

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF _____ :
 : Case No. 10-CRF-006
HISAKO KOIZUMI, M.D. :

ENTRY OF ORDER

On October 10, 2010, Hisako Koizumi, M.D., executed a Surrender of his license to practice medicine and surgery in Ohio with consent to revocation, which document is attached hereto and fully incorporated herein.

Wherefore, upon ratification by the Board of the surrender, it is hereby ORDERED that Certificate No. 35-039915 authorizing Hisako Koizumi, M.D., to practice medicine and surgery in the state of Ohio be permanently REVOKED, effective November 1, 2010.

This Order is hereby entered upon the Journal of the State Medical Board of Ohio for the 13th day of October 2010, and the original thereof shall be kept with said Journal.



Lance A. Talmage, M.D.
Secretary

(SEAL)

October 13, 2010
Date

**STATE OF OHIO
THE STATE MEDICAL BOARD
PERMANENT SURRENDER OF CERTIFICATE
TO PRACTICE MEDICINE AND SURGERY
CASE NO. 10-CRF-006**

I, Hisako Koizumi, M.D., am aware of my rights to representation by counsel, the right of being formally charged and having a formal adjudicative hearing, and do hereby freely execute this document and choose to take the actions described herein.

I, Hisako Koizumi, M.D., do hereby voluntarily, knowingly, and intelligently surrender my certificate to practice medicine and surgery, License #35.039915, to the State Medical Board of Ohio [Board], thereby relinquishing all rights to practice medicine and surgery in Ohio.

I understand that as a result of the surrender herein I will no longer be permitted to practice medicine and surgery in any form or manner in the State of Ohio.

I agree that I shall be ineligible for, and shall not apply for, reinstatement or restoration of certificate to practice medicine and surgery License # #35.039915 or issuance of any other certificate pursuant to the authority of the State Medical Board of Ohio, on or after the date of signing this Surrender of Certificate to Practice Medicine and Surgery. Any such attempted reapplication shall be considered null and void and shall not be processed by the Board.

I hereby authorize the State Medical Board of Ohio to enter upon its Journal an Order permanently revoking my certificate to practice medicine and surgery, License # 35.039915, in conjunction with which I expressly waive the provision of Section 4731.22(B), Ohio Revised Code, requiring that six (6) Board Members vote to revoke said certificate, and further expressly and forever waive all rights as set forth in Chapter 119, Ohio Revised Code, including but not limited to my right to counsel, right to a hearing, right to present evidence, right to cross-examine witnesses, and right to appeal the Order of the Board revoking my certificate to practice medicine and surgery.

I, Hisako Koizumi, M.D., hereby release the Board, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

This document shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code. Further, this information may be reported to appropriate organizations, data banks and governmental bodies. I, Hisako Koizumi, M.D., acknowledge that my social security number will be used if this information is so reported and agree to provide my social security number to the Board for such purposes.

I stipulate and agree that I am taking the action described herein in lieu of further formal disciplinary proceedings in Case No. 10-CRF-006, as set forth in the Notice of Opportunity for Hearing issued by the Board on January 13, 2010 ("Notice of Opportunity"), a copy of which is attached hereto as Exhibit A and fully incorporated herein. I hereby admit to the factual allegations set forth in the Notice of Opportunity, as well as the legal violations of Section 4731.22(B)(2) of the Ohio Revised Code, as set forth in the Notice of Opportunity. I do not admit to the legal violations of Section 4731.22(B)(6) and 4731.22(B)(18) of the Ohio Revised Code stated in the Notice of Opportunity. Further, upon this Surrender of Certificate becoming effective, the Board hereby dismisses the legal violations of Sections 4731.22(B)(6) and 4731.22(B)(18), Ohio Revised Code, alleged in the aforementioned Notice of Opportunity.

EFFECTIVE DATE

It is expressly understood that this Surrender of Certificate is subject to ratification by the Board prior to signature by the Secretary and Supervising Member and shall become effective on November 1, 2010, following Board ratification and completion of signatures below.

Hisako Koizumi, M.D.
HISAKO KOIZUMI, M.D.

Lance A. Talmage MD
LANCE A. TALMAGE, M.D.
Secretary

October 10, 2010
DATE

10-13-10
DATE

Eric Plinke
ERIC PLINKE
Attorney for Dr. Koizumi

Raymond J. Albert/bj
RAYMOND J. ALBERT by authorization
Supervising Member

October 11, 2010
DATE

Oct. 13, 2010
DATE

Katherine J. Bockbrader
KATHERINE J. BOCKBRADER
Assistant Attorney General

10-12-10
DATE

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STATE MEDICAL BOARD
OF OHIO

State Medical Board of Ohio

30 E. Broad Street, 3rd Floor, Columbus, OH 43215-6127



Richard A. Whitehouse, Esq.
Executive Director

(614) 466-3934
med.ohio.gov

January 13, 2010

Case number: 10-CRF- 006

Hisako Koizumi, M.D.
1200 Shady Hill Dr.
Columbus, OH 43221

Dear Doctor Koizumi:

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

- (1) From in or around March 2004 to in or around April 2004, you undertook the care of Patient 1, who was 52-years old, resided in California, and had been diagnosed with stomach cancer. Patient 1 is identified on the attached Patient Key (Key is confidential and not subject to public disclosure).

You are board certified in psychiatry, and you have held yourself out as specializing in that field of medicine.

- (2) Your patient chart for Patient 1 includes a consultation report dated March 3, 2004, from a physician who saw the patient in California and indicated that the patient had been diagnosed with stomach cancer. The consultation report noted that an abdominal CT scan showed liver cysts and other lesions, leading to suspicion that the cancer had spread beyond the stomach to the liver. It was further indicated in the report that the suspicious liver lesions found in the CT scan had to be dealt with as cancer metastasis unless proven otherwise; that the patient's attempt to receive alternative therapy before the surgical resection was based on the assumption that the cancer was in the early stage; that the consulting physician could not definitively tell that the cancer was in the early stage or that the suspicious lesion was cancer metastasis; and that the consulting physician recommended further testing, such as a PET scan and colonoscopy.
- (3) Your patient chart for Patient 1 includes two informed consent forms that Patient 1 signed on or around March 13, 2004, and April 16, 2004. Those two

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forms concerned "The Use of the 'Bi-Digital O-Ring Test' for Diagnosis and Treatment," and authorized the use of the test upon the patient by you. While the two consent forms indicated that the test was considered experimental, the test was explained as a simple non-invasive, safe and quick new diagnostic method. Further, while the two consent forms indicated that there were potential adverse psychological impacts and potential adverse effects, it was also indicated that there were potential beneficial effects, which included that through the use of the test, "one can select an optimal drug for treatment of a specific problem or affected organ."

Some of your notes in Patient 1's patient chart are partially written in a language other than English.

- (4) When you evaluated and/or provided treatment to Patient 1 on or about March 13, 2004, you administered a technique to the patient known as a Bi-Digital O-Ring Test (BDORT). In a letter/summary to Patient 1 dated March 20, 2004 regarding your evaluation on March 13, 2004, you stated that the BDORT had been performed using the histological preparation slide that the patient had brought with her. In your March 20, 2004 letter/summary to Patient 1, you provided an interpretation of the BDORT as it related to the patient's cancer, and you stated, "We then checked to see if any treatment could be beneficial for these areas, and as I discussed with you, Paw Paw, acyclovir, and Kima made the energy levels in these areas very strong."

On or about April 16, 2004, you again evaluated and/or provided treatment to Patient 1 using the BDORT.

- (5) In your evaluation and/or treatment of Patient 1, you practiced below minimal standards of care, including, but not limited to, the following:
- (a) Utilizing the BDORT as a diagnostic tool was inappropriate and below the standard of care, as the test is not an acceptable scientific method of evaluation or treatment.
 - (b) You failed to appropriately evaluate and/or treat Patient 1's cancer. Further, you failed to refer Patient 1 to a physician with expertise in the evaluation and treatment of cancer.
 - (c) Writing parts of a patient chart in a foreign language was inappropriate and below acceptable standards.
 - (d) To the extent that you evaluated and provided psychiatric treatment to Patient 1 as a psychiatrist, then:

- (i) Your evaluation and treatment of Patient 1 did not contain any of the standard elements of a psychiatric evaluation and treatment plan.
- (ii) You failed to conduct and/or document a mental status examination.
- (iii) You failed to make a psychiatric diagnosis, and/or document the lack of a psychiatric diagnosis.
- (iv) You failed to prescribe a treatment plan involving standard psychiatric treatments, and/or you failed to document the same.

Your acts, conduct, and/or omissions as alleged in paragraph 1 (1) through (5) 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 as alleged in paragraphs (1) through (5) above, individually and/or collectively, constitute “[f]ailure to maintain minimal standards applicable to the selection or administration of drugs, or 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) through (5) above, individually and/or collectively, constitute “[v]iolation of any provision of a code of ethics of the American medical association, the American osteopathic association, the American podiatric medical association, or any other national professional organizations that the board specifies by rule,” as that clause is used in Section 4731.22(B)(18), Ohio Revised Code, to wit: Principles I, II and XIII of the American Medical Association’s Principles of Medical Ethics.

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 days of the time of mailing of this notice.

You are further advised that, if you timely request a hearing, 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.

Hisako Koizumi, M.D.

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

Please note that, whether or not you request a hearing, Section 4731.22(L), Ohio Revised Code, provides that “[w]hen the board refuses to grant a certificate to an applicant, revokes an individual’s certificate to practice, refuses to register an applicant, or refuses to reinstate an individual’s certificate to practice, the board may specify that its action is permanent. An individual subject to a permanent action taken by the board is forever thereafter ineligible to hold a certificate to practice and the board shall not accept an application for reinstatement of the certificate or for issuance of a new certificate.”

Copies of the applicable sections are enclosed for your information.

Very truly yours,

A handwritten signature in black ink that reads "Lance A. Talmage M.D." in a cursive style.

Lance A. Talmage, M.D.
Secretary

LAT/MRB/flb

Enclosures

CERTIFIED MAIL #91 7108 2133 3936 3068 4706
RETURN RECEIPT REQUESTED