVOKED. SUCH REVOCATION IS STAYED, AND DR. IOANNIDIS' LICENSE IS HEREBY SUSPENDED FOR SIX (6) MONTHS, PROVIDED THAT HE COMPLIES WITH THE FOLLOWING TERMS AND CONDITIONS:

1. PRIOR TO THE EFFECTIVE DATE OF SUSPENSION AND SUBSEQUENT TO THE REINSTATEMENT OF HIS LICENSE, DR. CHRISTOS B. IOANNIDIS SHALL HEREAFTER BE ACCOMPANIED AT ALL TIMES BY A THIRD PARTY WHEN EXAMINING OR TREATING FEMALE PATIENTS.
2. IN THE EVENT THAT DR. IOANNIDIS SHOULD LEAVE OHIO FOR THREE (3) CONSECUTIVE MONTHS TO RESIDE OR TO PRACTICE OUTSIDE THE STATE, DR. IOANNIDIS MUST NOTIFY THE STATE MEDICAL BOARD IN WRITING OF THE DATES OF DEPARTURE OR RETURN. PERIODS OF TIME SPENT OUTSIDE OF OHIO WILL NOT APPLY TO THE REDUCTION OF THE SUSPENSION PERIOD.
3. DR. IOANNIDIS SHALL OBEY ALL FEDERAL, STATE AND LOCAL LAWS, AND ALL RULES GOVERNING THE PRACTICE OF MEDICINE IN OHIO.
4. IF DR. IOANNIDIS VIOLATES THESE TERMS IN ANY RESPECT, THE BOARD, AFTER GIVING HIM NOTICE AND AN OPPORTUNITY TO BE HEARD, MAY SET ASIDE THE STAY ORDER AND IMPOSE THE REVOCATION OF DR. IOANNIDIS' MEDICAL LICENSE.

THIS ORDER SHALL BECOME EFFECTIVE THIRTY (30) DAYS FROM THE DATE OF MAILING OF NOTIFICATION OF APPROVAL BY THE STATE MEDICAL BOARD OF OHIO, EXCEPT THAT PROVISION #1, ABOVE, SHALL BE EFFECTIVE IMMEDIATELY.

DR. BARNES SECONDED THE MOTION.

DR. BARNES MOVED TO AMEND THE FIRST PARAGRAPH OF THE ORDER TO STATE "...SUCH REVOCATION IS STAYED, AND DR. IOANNIDIS' LICENSE IS HEREBY SUSPENDED FOR SIX (6) MONTHS, TO BE FOLLOWED BY A PROBATIONARY TERM OF NOT LESS THAN FIVE YEARS NOR MORE THAN EIGHT YEARS, PROVIDED THAT HE COMPLIES WITH THE FOLLOWING TERMS AND CONDITIONS:" DR. O'DAY SECONDED THE MOTION.

Ms. Rolfes asked if Dr. Barnes wished to place any probationary conditions on Dr. Ioannidis. Dr. Barnes stated that he would.

Dr. Rauch stated that he would like to propose an amendment.

Dr. Cramblett asked if Dr. Barnes has completed his amendment. Dr. Barnes stated that Dr. Rauch's amendment may contain the probationary conditions he would want, and deferred to Dr. Rauch.

DR. RAUCH MOVED THAT THE PROPOSED ORDER OF HEARING OFFICER LEONARD L. LOVSHIN, M.D., IN THE MATTER OF CHRISTOS B. IOANNIDIS, M.D. BE AMENDED TO READ AS FOLLOWS:

IT IS HEREBY ORDERED THAT THE LICENSE OF CHRISTOS B. IOANNIDIS, M.D., TO PRACTICE MEDICINE AND SURGERY IN THE STATE OF OHIO BE REVOKED. SUCH REVOCATION IS STAYED, AND DR. IOANNIDIS' LICENSE IS HEREBY SUSPENDED FOR ONE (1) YEAR, PROVIDED THAT HE COMPLIES WITH THE FOLLOWING TERMS AND CONDITIONS:

1. WITHIN THIRTY (30) DAYS OF THE EFFECTIVE DATE OF THIS ORDER, DR. CHRISTOS B. IOANNIDIS SHALL SUBMIT TO THE BOARD FOR ITS PRIOR APPROVAL THE NAME AND QUALIFICATIONS OF THE PSYCHIATRIST OF HIS CHOICE, FROM WHOM HE SHALL RECEIVE EVALUATION AND ONGOING TREATMENT NO LESS THAN ONCE PER MONTH, OR AS OTHERWISE DIRECTED BY THE BOARD. DR. IOANNIDIS SHALL ENSURE THAT PSYCHIATRIC REPORTS ARE FORWARDED BY HIS TREATING PSYCHIATRIST TO THE BOARD ON A QUARTERLY BASIS, OR AS FREQUENTLY AS THE BOARD OTHERWISE DIRECTS.
2. IN THE EVENT THAT DR. IOANNIDIS SHOULD LEAVE OHIO FOR THREE (3) CONSECUTIVE MONTHS TO RESIDE OR TO PRACTICE OUTSIDE THE STATE, DR. IOANNIDIS MUST NOTIFY THE STATE MEDICAL BOARD IN WRITING OF THE DATES OF DEPARTURE OR RETURN. PERIODS OF TIME SPENT OUTSIDE OF OHIO WILL NOT APPLY TO THE REDUCTION OF THE SUSPENSION PERIOD.
3. PRIOR TO THE EFFECTIVE DATE OF SUSPENSION AND SUBSEQUENT TO THE REINSTATEMENT OF HIS LICENSE, DR. CHRISTOS B. IOANNIDIS SHALL HEREAFTER BE ACCOMPANIED AT ALL TIMES BY A THIRD PARTY WHEN EXAMINING OR TREATING FEMALE PATIENTS.
4. DR. CHRISTOS B. IOANNIDIS SHALL APPEAR IN PERSON FOR INTERVIEWS BEFORE THE FULL BOARD OR ITS DESIGNATED REPRESENTATIVE AT THREE (3) MONTH INTERVALS, OR AS OTHERWISE DIRECTED BY THE BOARD.
5. DR. IOANNIDIS SHALL OBEY ALL FEDERAL, STATE, AND LOCAL LAWS, AND ALL RULES GOVERNING THE PRACTICE OF MEDICINE IN OHIO.
6. IF DR. IOANNIDIS VIOLATES THESE TERMS IN ANY RESPECT, THE BOARD, AFTER GIVING HIM NOTICE AND AN OPPORTUNITY TO BE HEARD, MAY SET ASIDE THE STAY ORDER AND IMPOSE THE REVOCATION OF DR. IOANNIDIS' MEDICAL LICENSE.

THIS ORDER SHALL BECOME EFFECTIVE THIRTY (30) DAYS FROM THE DATE OF MAILING OF NOTIFICATION OF APPROVAL BY THE STATE MEDICAL BOARD OF OHIO, EXCEPT THAT PROVISION #3, ABOVE, SHALL BE EFFECTIVE IMMEDIATELY.

Ms. Anderson asked if she could respond to the amendments. Dr. Rauch stated that she could after the Board voted.

DR. ROTHMAN SECONDED DR. RAUCH'S MOTION TO AMEND.

Dr. Barnes expressed concern about discussing this matter in the absence of the hearing officer. He asked if this concern is legitimate.

Dr. Rauch stated that, historically, the hearing officer can ask to have his report and recommendation tabled if he wishes to be present when it is discussed. In this case, Dr. Lovshin has asked that the Board proceed with it.

Mr. Johnston stated that historically, traditionally, and legally, the hearing officer speaks through the record, the transcript, and his report and recommendation. He stated that he does not feel it is appropriate for the Board to question the hearing officer. He added that the hearing officer might participate by voting

on the amendments.

Dr. Cramblett added that deciding a case in the absence of the hearing officer at this time is not setting a precedent. He stated that the Board has proceeded in this manner on several occasions in the past.

Dr. Barnes expressed concern that the Board members seem hesitant to discuss this matter.

Dr. Cramblett stated that he felt the Board Members' hesitancy went more to the order in which the matter should be discussed, and not a hesitation to discuss the case itself. He stated that he is reviewing Sturgis' Rules of Order in order to direct the Board in the proper manner to proceed.

Ms. Rolfes referred to Dr. Rauch's proposed amendment, and noted that there is not a probationary time period given. Dr. Rauch stated that he feels the language in the first paragraph allows for an indefinite period of probation.

Dr. Cramblett advised the Board that the only motions which can be amended are the main motions, and motions to amend. It was determined that Dr. Lancione's motion was a motion to amend, Dr. Barnes' motion was a motion to amend Dr. Lancione's motion, and Dr. Rauch's motion was a substitute motion to amend.

Dr. Lancione stated that his motion to amend the order requires a six-month suspension without a probationary period. He stated that in reviewing the transcript, six people state that the doctor was guilty of the charges, and the doctor and his colleagues state that he was not. He stated that from the evidence in the record, he felt that a six-month suspension was enough, and would impress upon Dr. Ioannidis that from now on he should never examine a female patient alone. Referring to Dr. Rauch's motion, Dr. Lancione stated that he feels a year's suspension is too long.

Dr. Barnes stated that he is concerned with whose word the Board should take when there is no corroborating evidence. He expressed concern that the Board might be setting a precedent where any patient can charge wrongdoing by the doctor without corroborating evidence.

DR. BUCHAN MOVED TO AMEND DR. RAUCH'S SUBSTITUTE AMENDMENT TO CHANGE THE FIRST PARAGRAPH OF THE ORDER TO READ AS FOLLOWS: "...SUCH REVOCATION IS STAYED, AND DR. IOANNIDIS' LICENSE IS HEREBY SUSPENDED FOR SIX (6) MONTHS, TO BE FOLLOWED BY A PROBATIONARY TERM OF NOT LESS THAN FIVE YEARS, NOR LONGER THAN EIGHT YEARS, UNDER THE FOLLOWING TERMS AND CONDITIONS:" DR. BARNES SECONDED THE MOTION.

Dr. Stephens stated that he is concerned that there are no witnesses in this case. He noted that the Board has heard testimony from patients accusing the doctor of certain acts. The doctor has denied these acts. The Board has heard testimony stating that some of the acts might be the result of the examinations, and are in fact part of the procedure in that examination.

Dr. Stephens stated that he is also bothered by the fact that some of the complaints

involved the patient having to disrobe and wear a hospital gown for the examination. He stated that he teaches his students that a physician cannot do a proper examination on a patient who is wearing clothes, and hospital gowns are provided for the patients.

Dr. Stephens stated that he was disturbed by the fact that there are not corroborating witnesses and that the accusations came to the Board late.

Dr. O'Day stated that she is concerned about a different precedent being set. She acknowledged the fact that not having corroborating witnesses may make the Board feel vulnerable, but added that in cases concerning sexual assault there are no corroborating witnesses, and the criminal justice system will bear this out. Dr. O'Day stated that she is concerned with setting a precedent of ignoring the courage of such witnesses, and she does not want to discourage witnesses from coming forward in future cases. She feels that this is a more important consideration than worrying about the risk doctors take in relating to their patients.

A roll call vote was taken on Dr. Buchan's motion to amend Dr. Rauch's motion:

ROLL CALL VOTE:	Dr. Cramblett	- abstain
	Dr. Lancione	- aye
	Dr. Barnes	- aye
	Dr. Buchan	- aye
	Ms. Rolfes	- nay
	Dr. Rothman	- aye
	Dr. O'Day	- aye
	Dr. Stephens	- nay
	Mr. Johnston	- abstain
	Dr. Rauch	- aye

The motion carried.

A roll call vote was taken on Dr. Rauch's motion as amended:

ROLL CALL VOTE:	Dr. Cramblett	- abstain
	Dr. Lancione	- aye
	Dr. Barnes	- aye
	Dr. Buchan	- aye
	Ms. Rolfes	- nay
	Dr. Rothman	- aye
	Dr. O'Day	- aye
	Dr. Stephens	- nay
	Mr. Johnston	- abstain
	Dr. Rauch	- aye

The motion carried.

A roll call vote was taken on Ms. Rolfes' motion to approve and confirm as amended:

ROLL CALL VOTE:	Dr. Cramblett	- abstain
	Dr. Lancione	- aye

Dr. Barnes	- aye
Dr. Buchan	- aye
Ms. Rolfes	- nay
Dr. Rothman	- aye
Dr. O'Day	- aye
Dr. Stephens	- nay
Mr. Johnston	- abstain
Dr. Rauch	- aye

The motion carried.

Dr. Lancione asked to address Ms. Anderson concerning the aforementioned letters. Dr. Rauch ruled Dr. Lancione out of order.

Ms. Anderson stated that she had understood that she would be permitted to respond to the proposed amendments prior to the vote. Dr. Rauch indicated that there was a misunderstanding, and suggested that she speak with Ms. Ross about this.

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

March 13, 1985

Christos B. Ioannidis, M. D.
825 West Market Street
Lima, Ohio 45805

Dear Doctor Ioannidis:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio intends to determine under the authority of Section 4731.22, Ohio Revised Code, whether to limit, revoke, suspend, refuse to register, refuse to reinstate, reprimand or place on probation your license to practice medicine and surgery in the State of Ohio for one or more of the following reasons:

1. On or about May 22, 1981, at St. Rita's Medical Center, Lima, Ohio, within the scope of the physician-patient relationship, you required Patient 1 to disrobe in your presence and rubbed the patient's upper thigh for other than medical reasons. (Patient 1 and all other patients are identified in the attached Patient Key. The Patient Key is not for public disclosure in order to maintain patient confidentiality).
2. On or about June 20, 1981, at your office located in Coldwater, Ohio and within the scope of the physician-patient relationship, you required Patient 1 to remove her blouse and bra in your presence, refused to provide her with a gown, massaged Patient 1's breasts for other than medical reasons, rubbed Patient 1's inner thighs for other than medical reasons, and touched Patient 1's genitalia for other than medical reasons.
3. On or about March 10, 1981, within the scope of the physician-patient relationship, you required Patient 2 to disrobe, stand facing a wall with her hands against the wall for a purported examination of a shoulder injury.
4. Between March 18 and 24, 1981 while a patient at St. Rita's Medical Center, Lima, Ohio and within the scope of the physician-patient relationship you required Patient 2 to remove all clothing for purposes of performing an electromyography. During the purported examination you stroked Patient 2's back for other than medical reasons.

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5. In July of 1981 at your office located in Coldwater, Ohio and within the scope of the physician-patient relationship you required Patient 2 to disrobe and lay on an examining table in order to administer an injection in her shoulder. After administering said injection you grabbed Patient 2's right breast for other than medical reasons.
6. On or about September 25, 1979 at the Coldwater Community Hospital Emergency Room, Coldwater, Ohio and within the scope of the physician-patient relationship you examined Patient 3. During the purported examination you drew Patient 3 towards you, forcing her leg to touch your genitalia, rubbed her arm and hip for other than medical reasons and performed a purported breast examination.
7. On or about July 3, 1981 at St. Rita's Medical Center, Lima, Ohio and within the scope of the physician-patient relationship while performing an EMG you rested your forearm across Patient 3's pubic bone for other than medical reasons.
8. On or about February 27, 1979 at your office located in Lima, Ohio and within the scope of the physician-patient relationship you turned off the lights in the examining room, required Patient 4 to remove all clothing and did not provide a gown. You later turned on lights, grabbed Patient 4 by the waist and pulled her towards you. You then pulled Patient 4 onto your lap while disrobed. Said acts were for other than medical reasons.
9. During March 5 and through March 14, 1979 while a patient at St. Rita's Medical Center and within the scope of the physician-patient relationship you rubbed Patient 4's leg and again attempted to grab her by the waist and pull her onto your lap. Said acts were for other than medical reasons.
10. On or about March 2, 1982 at your office located in Coldwater, Ohio and within the scope of the physician-patient relationship you examined Patient 5. During the purported examination you rubbed your genitalia against the patient. Said acts were for other than medical reasons.
11. On or about March 19, 1982 at St. Rita's Medical Center, Lima, Ohio within the scope of the physician-patient relationship, you rubbed Patient 5's thigh, vaginal area and hips and massaged her breast for other than medical reasons.

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12. On or about April 13, 1982 at your office located in Coldwater, Ohio within the scope of the physician-patient relationship, you removed Patient 5's shirt to administer an injection in her neck. You placed your hand on Patient 5's vaginal area for other than medical reasons.
13. On or about May 4, 1982 at your office located in Coldwater, Ohio, within the scope of the physician-patient relationship, you touched Patient 5's vaginal area for other than medical reasons.
14. On or about May 18, 1982 at your office located in Coldwater, Ohio and within the scope of the physician-patient relationship, you rubbed Patient 5's vaginal area and rubbed her breast for other than medical reasons.
15. During August, 1979 at St. Rita's Medical Center, Lima, Ohio, and within the scope of the physician-patient relationship, you fondled Patient 6's breasts for other than medical reasons.
16. On or about August 17, 1979 at St. Rita's Medical Center, Lima, Ohio, within the scope of the physician-patient relationship, you performed a spinal tap on Patient 6. Following said test you instructed the nurse to leave the room and close the door. At that time you placed your hand between the patient's legs and inserted your finger in her vagina. Said act was done for other than medical reasons.

The acts as alleged in paragraphs 1-16, individually and/or collectively, constitute violations of Section 4731.22(B)(6), Ohio Revised Code, to wit: a departure from or 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.

In accordance with Chapter 119., Ohio Revised Code, you are hereby advised that you have a right to a hearing in this matter, if you request such hearing 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.

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

Copies of the applicable statutes are enclosed for your reference.

Very truly yours,

A handwritten signature in black ink, appearing to read "Henry G. Cramblett M.D.", written in a cursive style.

Henry G. Cramblett, M. D.
Secretary

HGC:caa

enclosures

CERTIFIED MAIL # P 569 362 264
RETURN RECEIPT REQUESTED