

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

May 27, 1980

Mr. David A. Ellwood
Attorney at Law
ELLWOOD & BROWN
Central National Bank Building
Cambridge, OH. 43725

Re: Jerome H. Begun, M.D.

Dear Mr. Ellwood:

Please find enclosed a certified copy of the Findings and Order as they have been entered in the Journal of the Ohio State Medical Board; and a certified copy of the Motion approved by the State Medical Board, meeting in regular session on May 21, 1980, approving and confirming the Findings and Order.

You are hereby notified that Dr. Begun may appeal this order to the Court of Common Pleas of the county in which his place of business is located, or the county in which he resides. If he is not a resident and has no place of business in this state, he may appeal to the Court of Common Pleas of Franklin County, Ohio.

To appeal as aforesaid, 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 days after the date of mailing of this letter, and in accordance with the requirements of Section 119.12, Revised Code.

The State Medical Board of Ohio

Anthony Ruppertsberg, Jr., M.D.
Secretary

Encl.

cc: Jerome H. Begun, M.D. (Certified Mail No. P14 6441931
Return receipt requested)

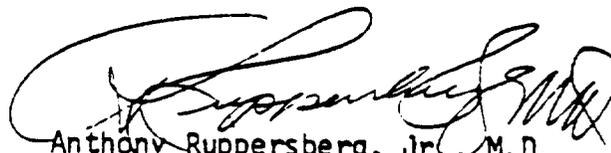
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Return Receipt Requested

STATE OF OHIO
THE STATE MEDICAL BOARD

CERTIFICATION

DATE: May 27, 1980

I hereby certify that the attached copy of the Findings and Order of the Ohio State Medical Board, in the matter of Jerome H. Begun, M.D., is a true and complete copy of the Findings and Order as they appear in the Journal of the State Medical Board; and that the attached copy of the Motion approved by the State Medical Board, meeting in regular session on May 21, 1980, is a true and complete copy as it appears in the Journal of the State Medical Board.


Anthony Ruppertsberg, Jr., M.D.
Secretary

STATE OF OHIO
THE STATE MEDICAL BOARD

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FINDINGS AND ORDER
IN THE MATTER OF JEROME HAROLD BEGUN, M.D.

THE STATE
MEDICAL BOARD

The matter of Jerome Harold Begun, M.D. came on before me, Roland A. Gandy, M.D., Member of the State Medical Board of Ohio on January 19, 1980.

After considering all of the testimony and evidence presented at the hearing, and after having read and considered the transcript and all exhibits introduced, I make the following Findings:

FINDINGS OF FACT

1. On or about March 17, 1966, Dr. Jerome H. Begun, M.D. was issued a license to practice medicine in the State of California.
2. On or about October 16, 1970, Dr. Begun was convicted in U.S. District Court on five (5) felony counts of having violated 26 U.S.C. 4705(a) (unlawful sale of narcotics), two (2) felony counts of having violated 21 U.S.C. 331(q)(2) (unlawful sale of stimulant drugs), and five (5) felony counts of having violated 26 U.S.C. 5861(d) (unlawful possession of unregistered weapons). The judgment of conviction was affirmed on all counts by the U.S. Court of Appeals.
3. As a result of said conviction, the Board of Medical Examiners of the State of California issued an order dated November 24, 1971, revoking the license of Dr. Begun to practice medicine in the State of California, effective December 24, 1971.
4. Dr. Begun applied for an Ohio certificate to practice medicine and surgery on or about May 25, 1977. (State Exhibit 2)
5. On his application for an Ohio certificate, Dr. Begun failed to indicate that he had made application to California for a license.
6. On his application for an Ohio certificate, Dr. Begun denied that any license entitling him to practice medicine had been suspended or revoked.
7. On his application for an Ohio certificate, Dr. Begun denied that he had ever been convicted of a violation of a Federal Law, State Law, or a municipal ordinance other than a minor traffic violation.

8. An Ohio certificate to practice medicine and surgery was issued to Dr. Begun on the basis of the above mentioned application.
9. Dr. Begun practiced medicine in the State of Ohio from June 1977 until August 1979.
10. On September 13, 1979 Dr. Begun was sent a letter from the Medical Board citing its reasons for contending that Dr. Begun had been convicted of a felony. The Medical Board also cited in this letter its reasons for contending that Dr. Begun had engaged in "fraud, misrepresentation, or deception on 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, and further had engaged in acts which constituted "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)(17), Ohio Revised code, to wit: Section 4731.11 and/or other related sections of the Ohio Revised Code.
11. In the above mentioned letter of September 13, 1979, Dr. Begun was informed that he was entitled to a hearing if he so requested within 30 days, and that he could appear at such hearing in person or by attorney.
12. A hearing was held on January 9, 1980. Cynthia E. Wayland, Assistant Attorney General, appeared on behalf of the Ohio State Medical Board. Dr. Begun appeared at the hearing, and was represented by counsel, David A. Ellwood.
13. Dr. Begun and Mr. Ellwood stipulated to the facts in paragraphs one through eleven above. (Page 10 of transcript)
14. It was agreed at the hearing that the Record was to be held open in order to allow the introduction of letters on Dr. Begun's behalf.
15. On January 30, the Medical Board received a letter from Mr. Ellwood on Dr. Begun's behalf.

CONCLUSIONS

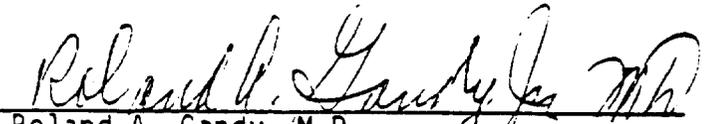
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1. Dr. Begun was convicted on a total of twelve (12) felony counts by the U.S. District Court. The judgment of conviction was affirmed on all counts by the U.S. Court of Appeals.
2. Dr. Begun's certificate to practice medicine and surgery in Ohio was obtained as a result of fraud on application for such certificate in violation of Section 4731.22(A), Ohio Revised Code.
3. Further, Dr. Begun is guilty of "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)(17), Ohio Revised Code, to wit: Section 4731.11, and/or other related sections of the Ohio Revised Code.

ORDER

It is hereby Ordered that the certificate to practice medicine or surgery of Jerome Harold Begun, M.D. be revoked.

This Order will become effective immediately upon approval of the Board.


Roland A. Gandy, M.D.
Member, State Medical Board of Ohio

STATE OF OHIO
THE STATE MEDICAL BOARD

May 21, 1980

FINDINGS AND ORDER IN THE MATTER OF JEROME H. BEGUN, M.D.

Dr. Cover asked if the Members of the Board had the opportunity to read or review the transcript and evidence in the Matter of Jerome H. Begun, M.D. All members of the Board answered in the affirmative.

Dr. Yut moved to approve and confirm the Findings and Order of Dr. Gandy in the matter of Jerome H. Begun, M.D. Dr. Clarke seconded the motion. A roll call vote was taken:

ROLL CALL VOTE:	Dr. Lancione	- aye
	Dr. Cramblett	- aye
	Dr. Clarke	- aye
	Dr. Yut	- aye
	Dr. Lovshin	- aye
	Dr. Oxley	- aye
	Mr. Paulo	- aye
	Dr. Ferritto	- aye
	Dr. Ruppertsberg	- aye

The motion carried.

STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 1006i
180 East Broad Street
Columbus, Ohio 43215

September 13, 1979

Jerome Harold Begun, M.D.
Cambridge Mental Health &
Mental Retardation Center
County Road 35
Cambridge, Ohio 43725

Dear Doctor Begun:

In accordance with Chapter 119, Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio intends to determine under the provisions of Section 4731.22, Ohio Revised Code, whether or not to limit, reprimand, revoke, suspend, place on probation, refuse to register or reinstate your certificate to practice medicine and surgery for one or more of the following reasons:

1. On or about March 17, 1966, you were issued Physician and Surgeon License No. A-21926, by the Board of Medical Examiners of the State of California.

On or about October 16, 1970, in the United States District Court for the Northern District of California, Case No. CR 70-44, you were convicted on five (5) felony counts of having violated 26 U.S.C. 4705(a)(unlawful sale of narcotics), two (2) felony counts of having violated 21 U.S.C. 331 (q)(2) (unlawful sale of stimulant drugs), and five (5) felony counts of having violated 26 U.S.C. 5861 (d)(unlawful possession of unregistered weapons). The judgment of conviction was affirmed on all counts by the United States Court of Appeals for the Ninth Circuit, in the case of United States of America, Appellee v. Jerome Harold Begun, Appellant, No. 71-1192, pursuant to the opinion of said Court dated July 29, 1971.

Subsequent to and as a result of said conviction, the Board of Medical Examiners of the State of California issued an order dated November 24, 1971, revoking your California Physician and Surgeon License, effective December 24, 1971.

Pursuant to Section 4731.22, Ohio Revised Code conviction of a felony constitutes grounds to limit, reprimand, revoke, suspend, place on

September 13, 1979

Jerome Harold Begun, M.D.

Page 2

probation, refuse to register or reinstate your certificate to practice medicine and surgery.

2. On or about May 19, 1977, you submitted to the State Medical Board of Ohio an application for a certificate to practice medicine in Ohio, in which you made the following statements:

Question: I have made application to the following State Examining and Licensing Boards, and no others:

Answer: Michigan, 1963, Exam. Ohio, 1976.

Question: Has any license entitling you to practice in any foreign country or in any state or territory of the United States been suspended or revoked?

Answer: No.

Question: Have you ever been convicted of a violation of a Federal Law, State Law, or a municipal ordinance other than a minor traffic violation?

Answer: No.

Such acts in paragraph 2, 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, such acts in paragraph 2, 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)(17), Ohio Revised Code, to wit: Section 4731.11, and/or other related sections of the Ohio Revised Code.

You are advised that you are entitled 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.

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

September 13, 1979

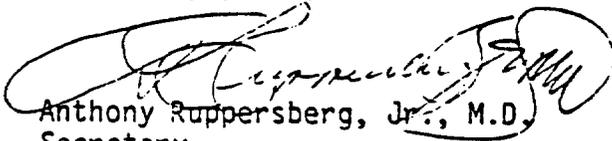
Jerome Harold Begun, M.D.

Page 3

Board 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.

Enclosed is a copy of the Medical Practice Act and a copy of Section 4731.22, Revised Code (as effective prior to July 28, 1975), for your information.

Very truly yours,



Anthony Ruppertsberg, Jr., M.D.
Secretary

AR:es
Enclosure

CERTIFIED MAIL #507038
RETURN RECEIPT REQUESTED

The Statutes of Ohio

**Regulating The
Practice of Medicine
and Surgery,
Osteopathic Medicine
and Surgery, Podiatry
(Chiroprody), Physical
Therapy, Midwifery
and Limited Branches**

RULES

OHIO STATE MEDICAL BOARD

11-1-72

stitution, or individual in good standing as determined by the board, showing the completion of the required courses of instruction.

The entrance examiner of the board shall determine the sufficiency of the preliminary education of applicants for such limited certificate as is provided in section 4731.09 of the Revised Code. The board may adopt rules defining and establishing for any limited branch of medicine or surgery such preliminary educational requirements, less exacting than those prescribed by such section, as the nature of the case may require.

Sec. 4731.20 (1274-6). Powers and duties of board.

Sections 4731.07, 4731.08, and 4731.14 to 4731.28, inclusive, of the Revised Code, shall govern the state medical board, all of the officers mentioned therein, and the applicants for and recipients of limited certificates to practice a limited branch of medicine or surgery. In addition to the power of the board to revoke and suspend certificates provided for in section 4731.22 of the Revised Code it may also revoke or suspend the certificate of any one to whom a limited certificate has been issued upon proof of violation of the rules or regulations established by the board governing such limited practice.

Sec. 4731.21 (1274-7). Limitations prescribed.

Sections 4731.15 to 4731.20, inclusive, of the Revised Code do not amend sections 4731.34, 4731.36, and 4731.41 of the Revised Code or limit their application unless otherwise specifically provided.

Sec. 4731.22. Grounds for discipline.

The state medical board, by a vote of not less than five of its members, may refuse to

grant a certificate to a person guilty of fraud in passing the examination, or may revoke or suspend a certificate of a person at any time guilty of felony or gross immorality, grossly unprofessional or dishonest conduct, or addicted to the liquor or drug habit to such a degree as to render him unfit to practice medicine or surgery.

"Grossly unprofessional or dishonest conduct" as used in this section means:

(A) The employing of any capper, solicitor, or drummer for the purpose of securing patients, or subsidizing any hotel or boardinghouse with like purpose, or the obtaining of any fee on the assurance that an incurable disease can be cured;

(B) The willful betrayal of a professional secret; but a physician, knowing that one of the parties to a contemplated marriage has a venereal disease, and so informing the other party to such contemplated marriage, or the parent, brother, or guardian of such other party, shall not be held to answer for betrayal of a professional secret nor shall such physician be liable in damages for truthfully giving such information to such other party, or the parent, brother, or guardian of such other party;

(C) All advertising of medical practice in which extravagantly worded statements intended, or having a tendency to deceive and defraud the public are made, or where specific mention is made in such advertisements of tuberculosis, consumption, cancer, Bright's disease, kidney disease, diabetes, or of venereal diseases or diseases of the genitourinary organs;

(D) Having professional connection with, or lending one's name to an illegal practitioner of medicine;

(E) Any division of fees or charges, or any agreement or arrangement to share fees or charges, made by any physician or surgeon with any other physician or surgeon, or with any other person.

(F) The violation of any provision of a code of ethics of a national professional organization as specified in this division. "National, professional organization" means the American medical association, the American osteopathic association, the American chiropractic association, the American podiatry association, and such other national professional organizations as are determined, by rule, by the state medical board. The state medical board shall obtain and keep on file current copies of the codes of ethics of the various national professional organizations. The practitioner whose certificate is being suspended or revoked shall not be found guilty of the violation of a code of ethics of an organization not appropriate to his profession.

Sec. 4731.221 Suspension of certificate of mentally ill or mentally incompetent practitioner.

If the state medical board has reason to believe that any person who has been granted a certificate under Chapter 4731. of the Revised Code is mentally ill or mentally incompetent, it may file in the probate court of the county in which such person has a legal residence an affidavit in the form prescribed in section 5122.11 of the Revised Code and signed by the secretary or a member of his staff, whereupon, the same proceedings shall be had as provided in Chapter 5122. of the Revised Code. The attorney general shall represent the board in any proceeding commenced under this section.

If any person who has been granted a certificate is adjudged by a probate court to be mentally ill or mentally incompetent, his certificate shall be automatically suspended until such person has filed with the state medical board a certified copy of an adjudication by a probate court of his subsequent restoration to competency or has submitted to such board proof, satisfactory to the board, that he has been discharged as having a restoration to competency in the manner and form provided in section 5122.38 of the Revised Code. The judge of such probate court shall forthwith notify the state medical board of an adjudication of mental illness or incompetence, and shall note any suspension of a certificate in the margin of the court's record of such certificate.

In absence of fraud or bad faith, neither the state medical board nor any member, agent, representative, or employee thereof shall be held liable in damages to any person by reason of the filing of the affidavit referred to in this section.

Sec. 4731.222. Conditions for restoration of inactive certificate.

Before restoring to good standing a certificate issued under Chapter 4731. of the Revised Code which has been in a suspended or inactive state for any cause for more than two years, the state medical board may require the applicant to pass an oral or written examination, or both, to determine his present fitness to resume practice.

The authority of the board to impose terms and conditions includes the following:

(A) Requiring the applicant to obtain additional training and to pass an examination upon completion of such training;

(B) Restricting or limiting the extent, scope, or type of practice of the applicant.

