



# STATE MEDICAL BOARD OF OHIO

77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

February 19, 1997

James Vincent Martuccio, Jr., M.D.  
3851 Northwoods Court #3  
Warren, Ohio 44484

Dear Doctor Martuccio:

The State Medical Board of Ohio has received notice from the Summit County Child Support Enforcement Agency that their previous notice, stating that you had been found to be in default of a support order, was in error. Accordingly, please be advised that your license to practice medicine and surgery in the State of Ohio has been reinstated.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lauren Lubow".

Lauren Lubow  
Case Control Officer

cc: Ms. Maureen O'Connor,  
Summit County Prosecuting Attorney  
James Vincent Martuccio, Jr., M.D.  
2512 E. Market Street  
Warren, Ohio 44483



# MAUREEN O'CONNOR

Prosecuting Attorney

County of Summit

February 13, 1997

State Medical Board of Ohio  
77 S. High Street 17th Floor  
Columbus, OH 43215

Enclosed is a copy to suspend a professional license, due to my error please disregard this notice. The notice was sent to early and our client has requested a mistake of fact hearing.

Thank you in advance for your prompt attention to this matter.

Sincerely yours,

Shelly D' Antonio

FILED  
FEB 16 1997  
CLERK OF COURT  
SUMMIT COUNTY, OHIO



## **STATE MEDICAL BOARD OF OHIO**

77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

February 12, 1997

James Vincent Martuccio, Jr., M.D.  
3851 Northwoods Court #3  
Warren, OH 44484

### **NOTICE OF SUSPENSION** **PURSUANT TO R.C. 2301.373 & 4731.76**

The State Medical Board of Ohio has received notice from the Summit County Child Support Enforcement Agency that you have been determined in default under a child support order. Pursuant to Ohio Revised Code Sections 2301.373 and 4731.76, this Board is prohibited from issuing a license, permit, certificate or other authorization as a result of this determination. The Board is also required to suspend any license that has been issued. This decision to suspend, or refusal to issue a new license, will remain in effect until the Board receives notice from the Summit County Child Support Enforcement Agency that you are no longer determined to be in default.

#### **When will the Board issue or reinstate my license?**

Before a license can be issued or reinstated, the Board must receive notice from the Summit County Child Support Enforcement Agency that you are no longer in default. The Summit County Child Support Enforcement Agency will issue such a notice when payment of the determined arrearage has been paid in full, or when a new, or appropriate, order has been issued for the collection of current support and arrearage.

#### **Once I am determined not to be in default, how long will it take to get my license?**

The Board will issue or reinstate your license within seven days of receiving the notice from the Summit County Child Support Enforcement Agency that you are no longer in default. A fee of up to \$50 may be assessed to issue or reinstate the license.

**Can I appeal this decision to the Board?**

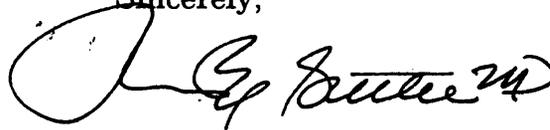
This suspension or refusal to issue a license is not subject to any hearing or review process of the Board. You must be determined not in default by the Summit County Child Support Enforcement Agency. Once they make this determination, they will notify the Board and your license will be reinstated or issued.

**What do I do now?**

You need to contact the Summit County Child Support Enforcement Agency. They will be able to tell you what you need to do in order to bring your child support payments up to date.

Pursuant to Section 2301.373, Ohio Revised Code, you are hereby notified that your license to practice medicine and surgery in the state of Ohio is immediately suspended. Continued practice after this suspension shall be considered practicing medicine without a certificate in violation of Section 4731.41, Ohio Revised Code.

Sincerely,



Thomas E. Gretter, M.D.  
Secretary

TEG/1

CERTIFIED MAIL # P 152 984 357  
RETURN RECEIPT REQUESTED

cc: James Vincent Martuccio, Jr., M.D.  
2512 E. Market Street  
Warren, OH 44483  
CERTIFIED MAIL # P 152 984 358  
RETURN RECEIPT REQUESTED

NOTICE TO SUSPEND A PROFESSIONAL LICENSE

Date Issued 2/5/97

Name of Board State Medical Board of Ohio		CSEA Summit County	
Street Address 77 S. High St Floor 17th		Street Address P.O. Box 80598 175 S Main	
City, State, Zip Code Columbus, OH 43215		City, State, Zip Code Akron, OH 44308	
CSEA/Telephone Number 330-643-2765		CSEA/ Fax Number 330-643-2775	
CSEA Worker Shelly D'Antonio			

Re: Name of Obligor James Martuccio	Social Security Number or Other Identifying Number 281-66-1109	Birth Date 1/18/62
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This notifies the licensing board that the above-named individual has been found by a court or Child Support Enforcement Agency to be in default of a support order.

In accordance with Section 2301.323 of the Ohio Revised Code, you are instructed to take the following action:

Not issue or renew any license held by the individual.

Suspend any license held by the individual.

Not issue or reinstate any license until you are notified by the Child Support Enforcement Agency.

97 FEB 12 AM 8:04

The supreme court will follow the provisions of ORC 4705.021.

**ACTION TAKEN BY LICENSING BOARD:**

- License Suspended
- No License on File

- License Not Renewed
- Other \_\_\_\_\_

Please forward a copy of this form to the above-named CSEA once an action has been taken.

# NOTICE TO OBLIGOR OF DEFAULT AND POTENTIAL ACTION

Obligor Name <b>James Martuccio</b>	Court or Administrative Order Number <b>B-91-05-0241</b>
Social Security Number <b>281-66-1109</b>	Case Number: <b>BA72234/01</b>
Issuance Date: <b>1-21-97</b>	County/Court or Child Support Official      Phone: <b>Shelly D'Antonio 643-2765</b>

## COPY

### PURPOSE OF THIS NOTICE

As determined by the Court or child support enforcement agency of Summit County, you are determined to be in default of a support order. According to section 2301.34 of the Ohio Revised Code, default is failure to pay an amount equal to or greater than one month's support. As of (1-21-97), the amount of arrears you owe is \$ 18,260.56. Subject to hearing rights described in this notice, a payment of \$ 331.05 per month may be initiated to satisfy the arrears. This amount is in addition to the current payment of \$ 1,324.21 per month.

One or more of the following payment methods may be imposed in accordance with Ohio Revised Code section 3113.21 in order to satisfy arrearage, as well as current support, including but not limited to: wage withholding; workers' compensation; pension, annuity, allowance, etc.; forms of income such as sick pay, insurance proceeds, lottery prize awards, etc.; funds on deposit in a financial institution; a cash security bond of not less than five hundred dollars nor more than ten thousand dollars; a requirement for an obligor to seek employment; or you may lose your professional license in accordance with Ohio Revised Code section 2301.373; and may be required to take an exam and pay a fee of not more than \$50 to reinstate your license. A copy of this notice will be provided to the obligee.

### YOUR RIGHT TO AN ADMINISTRATIVE HEARING

You are entitled to request an administrative hearing no later than seven days after the date of this notice to determine if a mistake of fact was made in the notice. "Mistake of Fact" means an error in the amount of current or overdue support or in the identity of the alleged absent parent. The reverse side of this form is used to request an administrative hearing.

If you request a hearing regarding this notice, the child support enforcement agency shall conduct an administrative hearing no later than ten days after the date on which you file the request for the hearing. The agency will send you and the obligee written notice of the date, time, place, and purpose of the hearing at least five days before it is conducted. The notice to the obligor and obligee also will indicate that the obligor may present testimony and evidence at the hearing only in regard to the issue of whether a mistake of fact was made in the advance notice.

At the hearing, the child support enforcement agency shall determine whether a mistake of fact was made in the advance notice. If it determines that a mistake of fact was made, the agency shall determine the provisions that should be changed and included in a corrected notice and shall correct the advance notice accordingly. The agency shall send its determinations to the obligor.

### YOUR RIGHT TO A COURT HEARING

If you detect a mistake of fact in the corrected advance notice, you are entitled to request a court hearing no later than seven days after the date of the agency determination.

To determine if a mistake of fact still exists in the advance notice or the corrected advance notice the court will hold a hearing on the request as soon as possible, but no later than ten days after the request is filed. If you request a court hearing, no later than five days before the date on which the court hearing is to be held, the court will send you and the obligee written notice by ordinary mail of the date, time, place, and purpose of the court hearing. The hearing will be limited to a determination of whether there is a mistake of fact in the advance notice or the corrected advance notice.

If, at a hearing conducted, the court detects a mistake of fact in the advance notice or the corrected advance notice, it immediately will correct the notice.

### ISSUANCE OF WITHHOLDING NOTICE

Upon exhaustion of all rights to contest the withholding or deduction on the basis of a mistake of fact and no later than the expiration of forty-five days after the issuance of this advance notice, the court or child support enforcement agency will issue one or more notices requiring withholding or deduction of wages or assets of the obligor, or the court shall issue one or more court orders imposing other appropriate requirements. The notices and court orders issued under sections 3113.21 and 3113.212 of the Revised Code are final and are enforceable by the court.

### SUSPENSION OF PROFESSIONAL LICENSE

Your professional license is being proposed for suspension if you do not pay or arrange to pay arrears by \_\_\_\_\_ You will receive a copy of the ODHS 4041 instructing the licensing board to suspend your license.

FEB 12 AM 8:04  
 4041