

STATE OF OHIO
THE STATE MEDICAL BOARD OF OHIO
77 SOUTH HIGH STREET
17TH FLOOR
COLUMBUS, OHIO 43215

May 12, 1989

Saud Tarawneh, M.D.
DC #183552
Martin County Institute
1150 S. W. Allapattah Road
Indian Town, Florida 34956

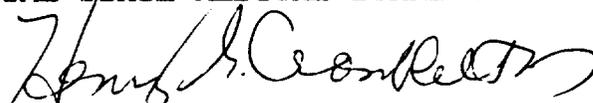
Dear Doctor Tarawneh:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of Joan Irwin Fishel, Attorney Hearing Examiner, State Medical Board of Ohio; and an excerpt of the Minutes of the State Medical Board, meeting in regular session on May 10, 1989, including Motions approving and confirming the Report and Recommendation as the Findings and Order of the State Medical Board.

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.

THE STATE MEDICAL BOARD OF OHIO


Henry G. Cramblett, M.D.
Secretary

HGC:em

Enclosures

CERTIFIED MAIL NO. P 746 514 741
RETURN RECEIPT REQUESTED

cc: Thomas R. Spencer, Jr., Esq.

CERTIFIED MAIL NO. P 746 514 740
RETURN RECEIPT REQUESTED

Mailed 5/17/89

STATE OF OHIO
STATE MEDICAL BOARD

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 Joan Irwin Fishel, Attorney Hearing Examiner, State Medical Board; and attached excerpt of Minutes of the State Medical Board, meeting in regular session on May 10, 1989, including Motions approving and confirming said Report and Recommendation as the Findings and Order of the State Medical Board, constitute a true and complete copy of the Findings and Order of the State Medical Board in the matter of Saud Tarawneh, 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)



Henry G. Cramblett, M.D.
Secretary

5/12/89

Date

MAR 31 1989

REPORT AND RECOMMENDATION
IN THE MATTER OF SAUD TARAWNEH, M.D.

The Matter of Saud Tarawneh, M.D., came on before me, Joan Irwin Fishel, Esq., Hearing Examiner for the State Medical Board of Ohio, on March 7, 1989.

INTRODUCTION AND SUMMARY OF EVIDENCE

I. Basis for Hearing

- A. By letter of September 14, 1988 (State's Exhibit #3), the State Medical Board notified Saud Tarawneh, M.D., that it proposed to take disciplinary action against his certificate to practice medicine and surgery in Ohio. The Board alleged that on or about June 9, 1988, in the Circuit Court of Broward County, Florida, Dr. Tarawneh was convicted of one felony count of Solicitation to Commit First Degree Murder in violation of Section 782.04(1), Florida Statutes, and three felony counts of Conspiracy to Commit First Degree Murder in violation of Section 782.04(1)(a)(1), Florida Statutes, and that this conviction constituted: "(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.
- B. By letter received by the State Medical Board on October 12, 1988 (State's Exhibit #4), Geoffrey C. Fleck, Esq., requested a hearing on behalf of Dr. Tarawneh.

II. Appearances

- A. On behalf of the State of Ohio: Anthony J. Celebrezze, Jr., Attorney General, by Rachel L. Belenker, Assistant Attorney General
- B. On behalf of the Respondent: Neither Dr. Tarawneh nor his counsel appeared at the hearing.

III. Testimony Heard

There were no witnesses presented by either party at the hearing. Dr. Tarawneh submitted a written statement in lieu of a personal appearance.

IV. Exhibits Examined

In addition to those noted above, the following exhibits were identified and admitted into evidence in this Matter:

A. Presented by the State

1. State's Exhibit #1: January 9, 1989, letter to Geoffrey C. Fleck, Esq., from the State Medical Board scheduling the hearing for March 7, 1989, at 10:00 A.M.

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2. State's Exhibit #2: October 17, 1988, letter to Geoffrey C. Fleck, Esq., from the State Medical Board advising that a hearing initially set for October 26, 1988, was postponed pursuant to Section 119.09, Ohio Revised Code.
3. State's Exhibit #5: February 8, 1989, letter from Thomas R. Spencer, Jr., Esq., to Hearing Examiner Fishel stating that Mr. Spencer would be representing Dr. Tarawneh and suggesting that a ruling by the Ohio Medical Board, prior to a decision on Dr. Tarawneh's criminal appeal, would be premature.
4. State's Exhibit #6: February 22, 1989, response letter from Hearing Examiner Fishel to Mr. Spencer stating that the appeal of a criminal conviction is not adequate grounds for a continuance.
5. State's Exhibit #7: Certified documents from the Circuit Court, 17th Judicial Circuit, in and for Broward County, Florida including: Judgment, Information, and Affidavit.
6. State's Exhibit #8: Certified document from the Circuit Court in and for Broward County, Florida, specifying the sentence of Dr. Tarawneh.

B. Presented by the Respondent

1. Respondent's Exhibit A: Though Respondent did not make a personal appearance at the hearing, on October 18, 1988, the State Medical Board received his written contentions. This statement was admitted into evidence upon the Hearing Examiner's motion.

FINDINGS OF FACT

1. On or about June 9, 1988, in the Circuit Court in and for Broward County, Florida, a jury found Dr. Tarawneh guilty of one count of Solicitation to Commit First Degree Murder, a first degree felony, and three counts of Conspiracy to Commit First Degree Murder, a first degree felony. Thereupon, Dr. Tarawneh was sentenced to twenty-five years in the Florida State Penitentiary.

These facts are established by State's Exhibits #7 and #8.

CONCLUSIONS OF LAW

1. The acts, conduct, and/or omissions of Saud Tarawneh, M.D., with regard to Finding of Fact #1, above, 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.

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* * * * *

In his statement to the Medical Board (Respondent's Exhibit A), and through comments of his counsel in State's Exhibit #5, Dr. Tarawneh asserts his innocence of the criminal charges. He would have this Board believe that he was entrapped; that he was the victim of an "ugly media", an "overzealous private investigator", and a religiously biased jury. However, he offers no proof of these assertions. It is not this Board's role to retry Dr. Tarawneh's criminal conviction. His guilt has already been determined and the General Assembly has authorized this Board to take action upon that finding. This Board has in the past taken the position that the conviction of a licensed physician for a felony, even though not committed in the course of practice, seriously violates the public trust and cannot be tolerated in the profession.

PROPOSED ORDER

It is hereby ORDERED that the license of Saud Tarawneh, M.D., to practice medicine and surgery in the State of Ohio be REVOKED.

This Order shall become effective immediately upon mailing of notification of approval by the State Medical Board of Ohio. In the interim, Dr. Tarawneh shall not undertake the care of any patient not already under his care.



Joan Irwin Fisher
Attorney Hearing Examiner

EXCERPT FROM THE MINUTES OF MAY 10, 1989

REPORTS AND RECOMMENDATIONS

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Dr. Rauch asked if each member of the Board had received, read, and considered the hearing record, the proposed findings, conclusions, and orders, and any objections filed in the matters of Dr. David C. Korn, Dr. Bonifacio Ferrer, Dr. James Alikonis, Ms. Lynda R. Hendershot, P.A., Ms. Lindia L. Singer, P.A., Dr. Chi Feng Su, Dr. Saud Tarawneh, and Dr. Wayne D. Thiede. A roll call was taken:

ROLL CALL:	Dr. Cramblett	- aye
	Dr. Gretter	- aye
	Dr. Daniels	- aye
	Dr. Stephens	- aye
	Dr. Agresta	- aye
	Dr. Rothman	- aye
	Mr. Albert	- aye
	Dr. Kaplansky	- aye
	Ms. Rolfes	- aye
	Dr. Rauch	- aye

.....

Ms. Thompson, Mr. Dilling, Mr. Dowling, Ms. Ross, and Mr. Dlott left the meeting at this time.

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REPORT AND RECOMMENDATION IN THE MATTER OF SAUD TARAWNEH, M.D.

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DR. GRETTOR MOVED TO APPROVE AND CONFIRM MS. FISHEL'S PROPOSED FINDINGS OF FACT, CONCLUSIONS, AND ORDER IN THE MATTER OF SAUD TARAWNEH, M.D. DR. ROTHMAN SECONDED THE MOTION.

A roll call vote was taken:

ROLL CALL VOTE:	Dr. Cramblett	- abstain
	Dr. Gretter	- aye
	Dr. Daniels	- aye
	Dr. Stephens	- aye
	Dr. Agresta	- aye
	Dr. Rothman	- aye
	Mr. Albert	- aye
	Dr. Kaplansky	- aye
	Ms. Rolfes	- aye

The motion carried.

STATE OF OHIO
THE STATE MEDICAL BOARD
77 South High Street
17th Floor
Columbus, Ohio 43215

September 14, 1988

Saud Tarawneh, M.D.
DC# 183552, P.O. Box 147
Martin County Institute
1150 S.W. Allapattah Road
Indian Town, FL 33956

Dear Doctor Tarawneh:

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 June 9, 1988, in the Circuit Court of Broward County, Florida, you were convicted of one (1) felony count of Solicitation to Commit First Degree Murder in violation of F.S. 782.04(1), and three (3) felony counts of Conspiracy to Commit First Degree Murder in violation of F.S. 782.04(1)(a)(1).

The conviction finding you guilty of four (4) counts of First Degree Felonies, as alleged in the above paragraph (1), 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 that request 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 the 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.

Saud Tarawneh, M.D.
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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,



Henry G. Cramblett, M.D.
Secretary

HGC:jmd

Enclosures

CERTIFIED MAIL RECEIPT NO. P 746 510 235
RETURN RECEIPT REQUESTED