

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

August 11, 1989

Joan M. Devine, M.D.
2402 Ohio Avenue
Youngstown, Ohio 44504

Dear Doctor Devine:

Please find enclosed a certified copy of the Findings, Order, and Journal Entry approved and confirmed by the State Medical Board meeting in regular session on August 9, 1989.

Section 119.12, Ohio Revised Code, may authorize an appeal from this Order. Such an appeal may be taken to the Franklin Court of Common Pleas only.

Such an appeal setting forth the Order appealed from and the grounds of the appeal must be commenced by the filing of a Notice of Appeal with the State Medical Board of Ohio and the Franklin County Court of Common Pleas within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

Very truly yours,



Henry G. Cramblett, M.D.
Secretary

HGC:em

Enclosures

CERTIFIED MAIL NO. P 746 514 755
RETURN RECEIPT REQUESTED

Mailed August 21, 1989

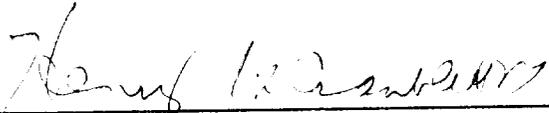
STATE MEDICAL BOARD OF OHIO

CERTIFICATION

I hereby certify that the attached copy of the Findings, Order, and Journal Entry, approved by the State Medical Board, meeting in regular session on August 9, 1989, constitutes a true and complete copy of the Findings, Order, and Journal Entry in the matter of Joan M. Devine, M.D., as it appears in the Journal of the State Medical Board of Ohio.

This certification is made under the authority of the State Medical Board of Ohio acting in its behalf.

(SEAL)



Henry G. Cramblett, M.D.
Secretary

August 11, 1989

Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

*

*

JOAN M. DEVINE, M.D.

*

FINDINGS, ORDER AND JOURNAL ENTRY

On October 13, 1988, notice was given to Joan M. Devine, M.D., that the State Medical Board of Ohio intended to consider disciplinary action regarding her license to practice medicine and surgery in Ohio, and that she was entitled to a hearing if such hearing was requested within thirty (30) days of the mailing of said notice. Such notice was resent on October 25, 1988. Dr. Devine did not request a hearing within the thirty (30) days after mailing of the aforesaid second notice.

WHEREFORE, for the reasons outlined in the October 13, 1988 letter of notice, which is attached hereto and fully incorporated herein, it is hereby ORDERED:

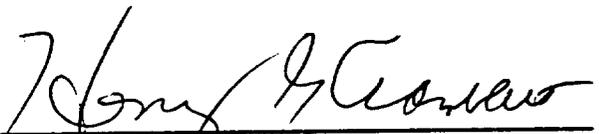
1. That the license of Joan M. Devine, M.D., to practice medicine and surgery in Ohio be suspended for an indefinite term, which shall last a minimum of thirty (30) days.
2. Further, that the State Medical Board of Ohio shall not consider reinstatement of Dr. Devine's certificate unless and until all the following minimum requirements are met:
 - A. Dr. Devine shall apply for reinstatement and shall submit all accompanying fees.
 - B. Dr. Devine shall provide documentation acceptable to the Board of her satisfactory completion of 100 hours of Continuing Medical Education credits for the 1985-1986 biennium, at least forty (40) hours of which shall be in Category I. It shall be Dr. Devine's responsibility to work with appropriate Board staff to ascertain what will be considered as satisfactory documentation and to obtain the same.
 - C. Dr. Devine shall supply documentation acceptable to the Board of satisfactory completion of one hundred (100) hours of approved Continuing Medical Education, at least forty (40) of which shall be in Category I, for each complete biennium, if any, during which her certificate remains suspended after the 1987-1988 biennium.

- D. In the event that Dr. Devine has not been engaged in the active practice of medicine for a period of more than two (2) years prior to her application for reinstatement, Dr. Devine shall take and pass the SPEX examination or any similar written examination which the Board may deem appropriate to assess her clinical competency.
3. Subsequent to reinstatement of her certificate, Dr. Devine shall remain on probation for three (3) additional biennial registration periods and shall submit documentation acceptable to the Board of satisfactory completion of requisite hours of Continuing Medical Education for each biennium. Such documentation shall be due in the Board's offices within thirty (3) days of re-registration for each biennium.
4. Upon successful completion of probation, Dr. Devine's certificate will be fully restored.

This Order shall become effective immediately upon mailing of notification of approval by the State Medical Board of Ohio.

This ORDER is hereby entered upon the Journal of the State Medical Board of Ohio for the 9th day of August, 1989, and the original thereof shall be kept with said Journal.

(SEAL)


Henry G. Cramblett, M.D.
Secretary

August 11, 1989

Date

STATE OF OHIO
STATE MEDICAL BOARD
65 SOUTH FRONT STREET
SUITE 510
COLUMBUS, OHIO 43266-0315

October 13, 1988

Joan M. Devine, M.D.
2402 Ohio Avenue
Youngstown, OH 44504

Dear Doctor Devine:

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 or surgery or to reprimand or place you on probation for one or more of the following reasons:

1. In applying for registration of your certificate to practice medicine or surgery for the current registration period, you certified that you had completed during the last registration period (January 1, 1985 through December 31, 1986) the requisite hours of Continuing Medical Education, (C.M.E.), as required by Section 4731.281, Ohio Revised Code.
2. By letter dated July 22, 1987, you were notified by the State Medical Board that you were required to complete a log listing your C.M.E., and to provide documentation that you had actually attended the requisite hours of Category I credits. You responded to that notice by submitting a completed log and documentation, received by the State Medical Board on August 24, 1987, which revealed that you had completed 12.5 hours of Category I credit from the date of issuance of your certificate to practice medicine or surgery until the end of the biennium. Because you were required by Rule 4731-10-10, Ohio Administrative Code, to complete 50 hours of C.M.E. during the biennium and subsequent to your licensure, 20 hours of which were to be in Category I, the State Medical Board notified you by correspondence dated May 13, 1988, that you were required to submit further verification of C.M.E. You did not respond to that notice. A final attempt was made to obtain your response by correspondence dated June 22, 1988, which was returned to the State Medical Board undelivered.
3. Your response to the notices as detailed in the above Paragraph (2) established that you did not complete the requisite hours of C.M.E., and/or that you failed to keep detailed records of C.M.E. taken.

Joan M. Devine, M.D.
Page 2

October 13, 1988

The acts and omissions as alleged in the above paragraph (1), 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 as alleged in the above paragraph (1), individually and/or collectively, constitute "publishing a false, fraudulent, deceptive, or misleading statement," as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.

Further, such acts as alleged in the above paragraphs (1), (2) and (3), individually and/or collectively, constitute "violating or attempting to violate directly or indirectly, or assisting 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)(20), Ohio Revised Code, (Section 4731.22(B)(16), Ohio Revised Code, prior to March 17, 1987) to wit: Section 4731.281, Ohio Revised Code, and Rules 4731-10-03 and 4731-10-08, Ohio Administrative Code.

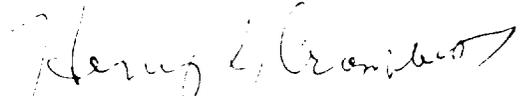
Pursuant to Chapter 119, Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, that request must be received in the offices of the State Medical Board within thirty (30) days of the time of mailing of this notice.

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.

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:jmb
Encls.

CERTIFIED MAIL #P 746 510 238
RETURN RECEIPT REQUESTED