



State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: www.med.ohio.gov

March 14, 2007

Lovsho Phen, M.D.
P. O. Box 1447
Portolosa, CA 96122

Dear Doctor Phen:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of Gretchen L. Petrucci, Attorney Hearing Examiner, State Medical Board of Ohio; and an excerpt of draft Minutes of the State Medical Board, meeting in regular session on March 14, 2007, including motions approving and confirming the Findings of Fact and Conclusions of the Hearing Examiner, and adopting an amended Order.

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

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

THE STATE MEDICAL BOARD OF OHIO

Lance A. Talmage
Lance A. Talmage, M.D. *RW*
Secretary

LAT:jam
Enclosures

CERTIFIED MAIL NO. 91 7108 2133 3933 4658 8626
RETURN RECEIPT REQUESTED

Cc: Don L. Hanni, Esq.
CERTIFIED MAIL NO. 91 7108 2133 3933 4658 8633
RETURN RECEIPT REQUESTED

Mailed 4-11-07

In the matter of Lovsho Phen, M.D.
Page 2

Mark Hanni, Esq.
CERTIFIED MAIL NO. 91 7108 2133 3933 4658 8640
RETURN RECEIPT REQUESTED

Amy S. Leopard and Jonathan D. Greenberg, Esqs.
CERTIFIED MAIL NO. 91 7108 2133 3933 4658 8657
RETURN RECEIPT REQUESTED

CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; Report and Recommendation of Gretchen L. Petrucci, State Medical Board Attorney Hearing Examiner; and excerpt of draft Minutes of the State Medical Board, meeting in regular session on March 14, 2007, including motions approving and confirming the Findings of Fact and Conclusions of the Hearing Examiner, and adopting an amended Order; constitute a true and complete copy of the Findings and Order of the State Medical Board in the matter of Lovsho Phen, 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.

Lance A. Talmage
Lance A. Talmage, M.D. RW
Secretary

(SEAL)

March 14, 2007
Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

*

*

LOVSHO PHEN, M.D.

*

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio on March 14, 2007.

Upon the Report and Recommendation of Gretchen L. Petrucci, State Medical Board Attorney Hearing Examiner, designated in this Matter pursuant to R.C. 4731.23, a true copy of which Report and Recommendation is attached hereto and incorporated herein, and upon the modification, approval and confirmation by vote of the Board on the above date, the following Order is hereby entered on the Journal of the State Medical Board of Ohio for the above date.

It is hereby ORDERED that:

- A. **PERMANENT REVOCATION, STAYED; SUSPENSION:** The certificate of Lovsho Phen, M.D., to practice medicine and surgery in the State of Ohio shall be PERMANENTLY REVOKED. Such revocation is STAYED, and Dr. Phen's certificate shall be SUSPENDED for an indefinite period of time, but not less than one year.
- B. **CONDITIONS FOR REINSTATEMENT OR RESTORATION:** The Board shall not consider reinstatement or restoration of Dr. Phen's certificate to practice medicine and surgery in Ohio until all of the following conditions have been met:
 1. **Application for Reinstatement or Restoration:** Dr. Phen shall submit an application for reinstatement or restoration, accompanied by appropriate fees, if any.
 2. **Evidence of Unrestricted Licensure in Other States:** At the time she submits her application for reinstatement or restoration, Dr. Phen shall provide

written documentation acceptable to the Board verifying that she otherwise holds a full and unrestricted license to practice medicine and surgery in all other states in which she is licensed at the time of application or has been in the past licensed, or that she would be entitled to such license but for the nonpayment of renewal fees.

3. **Professional Ethics Course**: At the time she submits her application for reinstatement or restoration, Dr. Phen shall provide acceptable documentation of successful completion of a course or courses dealing with professional ethics. The exact number of hours and the specific content of the course or courses shall be subject to the prior approval of the Board or its designee. Any courses taken in compliance with this provision shall be in addition to the Continuing Medical Education requirements for relicensure for the Continuing Medical Education period(s) in which they are completed

In addition, at the time Dr. Phen submits the documentation of successful completion of the course or courses dealing with professional ethics, she shall also submit to the Board a written report describing the course, setting forth what she learned from the course, and identifying with specificity how she will apply what she has learned to her practice of medicine in the future.

4. **Controlled Substances Prescribing Course**: At the time she submits her application for reinstatement or restoration, Dr. Phen shall provide acceptable documentation of successful completion of a course or courses dealing with the prescribing of controlled substances. The exact number of hours and the specific content of the course or courses shall be subject to the prior approval of the Board or its designee. Any course(s) taken in compliance with this provision shall be in addition to the Continuing Medical Education requirements for relicensure for the Continuing Medical Education period(s) in which they are completed.

In addition, at the time Dr. Phen submits the documentation of successful completion of the course dealing with the prescribing of controlled substances, she shall also submit to the Board a written report describing the course, setting forth what she learned from the course, and identifying with specificity how she will apply what she has learned to her practice of medicine in the future.

5. **Additional Evidence of Fitness To Resume Practice**: In the event the Dr. Phen has not been engaged in the active practice of medicine and surgery for a period in excess of two years prior to her application for reinstatement or restoration, the Board may exercise its discretion under Section 4731.222, Ohio Revised Code, to require additional evidence of her fitness to resume practice.

- C. **PROBATION:** Upon reinstatement or restoration, Dr. Phen's certificate shall be subject to the following PROBATIONARY terms, conditions, and limitations for a period of at least three years:
1. **Obey the Law:** Dr. Phen shall obey all federal, state, and local laws, and all rules governing the practice of medicine and surgery in the state in which she is practicing.
 2. **Declaration of Compliance:** Dr. Phen shall submit quarterly declarations under penalty of Board disciplinary action or criminal prosecution, stating whether there has been compliance with all the conditions of this Order. The first quarterly declaration must be received in the Board's offices on or before the first day of the third month following the month in which Dr. Phen's certificate is restored or reinstated. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.
 3. **Personal Appearances:** Dr. Phen shall appear in person for an interview before the full Board or its designated representative during the third month following the month in which Dr. Phen's certificate is restored or reinstated, or as otherwise directed by the Board. Subsequent personal appearances must occur every year thereafter, and/or as otherwise requested by the Board. If any appearance is missed or is rescheduled for any reason, ensuing appearances shall be scheduled based on the appearance date as originally scheduled. Dr. Phen shall also appear upon her request for termination of the probationary monitoring is otherwise being performed.
 4. **Absence from Ohio:** Dr. Phen shall obtain permission from the Board for departures or absences from Ohio. Such periods of absence shall not reduce the probationary term, unless otherwise determined by motion of the Board for absences of three months or longer, or by the Secretary or Supervising Member of the Board for absences of less than three months, in instances where the Board can be assured that probationary monitoring is otherwise being performed.
 5. **Noncompliance Will Not Reduce Probationary Period:** In the event Dr. Phen is found by the Secretary of the Board to have failed to comply with any provision of this Order, and is so notified of that deficiency in writing, such period(s) of noncompliance will not apply to the reduction of the probationary period under this Order.
 6. **Controlled Substances Log:** Dr. Phen shall keep a log of all controlled substances she prescribes, orders, administers, or personally furnishes. Such

log shall be submitted in a format approved by the Board thirty days prior to Dr. Phen's personal appearance before the Board or its designated representative, or as otherwise directed by the Board. Further, Dr. Phen shall make her patient records with regard to such controlled substances available for review by an agent of the Board upon request.

- D. **TERMINATION OF PROBATION:** Upon successful completion of probation, as evidenced by a written release from the Board, Dr. Phen's certificate will be fully restored.
- E. **VIOLATION OF PROBATION:** If Dr. Phen violates the terms of this Order in any respect, the Board, after giving her notice and the opportunity to be heard, may institute whatever disciplinary action it deems appropriate, up to and including the permanent revocation of her certificate.
- F. **REQUIRED REPORTING TO EMPLOYERS AND HOSPITALS:** Within thirty days of the effective date of this Order, or as otherwise determined by the Board, Dr. Phen shall provide a copy of this Order to all employers or entities with which she is under contract to provide health care services or is receiving training; and the Chief of Staff at each hospital where she has privileges or appointments. Further, Dr. Phen shall provide a copy of this Order to all employers or entities with which she contracts to provide health care services, or applies for or receives training, and the Chief of Staff at each hospital where she applies for or obtains privileges or appointments. This requirement shall continue until Dr. Phen receives from the Board written notification of his successful completion of probation.
- G. **REQUIRED REPORTING TO OTHER STATE LICENSING AUTHORITIES:** Within thirty days of the effective date of this Order, or as otherwise determined by the Board, Dr. Phen shall provide a copy of this Order by certified mail, return receipt requested, to the proper licensing authority of any state or jurisdiction in which she currently holds any professional license. Dr. Phen shall also provide a copy of this Order by certified mail, return receipt requested, at the time of application to the proper licensing authority of any state in which she applies for any professional license or reinstatement or restoration of any professional license. Further, Dr. Phen shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt, unless otherwise determined by the Board. This requirement shall continue until Dr. Phen receives from the Board written notification of her successful completion of probation.

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

(SEAL)

Lance A. Talmage
Lance A. Talmage, M.D. RW
Secretary

March 14, 2007
Date

REPORT AND RECOMMENDATION 2007 FEB -9 A 10: 27
IN THE MATTER OF LOVSHO PHEN, M.D.

The Matter of Lovsho Phen, M.D., was heard by Gretchen L. Petrucci, Hearing Examiner for the State Medical Board of Ohio, on January 17, 2007.

INTRODUCTION

I. Basis for Hearing

A. By letter dated September 13, 2006, the State Medical Board of Ohio [Board] notified Lovsho Phen, M.D., that it had proposed to take disciplinary action against her certificate to practice medicine and surgery in Ohio. The Board based its proposed action on an allegation that Dr. Phen had pleaded guilty to six misdemeanor counts of Attempted Illegal Processing of Drug Documents in violation of Section 2923.02(A) and Sections 2925.23(B)(1) and (F)(2), Ohio Revised Code. The Board alleged that Dr. Phen's acts, conduct and/or omissions constituted:

- "Selling, giving away, personally furnishing, prescribing, or administering drugs for other than legal and legitimate therapeutic purposes or a plea of guilty to, a finding of guilt of, or a judicial finding of eligibility of intervention in lieu of conviction of, a violation of any federal or state law regulating the possession, distribution or use of any drug" as that language is used in Section 4731.22(B)(3), Ohio Revised Code; and
- "A plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a misdemeanor committed in the course of practice," as that language is used in Section 4731.22(B)(11), Ohio Revised Code.

Accordingly, the Board advised Dr. Phen of her right to request a hearing in this matter. (State's Exhibit 1A)

B. By letter received by the Board on September 28, 2006, Don L. Hanni, Esq., requested a hearing on behalf of Dr. Phen. (State's Exhibit 1B)

II. Appearances

A. On behalf of the State of Ohio: Marc Dann, Attorney General, by Barbara J. Pfeiffer, Assistant Attorney General.

B. On behalf of Dr. Phen: Don L. Hanni and Mark A. Hanni, Esqs.

EVIDENCE EXAMINED

I. Testimony Heard

Rakesh Chandra, M.D.

II. Exhibits Examined

A. Presented by the State

State's Exhibits 1A through 1O: Procedural exhibits.

State's Exhibit 2A: Indictment in *State of Ohio v. Lovsho Phen*, Case No. 04-CR-586, redacted in part.

State's Exhibit 3: Finding on Guilty Plea to Amended Indictment in *State v. Phen*, Case No. 04-CR-586.

State's Exhibit 4: September 16, 2005, Journal Entry in *State v. Phen*, Case No. 04-CR-586.

B. Presented by the Respondent

Respondent's Exhibit A: Closing Argument/Outline

III. Proffered Exhibits

State's Exhibit 2: Indictment in *State v. Phen*, Case No. 04-CR-586, unredacted.

Respondent's Exhibit B: Various excluded documents that were originally attached to Respondent's Exhibit A.

PROCEDURAL MATTERS

In reviewing the record in this matter, the Hearing Examiner found that parts of State's Exhibit 2 should have been redacted to exclude the Respondent's social security number and the criminal charges that are unrelated to the charges to which the Respondent pleaded guilty. In addition, several items had been omitted from the procedural exhibits. Accordingly, the Hearing Examiner conducted a telephone conference on February 1, 2007, with counsel for both parties. Over the objection of the Assistant Attorney General, the Hearing Examiner reopened the record to correct the earlier oversight in admitting an unredacted copy of the indictment, State's Exhibit 2.

The Hearing Examiner redacted a copy of the indictment, State's Exhibit 2 (the original, certified copy of the indictment), by removing the Respondent's social security number and certain counts that are unrelated to the charges to which the Respondent had pleaded guilty, and labeled the redacted copy as State's Exhibit 2A. Over the objections of the State's counsel, the Hearing Examiner then admitted the redacted copy, State's Exhibit 2A, into the hearing record and accepted State's Exhibit 2 as a proffer.

With respect to documents that had been omitted from the procedural exhibits, the parties agreed to the admission of three additional filings, which were admitted as States' Exhibits 1M, 1N and 1O. The record closed on February 1, 2007.

SUMMARY OF THE EVIDENCE

All admitted exhibits and the transcript, even if not specifically mentioned, were thoroughly reviewed and considered by the Hearing Examiner prior to preparing this Report and Recommendation.

1. Lovsho Phen, M.D., graduated in 1976 from Mahatma Gandhi Memorial Medical College of Indore University in India. She received a certificate to practice allopathic medicine in Ohio in 1987 and, as of the date of the hearing, that certificate remained active. (State's Exhibit [St. Ex.] 1H)
2. In September 2004, Dr. Phen was indicted in Trumbull County, Ohio, on 12 felony counts, including six felony counts of Illegal Processing of Drug Documents in violation of Sections 2925.23(B)(1) and (F)(2), Ohio Revised Code. The case was designated *State of Ohio v. Lovsho Phen*, Case No. 04-CR-598. (St. Ex. 2A)
3. Dr. Phen pleaded not guilty to the charges. On June 9, 2005, Dr. Phen withdrew her "not guilty" plea and entered a plea of "guilty" to an amended indictment that charged her with six misdemeanor counts of Attempted Illegal Processing of Drug Documents in violation of Section 2923.02(A) and Sections 2925.23(B)(1) and (F)(2). Dr. Phen admitted that she did:

knowingly, engage in conduct which, if successful, would constitute or result in a violation of Section 2925.23(B)(1) and (F)(2), to wit: did intentionally make, utter, or sell, or knowingly possess a false or forged prescription, and the drug involved [is] Meridia (Stanozolol), a Schedule IV controlled substance, and DR. LOVSHO PHEN's conduct was not in accordance with Chapters 3719, 4715, 4723, 4729, 4731, and 4741 of the Ohio Revised Code.

(St. Ex. 3 at 2, Emphasis in original.)

4. On September 15, 2005, Dr. Phen was sentenced to one year of community control. Additionally, Dr. Phen was required to pay: (a) \$14,000 for reimbursement of

investigation costs; (b) a fine of \$6,000; (c) court costs; and (d) a \$25 monthly probation supervision fee. (St. Ex. 4)

5. Rakesh Chandra, M.D., testified on behalf of Dr. Phen.¹ Until recently, Dr. Chandra chaired the Ethics and Grievances Committee of the American Association of Physicians of Indian Origin [AAPI], which is located in Oak Brook, Illinois. Dr. Chandra noted that AAPI provides various services to its member physicians across this country. Dr. Chandra explained that, if a member physician encounters some difficulty, AAPI's Ethics and Grievances Committee will look into the matter, express its thoughts to the member and suggest possible legal representation. That committee is composed of 11 AAPI members located across the country. (Tr. at 22-23, 27, 31)
6. As a prior chair of that committee, Dr. Chandra met Dr. Phen when she sought assistance from AAPI. The committee conducted an investigation for several months. The committee spoke with Dr. Phen and 10 to 12 others to determine who she is, what others thought of her, and what the legal issue involved. The committee issued a report and gave Dr. Phen informal advice regarding her situation. (Tr. at 25-28, 32, 44-45, 49)
7. Dr. Chandra recalled that, during the AAPI investigation, Dr. Phen acknowledged that she had written several prescriptions, over a four-year period, for a controlled substance in the name of the husband of one of the women who worked for Dr. Phen, although she had not examined him. Dr. Chandra also recalled that Dr. Phen admitted to learning that the medication was really consumed by two others. (Tr. at 39-40, 46-47)
8. Dr. Chandra testified that Dr. Phen's reputation in the Mahoning-Trumbull County area is that she

* * * is a very conscientious and excellent doctor, a very nice human being who worked her way through a lot of discrimination and hardship being a Chinese woman in an Indian community, which discriminates heavily against Chinese people, that she never retaliated back at some of these things. She was an excellent medical student and has always been a conscientious physician.

¹Dr. Chandra completed his undergraduate studies at Delhi University and, in 1973, completed his medical studies at All India Institute of Medical Sciences. Both schools are in New Delhi, India. He completed an internship at the University of Chicago Hospitals in Illinois and a residency in psychiatry at Johns Hopkins University Hospital in Maryland. He completed a psychiatry fellowship at Johns Hopkins University Hospital as well. For roughly 10 years, he was a professor of psychiatry at the University of Maryland School of Medicine. In 1986, Dr. Chandra decided to "take a break" from medicine and enrolled in law school at Delhi University. After that, he completed a Master of Laws degree in health law at Loyola University School of Law. Currently, Dr. Chandra has his own private practice as a psychiatrist in Carbondale, Illinois; is chief of psychiatry at Lourdes Hospital in Paducah, Kentucky; is the medical director of a community mental health clinic; and provides psychiatric consulting services at nursing homes. (Hearing Transcript [Tr.] at 20-21, 24)

Moreover, Dr. Chandra stated that the committee concluded that:

They thought that she was very – I hate to use the word – silly to do whatever she did, but they stood by her. And they felt that it was very unfortunate, but she was in no way a blight on the Indian physician community, and they would all support her in every way they could.

(Tr. at 37-38)

9. Dr. Chandra expressed sympathy for Dr. Phen, noting that it can be very difficult for a doctor to see someone who cannot afford medicine. However, he also acknowledged that he has never written a prescription to somebody he had not examined because it is illegal.
(Tr. at 41-43, 48)

FINDINGS OF FACT

1. In September 2004, Dr. Phen was indicted in *State of Ohio v. Lovsho Phen*, Case No. 04-CR-586 [*State v. Phen*], in Trumbull County, Ohio, on criminal charges, including six felony counts of Illegal Processing of Drug Documents in violation of Sections 2925.23(B)(1) and (F)(2), Ohio Revised Code.
2. On June 9, 2005, in *State v. Phen*, Dr. Phen entered a plea of guilty to six misdemeanor counts of Attempted Illegal Processing of Drug Documents in violation of Section 2923.02(A) and Sections 2925.23(B)(1) and (F)(2), Ohio Revised Code, first degree misdemeanors. In entering her plea of guilty, Dr. Phen acknowledged that she had been fully informed of the elements of each charge and she admitted that she knowingly engaged in conduct which, if successful, would constitute or result in a violation of Sections 2925.23(B)(1) and (F)(2), Ohio Revised Code, to wit: she did intentionally make, utter, or sell, or knowingly possess a false or forged prescription of the drug Meridia, a Schedule IV controlled substance, and her conduct was not in accordance with Chapters 3719, 4715, 4723, 4729, 4731, and 4741, Ohio Revised Code.

CONCLUSIONS OF LAW

1. The acts, conduct and/or omissions of Lovsho Phen, M.D., as set forth in the Finding of Fact 2, constitute “[s]elling, giving away, personally furnishing, prescribing, or administering drugs for other than legal and legitimate therapeutic purposes or a plea of guilty to, a finding of guilt of, or a judicial finding of eligibility of intervention in lieu of conviction of, a violation of any federal or state law regulating the possession, distribution or use of any drug” as that language is used in Section 4731.22(B)(3), Ohio Revised Code.

2. Dr. Phen's guilty plea constitutes a "plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a misdemeanor committed in the course of practice," as that language is used in Section 4731.22(B)(11), Ohio Revised Code.

* * * * *

Dr. Phen's misdemeanors occurred in the course of her practice of medicine. She wrote several prescriptions over a period of four years for someone she had not examined and, during that time period, she was aware that others were actually consuming the medication. In mitigation, the record reflects that the misdemeanors did not involve monetary or personal gain and that the diverted medication was used by only two others. Additionally, Dr. Phen has no prior disciplinary history with the Board. Nevertheless, Dr. Phen's actions were fundamentally wrong.

PROPOSED ORDER

It is hereby ORDERED, that:

- A. **PERMANENT REVOCATION, STAYED; SUSPENSION:** The certificate of Lovsho Phen, M.D., to practice medicine and surgery in the State of Ohio shall be PERMANENTLY REVOKED. Such revocation is STAYED, and Dr. Phen's certificate shall be SUSPENDED for an indefinite period of time, but not less than one year.
- B. **CONDITIONS FOR REINSTATEMENT OR RESTORATION:** The Board shall not consider reinstatement or restoration of Dr. Phen's certificate to practice medicine and surgery in Ohio until all of the following conditions have been met:
 1. **Application for Reinstatement or Restoration:** Dr. Phen shall submit an application for reinstatement or restoration, accompanied by appropriate fees, if any.
 2. **Evidence of Unrestricted Licensure in Other States:** At the time she submits her application for reinstatement or restoration, Dr. Phen shall provide written documentation acceptable to the Board verifying that she otherwise holds a full and unrestricted license to practice medicine and surgery in all other states in which she is licensed at the time of application or has been in the past licensed, or that she would be entitled to such license but for the nonpayment of renewal fees.
 3. **Professional Ethics Course:** At the time she submits her application for reinstatement or restoration, Dr. Phen shall provide acceptable documentation of successful completion of a course or courses dealing with professional ethics. The exact number of hours and the specific content of the course or courses shall be subject to the prior approval of the Board or its designee. Any courses taken in compliance with this provision shall be in addition to the Continuing Medical

Education requirements for relicensure for the Continuing Medical Education period(s) in which they are completed.

In addition, at the time Dr. Phen submits the documentation of successful completion of the course or courses dealing with professional ethics, she shall also submit to the Board a written report describing the course, setting forth what she learned from the course, and identifying with specificity how she will apply what she has learned to her practice of medicine in the future.

4. **Controlled Substances Prescribing Course:** At the time she submits her application for reinstatement or restoration, Dr. Phen shall provide acceptable documentation of successful completion of a course or courses dealing with the prescribing of controlled substances. The exact number of hours and the specific content of the course or courses shall be subject to the prior approval of the Board or its designee. Any course(s) taken in compliance with this provision shall be in addition to the Continuing Medical Education requirements for relicensure for the Continuing Medical Education period(s) in which they are completed.

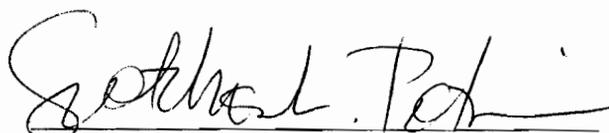
In addition, at the time Dr. Phen submits the documentation of successful completion of the course dealing with the prescribing of controlled substances, she shall also submit to the Board a written report describing the course, setting forth what she learned from the course, and identifying with specificity how she will apply what she has learned to her practice of medicine in the future.

5. **Additional Evidence of Fitness To Resume Practice:** In the event that Dr. Phen has not been engaged in the active practice of medicine and surgery for a period in excess of two years prior to her application for reinstatement or restoration, the Board may exercise its discretion under Section 4731.222, Ohio Revised Code, to require additional evidence of her fitness to resume practice.
- C. **PROBATION:** Upon reinstatement or restoration, Dr. Phen's certificate shall be subject to the following PROBATIONARY terms, conditions, and limitations for a period of at least five years:
1. **Obey the Law:** Dr. Phen shall obey all federal, state, and local laws, and all rules governing the practice of medicine and surgery in the state in which she is practicing.
 2. **Declarations of Compliance:** Dr. Phen shall submit quarterly declarations under penalty of Board disciplinary action or criminal prosecution, stating whether there has been compliance with all the conditions of this Order. The first quarterly declaration must be received in the Board's offices on or before the first day of the third month following the month in which Dr. Phen's certificate is restored or reinstated. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.

3. **Personal Appearances**: Dr. Phen shall appear in person for an interview before the full Board or its designated representative during the third month following the month in which Dr. Phen's certificate is restored or reinstated, or as otherwise directed by the Board. Subsequent personal appearances must occur every year thereafter, and/or as otherwise requested by the Board. If an appearance is missed or is rescheduled for any reason, ensuing appearances shall be scheduled based on the appearance date as originally scheduled. Dr. Phen shall also appear upon her request for termination of the probationary period, and/or as otherwise requested by the Board.
 4. **Absence from Ohio**: Dr. Phen shall obtain permission from the Board for departures or absences from Ohio. Such periods of absence shall not reduce the probationary term, unless otherwise determined by motion of the Board for absences of three months or longer, or by the Secretary or the Supervising Member of the Board for absences of less than three months, in instances where the Board can be assured that probationary monitoring is otherwise being performed.
 5. **Noncompliance Will Not Reduce Probationary Period**: In the event Dr. Phen is found by the Secretary of the Board to have failed to comply with any provision of this Order, and is so notified of that deficiency in writing, such period(s) of noncompliance will not apply to the reduction of the probationary period under this Order.
 6. **Controlled Substances Log**: Dr. Phen shall keep a log of all controlled substances she prescribes, orders, administers, or personally furnishes. Such log shall be submitted in a format approved by the Board thirty days prior to Dr. Phen's personal appearance before the Board or its designated representative, or as otherwise directed by the Board. Further, Dr. Phen shall make her patient records with regard to such controlled substances available for review by an agent of the Board upon request.
 7. **Countersign for Controlled Substances**: Dr. Phen shall have all orders and/or prescriptions for controlled substances, as defined by State or Federal law, countersigned within twenty-four hours by a physician who is fully authorized under state and federal law to prescribe, dispense and administer controlled substances and who is employed by or has privileges in the hospital or institution in which Dr. Phen is employed or has privileges.
- D. **TERMINATION OF PROBATION**: Upon successful completion of probation, as evidenced by a written release from the Board, Dr. Phen's certificate will be fully restored.
- E. **VIOLATION OF THE TERMS OF THIS ORDER**: If Dr. Phen violates the terms of this Order in any respect, the Board, after giving her notice and the opportunity to be heard, may institute whatever disciplinary action it deems appropriate, up to and including the permanent revocation of her certificate.

- F. **REQUIRED REPORTING TO EMPLOYERS AND HOSPITALS:** Within 30 days of the effective date of this Order, or as otherwise determined by the Board, Dr. Phen shall provide a copy of this Order to all employers or entities with which she is under contract to provide health care services or is receiving training; and the Chief of Staff at each hospital where she has privileges or appointments. Further, Dr. Phen shall provide a copy of this Order to all employers or entities with which she contracts to provide health care services, or applies for or receives training, and the Chief of Staff at each hospital where she applies for or obtains privileges or appointments. This requirement shall continue until Dr. Phen receives from the Board written notification of the reinstatement or restoration of her certificate to practice medicine and surgery in Ohio.
- G. **REQUIRED REPORTING TO OTHER STATE LICENSING AUTHORITIES:** Within 30 days of the effective date of this Order, or as otherwise determined by the Board, Dr. Phen shall provide a copy of this Order by certified mail, return receipt requested, to the proper licensing authority of any state or jurisdiction in which she currently holds any professional license. Dr. Phen shall also provide a copy of this Order by certified mail, return receipt requested, at the time of application to the proper licensing authority of any state in which she applies for any professional license or reinstatement or restoration of any professional license. Further, Dr. Phen shall provide this Board with a copy of the return receipt as proof of notification within 30 days of receiving that return receipt, unless otherwise determined by the Board. This requirement shall continue until Dr. Phen receives from the Board written notification of the reinstatement or restoration of her certificate to practice medicine and surgery in Ohio.

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



Gretchen L. Petrucci
Hearing Examiner



State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: www.med.ohio.gov

EXCERPT FROM THE DRAFT MINUTES OF MARCH 14, 2007

REPORTS AND RECOMMENDATIONS

Dr. Kumar announced that the Board would now consider the Reports and Recommendations appearing on its agenda. He asked whether each member of the Board had received, read, and considered the hearing records, the proposed findings, conclusions, and orders, and any objections filed in the matters of: Paula Clark Adkins, M.D.; Thomas Leon Gemmer, P.A.; Jeffrey Michael Halter, M.D.; Jeffrey Vaughn Meyer, M.D.; Alan J. Parks, M.D.; Arthur Richard Schramm, M.D.; Philip L. Creps, D.O.; Mark Allen Davis, M.T.; Basma Ricaurte, M.D.; Albert W. Smith, III, M.D.; and Lovsho Phen, M.D. A roll call was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmage	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Ms. Sloan	- aye
	Dr. Davidson	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye
	Dr. Kumar	- aye

Dr. Kumar asked whether each member of the Board understands that the disciplinary guidelines do not limit any sanction to be imposed, and that the range of sanctions available in each matter runs from dismissal to permanent revocation. A roll call was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmage	- aye
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Ms. Sloan	- aye

Dr. Davidson - aye
Dr. Robbins - aye
Dr. Steinbergh - aye
Dr. Kumar - aye

Dr. Kumar noted that, in accordance with the provision in Section 4731.22(F)(2), Revised Code, specifying that no member of the Board who supervises the investigation of a case shall participate in further adjudication of the case, the Secretary and Supervising Member must abstain from further participation in the adjudication of these matters. They may, however, participate in the matters of Dr. Halter and Dr. Ricaurte, as those cases are not disciplinary in nature and concern only the doctors' qualifications for licensure. In the matters before the Board today, Dr. Talmage served as Secretary and Mr. Albert served as Supervising Member.

The original Reports and Recommendations shall be maintained in the exhibits section of this Journal.

.....

LOVSHO PHEN, M.D.

Dr. Kumar directed the Board's attention to the matter of Lovsho Phen, M.D. He advised that objections were filed to Hearing Examiner Petrucci's Report and Recommendation and were previously distributed to Board members, however, these objections were not filed in a timely manner. Dr. Kumar asked whether the Board wished to admit the objections into the record. Hearing no motion to admit the objections, Dr. Kumar advised that the materials will not be accepted into the record and will not be considered by Board members.

Dr. Kumar continued that a request to address the Board has been timely filed on behalf of Dr. Phen. Five minutes would be allowed for that address.

Dr. Phen was accompanied by her attorney, Jonathan D. Greenberg.

Dr. Phen thanked the Board for giving her the opportunity to come, to explain and to apologize to the Board for her mistake. Her previous attorney advised her not to come and testify, but she strongly felt that she should come and face the Board members and express her regrets for what she did wrong. Dr. Phen stated that she crossed the border between the patient/physician relationship to help a friend by writing a prescription for a dietary medication. Dr. Phen stated that she openly accepted her responsibility in making the mistake in court in September 2005. She paid her fine. Her probation was terminated by the judge at the recommendation of the probation officer in December 2005. Dr. Phen stated that she has learned from her mistake, and she is willing to accept whatever the Board decides for her. Dr. Phen stated that, thankfully, she was the only one who got hurt.

Mr. Greenberg stated that they want the Board to be aware of a couple of other factors. Dr. Phen is

licensed in California and Ohio and has been practicing in a clinic in California since June 2006. She does not intend to return to Ohio. Dr. Phen has family in California. She and her sister have traveled from the West Coast to speak to the Board members for five minutes. Dr. Phen did not testify at her hearing. Mr. Greenberg stated that he was not counsel at the time of the hearing, and he can't speak to the "hows and whys" she didn't testify. Mr. Greenberg stated that it was very important to Dr. Phen to look each Board member in the face and to let the Board know that this circumstance was a very remote thing that happened. There was no monetary gain. It was for a friend's child. Mr. Greenberg asked that the Board reconsider the penalty that the Hearing Examiner recommended.

Dr. Kumar asked whether the Assistant Attorney General wished to respond.

Ms. Pfeiffer stated that she would like to echo Mr. Greenberg's comments. He did not represent Dr. Phen at the hearing. Ms. Pfeiffer stated that she was surprised at the presentation of the defense case, and she was surprised that the attorney at the time didn't put Dr. Phen on the stand to testify. She understands that Dr. Phen was going along with the advice of her former counsel. She added that there were other issues during the hearing that raised questions in her mind about Dr. Phen's representation at hearing.

Ms. Pfeiffer stated that the one thing she would like to point out in this particular case is that the one witness who did testify on behalf of Dr. Phen, who was a physician himself, tried to incorporate some second-hand reference material regarding the character and practice of Dr. Phen. In the course of questioning, she asked him specifically whether he had ever written a prescription for someone he never examined, and that physician replied that he had not because it's illegal to do so. When he was asked why it was illegal, he stated that, "it's illegal because if you are prescribing for someone, the basis is that if you haven't examined them, and you prescribe something, something will go wrong, so you never write a prescription." Ms. Pfeiffer stated that that pretty much sums up the case. Unfortunately, that was Dr. Phen's own witness who testified that way. It just reinforces the wrongful nature of what took place in this particular case. Dr. Phen clearly committed a criminal offense in the course of her practice.

DR. MADIA MOVED TO APPROVE AND CONFIRM MS. PETRUCCI'S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND PROPOSED ORDER IN THE MATTER OF LOVSHO PHEN, M.D. DR. STEINBERGH SECONDED THE MOTION.

Dr. Kumar stated that he would now entertain discussion in the above matter.

Dr. Steinbergh stated that Dr. Phen's case is a case of inappropriately prescribing a controlled substance, a weight control medication. The Proposed Order is for a stayed suspension, probationary conditions, including successfully completing a controlled substances prescribing course, with a five-year probation. This is consistent with past actions of the Board, and it is the minimal disciplinary action the Board should take, according to the Disciplinary Guidelines. Dr. Steinbergh spoke in support of the Proposed Order.

Dr. Egner stated that she does want Dr. Phen to know that the Board does appreciate her personal appearance before the Board today. She added that she is concerned when physicians don't appear before

the Board, and she appreciates it when they do. She stated that she appreciates Dr. Phen's comments, and she does think that Dr. Phen has learned a lot from this incident. Dr. Egner stated that she has no doubt that Dr. Phen will never let this happen to her again. Dr. Egner stated that she's not that concerned about Dr. Phen personally, but she does feel that the Proposed Order is appropriate. If she was concerned, she would want a more severe sanction.

Dr. Egner referred to probationary term seven on page eight of the recommendation, noting that it requires that Dr. Phen's prescriptions for controlled substances be countersigned. Dr. Egner stated that she is in favor of eliminating this requirement, adding that, in a hospital setting or residency setting this can be done, but to have prescriptions countersigned by another physician within 24 hours really doesn't make sense in this case. Dr. Egner stated that Dr. Phen will still be keeping a controlled substance log.

DR. EGNER MOVED TO AMEND THE PROPOSED ORDER IN THE MATTER OF LOVSHO PHEN, M.D., BY DELETING PARAGRAPH C.7. DR. STEINBERGH SECONDED THE MOTION.

Dr. Buchan stated that, along those lines, he doesn't think that Dr. Phen will come back before this Board again. He stated that he believes that the lesson has been clearly learned, and he appreciates her presence before the Board today. Dr. Buchan asked that the probationary term be changed from five years to three years.

DR. EGNER AGREED TO ACCEPT A LESSENING OF THE PROBATIONARY PERIOD TO THREE YEARS INTO HER AMENDMENT. DR. STEINBERGH, AS SECOND, AGREED.

A vote was taken:

ROLL CALL:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Talmage	- abstain
	Dr. Buchan	- aye
	Dr. Madia	- aye
	Mr. Browning	- aye
	Ms. Sloan	- aye
	Dr. Davidson	- aye
	Dr. Robbins	- aye
	Dr. Steinbergh	- aye

The motion carried.

MR. BROWNING MOVED TO APPROVE AND CONFIRM MS. PETRUCCI'S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND PROPOSED ORDER, AS AMENDED, IN THE MATTER OF LOVSHO PHEN, M.D.. DR. STEINBERGH SECONDED THE MOTION. A vote was taken:

ROLL CALL:

Mr. Albert	- abstain
Dr. Egner	- aye
Dr. Talmage	- abstain
Dr. Buchan	- aye
Dr. Madia	- aye
Mr. Browning	- aye
Ms. Sloan	- aye
Dr. Davidson	- aye
Dr. Robbins	- aye
Dr. Steinbergh	- aye

The motion carried.



State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: www.med.ohio.gov

September 13, 2006

Lovsho Phen, M.D.
7680 Spring Park Drive
Boardman, Ohio 44512

Dear Doctor Phen:

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) On or about June 9, 2005, in the Court of Common Pleas, Trumbull County, Ohio, you entered, and the court accepted, your plea of guilty to six counts of Attempted Illegal Processing of Drug Documents, in violation of Sections 2923.02(A), and 2925.23(B)(1) and (F)(2), Ohio Revised Code, first degree misdemeanors. In entering your plea of guilty, you acknowledged that you had been fully informed of the elements of each charge, which included that you did knowingly engage in conduct which, if successful, would constitute or result in violations of Sections 2925.23(B)(1) and (F)(2), Ohio Revised Code, to wit: you did intentionally make, utter, or sell, or knowingly possess a false or forged prescription of the drug Meridia, a Schedule IV controlled substance, and your conduct was not in accordance with Chapters 3719., 4715., 4723., 4729., 4731., and 4741. of the Ohio Revised Code. Copies of the Finding on Guilty Plea to Amended Indictment and Journal Entry are attached hereto and incorporated herein.

Your acts, conduct, and/or omissions as alleged in paragraph (1) above, individually and/or collectively, constitute “[s]elling, giving away, personally furnishing, prescribing, or administering drugs for other than legal and legitimate therapeutic purposes or a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction of, a violation of any federal or state law regulating the possession, distribution, or use of any drug,” as those clauses are used in Section 4731.22(B)(3), Ohio Revised Code.

Further, your plea of guilty or the judicial finding of guilt as alleged in paragraph (1) above, individually and/or collectively, constitutes “[a] plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a misdemeanor committed in the course of practice,” as that clause is used in Section 4731.22(B)(11), 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, the request must be made in writing

Mailed 9-14-06

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.

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,



Lance A. Talmage, M.D.
Secretary

LAT/blt
Enclosures

CERTIFIED MAIL # 7004 2510 0006 9801 8180
RETURN RECEIPT REQUESTED

cc: Don Hanni, Esq.
219 West Boardman Street
Youngstown, Ohio 44503

Attorney for Lovsho Phen, M.D.

CERTIFIED MAIL # 7004 2510 0006 9801 8197
RETURN RECEIPT REQUESTED

July 13, 20 05
This is a true and correct copy of the original

Karen Infante Allen
KAREN INFANTE ALLEN, Clerk

By *Jeff Lowers* Deputy

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

STATE OF OHIO,

Plaintiff

-vs-

LOVSHO PHEN,

Defendant

) CASE NO. 04-CR-586

) JUDGE JOHN M. STUARD

) FINDING ON GUILTY PLEA
) TO AMENDED INDICTMENT

After being fully informed by my counsel and by the Court of the charge against me, I am making a plea voluntarily with the understanding of the nature of the charge and the consequences, including the penalty of the plea, which can be from:

COUNTS 1, 3, 5, 7, 9 & 11: Up to six (6) months in the Trumbull County Jail and up to \$1,000.00 fine on each count.

I understand that the Court upon acceptance of a plea of guilty may proceed with judgment and sentencing. I understand I have the right to a jury trial. I understand that at trial I have the right to confront and cross-examine the witnesses against me, and the right to have compulsory process for obtaining witnesses in my favor and to require the State to prove my guilt beyond a reasonable doubt at a trial at which I cannot be compelled to testify against myself. Upon conviction, I would have the further right of Appeal. However, I waive all those rights, including right to a trial by jury. I withdraw my former plea of "not guilty" and enter a plea of "guilty" to the amended indictment charging me with the crime of:

COUNTS 1, 3, 5, 7, 9 & 11: ATTEMPTED ILLEGAL PROCESSING OF DRUG DOCUMENTS (M1) (ORC 2923.02(A)& 2925.23(B)(1)&(F)2)

furthermore, I am entering the plea of guilty after being fully informed by my counsel and by the Court of the elements of the charge. Those elements are:

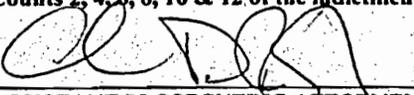
COUNTS 1, 3, 5, 7, 9 & 11: The Defendant did in Trumbull County, Ohio, knowingly, engage in conduct which, if successful, would constitute or result in a violation of Section 2925.23(B)(1)&(F)(2), to wit: did intentionally make, utter, or sell, or knowingly possess a false or forged prescription, and the drug involved in Meridia (Stanozolol), a Schedule IV controlled substance, and DR. LOVSHO PHEN'S conduct was not in accordance with Chapters 3719, 4715, 4723, 4729, 4731, and 4741 of the Ohio Revised Code.

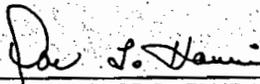
Furthermore, I have been informed by the Court and understand that I am eligible for probation or (if applicable) that my plea of guilty may result in an additional sentence for a parole or probation violation and such sentence shall be consecutive. Furthermore, my counsel and I have fully discussed the facts and circumstances surrounding this case including the names of all witnesses. My attorney has investigated these facts and circumstances to the best of my knowledge and has discussed with me the making of or the necessity of pre-trial motions. I am, therefore, satisfied that I am now entering this plea with full understanding of my legal rights under the facts and circumstances as explained me by my attorney and the Court. I have further advised my counsel and this Court that I am a citizen of the United States of America.

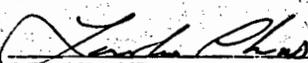
If you are not a citizen of the United States you are hereby advised that conviction of the offense to which you are pleading guilty (or no contest, when applicable) may have the consequences of deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

The underlying agreement upon which the plea is based is as follows:

Defendant to undergo PSI. State will concur with the sentencing recommendation contained in the PSI. The State reserves the right to make any sentencing recommendation should the Defendant commit any other crimes prior to sentencing or fails to appear without excuse. State and Defendant jointly agree that the Defendant shall pay a fine of one thousand dollars (\$1,000.00) on each of the six counts (total fine \$6,000.00), and reimburse DEA, Ohio State Board of Pharmacy, and the Trumbull County Prosecutor's Officer a total of fourteen thousand dollars (\$14,000.00) for the costs of investigation on or before the date of sentencing. State to file a Nolle Prosequi as to Counts 2, 4, 6, 8, 10 & 12 of the indictment at sentencing.

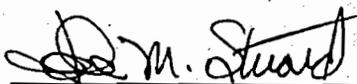

ASSISTANT PROSECUTING ATTORNEY


ATTORNEY FOR DEFENDANT


DEFENDANT

The Court is satisfied that there is a factual basis for the plea; that the Defendant was advised of all her constitutional rights and that she understood and waived them before entering the plea. The above plea of guilty is accepted.

6/9/05
DATE


HONORABLE JOHN M. STUARD
JUDGE, COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

KAREN HEAVATE ALLEN
CLERK OF COURTS
TRUMBULL COUNTY
JUN 13 P 2:25
TRUMBULL COUNTY
CLERK OF COURTS

VP 1062 PAGE 907

STATE OF OHIO)
)
TRUMBULL COUNTY)

IN THE COURT OF COMMON PLEAS

CASE NO.: 04-CR-586

STATE OF OHIO

Plaintiff

v

JOURNAL ENTRY

LOVSHO PHEN

Defendant

On September 15, 2005, defendant's sentencing hearing was held pursuant to Ohio Revised Code Sections 2929.21 and 2929.22. Defense Attorney Donald Hanni and Prosecuting Attorney Christopher Becker were present as was defendant who was afforded all rights pursuant to Crim. R. 32. The Court has considered the record, oral statements, any victim impact statement and pre-sentence report prepared, as well as the principles and purposes of sentencing under Ohio Revised Code Section 2929.21 and has considered the criteria for imposing a sentence in Ohio Revised Code Section 2929.22.

OHIO STATE MEDICAL BO

The Court finds that the defendant has been convicted of Cts. 1,3,5,7,9 & 11: Attempted Illegal Processing of Drug Documents, a violation of Revised Code Section Cts. 1,3,5,7,9 & 11: 2923.02(A) & 2925.23(B)(1) & (F)(2), a misdemeanor of the Cts. 1,3,5,7,9 & 11: 1st degree.

Furthermore, the court advised the offender that if during the time on Community Control he/she violates any law of any jurisdiction in the United States; any rule of the Department of Community Control; or, any condition

~~of any sanction imposed upon him/her by the Court, the Court may impose a~~

more restrictive sanction upon him/her and/or the Court may impose incarceration of 6 months on each count.

It is therefore ordered that the defendant be sentenced to 1 year of community control subject to the general rules of supervision of the Adult Probation Department.

The Court further imposes specific sanctions and conditions as follows:

1. Payment of court costs.
2. Per plea agreement pay fine of \$1,000.00 on each count (total fine of \$6,000.00) and reimburse Drug Enforcement Agency, Ohio State Board of Pharmacy, and the Trumbull County Prosecutor' Office a total of \$14,000.00 for all the costs of investigation on or before date of sentencing.
3. Probation to determine travel for defendant, as she has family in California and to advise the Court of such and have a journal entry prepared regarding this.
4. Probation to advise the Court if probation may be non-reporting.
5. Probation may be extended if fees are not paid within the probation period.
6. \$25.00 monthly probation supervision fee.

John M. Stuard

OHIO STATE MEDICAL BOARD

SEP 22 2005

Judge

9/16/05

Date

9-20, 20 05

This is a true and correct copy of the original

J/E

KAREN FANTE ALLEN, Clerk

By

M.B.K.

Deputy