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

August 15, 1984

Glenn H. Kluge, M.D.
643 W. Judson Avenue
Youngstown, OH. 44511

Dear Doctor Kluge:

Please find enclosed a certified copy of the Entry of Order, the Report and Recommendation of Peter Lancione, M.D., Member, State Medical Board of Ohio and a certified copy of the Motions by the State Medical Board, meeting in regular session on August 8, 1984, amending said Report and Recommendation as the Findings and Order of the State Medical Board.

You are hereby notified that you may appeal this Order to the Court of Common Pleas of the county in which your place of business is located, or the county in which you reside. If you are not a resident and have no place of business in this state, you may appeal to the Court of Common Pleas of Franklin County, Ohio.

To appeal as stated above, 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 (15) days after the date of mailing of this letter and in accordance with Section 119.12, Revised Code.

THE STATE MEDICAL BOARD OF OHIO

Joseph P. Yut, M.D.
Secretary

JPY:em

Enclosures

CERTIFIED MAIL NO. P 569 457 827
RETURN RECEIPT REQUESTED

cc: M. Daniel Gilboy, Esq.

CERTIFIED MAIL NO. P 569 457 828
RETURN RECEIPT REQUESTED

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF *

*

GLENN H. KLUGE, M.D. *

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio the 8th day of August, 1984.

Upon the Report and Recommendation, a true copy of which is attached hereto and incorporated herein, of Peter Lancione, M.D., the Hearing Member in this matter designated pursuant to R.C. 4731.23, which Report and Recommendation was amended by vote of the Board on the above date, the following order is hereby entered on the Journal of the State Medical Board for the 8th day of August, 1984, and made part of the Board's proceedings:

It is hereby ORDERED:

1. That no temporary certificate be issued to Dr. Glenn H. Kluge based upon his application of August 9, 1983.

2. That Dr. Glenn H. Kluge be publicly reprimanded for perpetrating misrepresentation and deception in his application for medical licensure.

(SEAL)

Joseph P. Yut, M.D.
Secretary

8-15-84
Date

STATE OF OHIO
THE STATE MEDICAL BOARD

REPORT AND RECOMMENDATION
IN THE MATTER OF GLENN H. KLUGE, M.D.

'84 JUL 11 P

The matter of the application for temporary medical licensure of Glenn H. Kluge, M.D., came before me, Peter Lancione, M.D., Member of the State Medical Board of Ohio, on March 15, 1984.

INTRODUCTION AND SUMMARY OF EVIDENCE

1. The State Medical Board of Ohio notified Glenn H. Kluge, M.D., by letter of October 12, 1983 that it proposed to deny his application for temporary licensure pursuant to Section 4731.22, Ohio Revised Code, on the grounds that he had omitted information regarding two periods of residency from his application. (State's Exhibit #2)

2. Mr. William Scott Lavelle, Assistant Attorney General, entered the following exhibits on behalf of the State:

   A. A copy of Dr. Kluge's application for temporary licensure. (State's Exhibit #1)

   B. A copy of the letter of proposed denial from the Board to Dr. Kluge, giving the reasons for said denial and notifying him of his hearing rights. (State's Exhibit #2)

   C. A letter dated December 3, 1982 from the Menninger Foundation discussing Dr. Kluge's training there from July 1, 1979 through December 21, 1979. (State's Exhibit #3)

   D. A letter dated November 16, 1982 from the University of Virginia School of Medicine discussing Dr. Kluge's training there from December 1, 1981 through February 28, 1982. (State's Exhibit #4)

   E. A letter from the Menninger Foundation to the Ohio State Medical Board verifying that Dr. Kluge was a resident in the Menninger School of Psychiatry from July 1, 1979 through December 21, 1979. (State's Exhibit #5)

   F. A copy of a handwritten note from Dr. Kluge to Angela Albert of the State Medical Board staff stating from June 1979 to January 1981 he had been in Vera Cruz, Mexico. (State's Exhibit #6)

3. Dr. Kluge testified at the hearing as on cross-examination and on direct examination. His testimony outlined the following:

   A. He attended undergraduate school at the University of Southern Florida and received his medical degree from the University of Miami.

   B. He applied for a temporary license to practice medicine in the state of Ohio a year and half ago.

   C. When he submitted his application, he omitted a six-month residency at the Menninger Foundation, as well as part of a residency at the University of Virginia.

   D. He withdrew from his residency at the Menninger Foundation because of a personality conflict with one of his superiors.

   E. He went to the University of Texas to pursue a residency in radiation oncology, but decided after a year that he did not want to specialize in that particular area of medicine.

   F. He spent two months at the University of Virginia in a psychiatry and internal medicine residency. During this time, he was depresed over divorce proceedings and felt that his work was substandard. He resigned from the program effective February 28, 1981.

   G. Following his withdrawal from the residency program at the University of Virginia, he spent ten months applying and interviewing for other residency positions. He began a residency at Youngstown Hospital Association in January 1982 and is now completing his last year.

   H. He has distinguished himself as a resident at the Youngstown Hospital Association by publishing an article about tuberculous peritonitis. (Respondent's Exhibit A)

   I. He has never been charged with anything involving moral character or with any kind of negligence in connection with his residencies. He has never been charged criminally with anything, nor has he ever been accused of abusing drugs or alcohol.

   J. He is currently licensed to practice medicine in Texas, Virginia and Pennsylvania. He included information about his residency programs at Menninger and the University of Virginia in his licensure applications for those states.

   K. He has passed all three parts of the National Board examination as well as the FLEX examination.

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4. Dr. Kluge, through his attorney, M. Daniel Gilboy, made a closing statement admitting that he had purposely omitted information from his application, but denying any criminal intent. He explained that, in filling out the application, he assumed that he was merely complying with a formality; he felt that leaving out the details of his residencies would expedite processing of his Ohio application. He stated that he had learned from his mistake. In closing, he urged the Board to consider letters of recommendation, licenses granted by other states, and academic credentials as evidence of his fitness to practice medicine. He has several very good opportunities for employment in Ohio and would appreciate the chance to practice medicine in the state.

5. The following exhibits were admitted on behalf of the Respondent during the course of the hearing:

   A. An article written and published by Dr. Kluge entitled, "Tuberculous Peritonitis in a Patient Undergoing Chronic Ambulatory Peritoneal Dialysis (CAPD)". (Respondent's Exhibit D)

   B. A copy of Dr. Kluge's license to practice medicine in the state of Virginia. (Respondent's Exhibit B)

   C. A copy of Dr. Kluge's license to practice medicine in the state of Texas. (Respondent's Exhibit C)

   D. A copy of Dr. Kluge's license to practice medicine in the state of Pennsylvania. (Respondent's Exhibit D)

   E. A copy of the Diplomate Certificate awarded to Dr. Kluge by the National Board of Medical Examiners. (Respondent's Exhibit E)

6. Letters of recommendation, correspondence from the Virginia Board of Medicine and a copy of Dr. Kluge's application for licensure in Pennsylvania were submitted for the record after the close of the hearing.

FINDINGS OF FACT

1. Dr. Kluge received his medical degree from the University of Miami in June 1979.

   This fact is established by State's Exhibit 1 and by Dr. Kluge's testimony.

2. Dr. Kluge is a diplomate of the National Board of Medical Examiners.

   This fact is established by Respondent's Exhibit E.

3. Dr. Kluge hold licenses to practice medicine in Pennsylvania, Texas and Virginia.

   This fact is established by Respondent's Exhibits B, C and D, and by Dr. Kluge's testimony.

4. Dr. Kluge applied to the State Medical Board of Ohio for permanent medical licensure in June 1982. The Board proposed to deny his request, alleging fraud, misrepresentation and deception on the application. Dr. Kluge requested a hearing, but withdrew his application before a hearing was held.

   These facts are established by State's Exhibit #1.

5. On or about August 25, 1983, Dr. Kluge applied for a temporary certificate to practice medicine in Ohio by submitting an application to the Board, said application being submitted with a sworn affidavit as to its truthfulness.

   This fact is established by State's Exhibit 2.

6. In response to question #6 on the temporary application, Dr. Kluge indicated that he had never withdrawn from or been suspended, dismissed or expelled from a medical school or post-graduate training program.

   This fact is established by State's Exhibit #2.

7. Dr. Kluge withdrew from a residency at the Menninger School of Psychiatry in December 1979 after completing only six months of the program.

   This fact is established by State's Exhibits #3 and #5, and by Dr. Kluge's testimony.

8. In February 1981, Dr. Kluge withdrew from a residency at the University of Virginia School of Medicine in Charlottesville, Virginia after completing only two months of the program.

   This fact is established by State's Exhibit #4 and by Dr. Kluge's testimony.

CONCLUSIONS

1. By his own admission, Dr. Glenn H. Kluge submitted a misrepresentative and deceptive application for permanent medical licensure in contravention of Section 4731.22(A), Ohio Revised Code.

2. By his own admission, Dr. Glenn H. Kluge submitted a misrepresentative and deceptive application for temporary medical licensure in contravention of Section 4731.22(A), Ohio Revised Code.

3. The misrepresentation and deception perpetrated by Dr. Kluge constitute a failure of sufficiency of proof of good moral character as required by Section 4731.291(A)(1), Ohio Revised Code.

4. It is the observation of this hearing officer that Dr. Glenn H. Kluge's application for a temporary certificate was moot as of December 31, 1983. Consequently, no certificate can be issued to Dr. Kluge at the present time.

PROPOSED ORDER

It is hereby ORDERED:

1. That no temporary certificate be issued to Dr. Glenn H. Kluge based upon his application of August 9, 1983.

2. That Dr. Glenn H. Kluge be publicly reprimanded for perpetrating misrepresentation and deception in his application for medical licensure.

3. That any future applications for temporary or permanent certification submitted by Dr. Glenn H. Kluge be favorably considered by the Board, provided that no further misrepresentations or omissions are made and that all other requirements are met.

Peter Lancione, M.D.
Member, state Medical Board of Ohio

'84 JUN 11 P2:09

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

October 12, 1983

Glenn H. Kluge, M.D.
643 W. Judson Avenue
Youngstown, OH 44511

Dear Doctor Kluge:

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 deny your application for a temporary certificate in Ohio, for one or more of the following reasons:

1. On or about August 25, 1983 you applied for a temporary certificate in Ohio by submitting an application to this board, said application being submitted with a sworn affidavit as to its truthfulness.

   Question 6 of the temporary application inquires: "Have you ever withdrawn from or been suspended, dismissed or expelled from a medical school or post-graduate training program?" You answered by indicating "no".

   On or about December 21, 1979 you withdrew from an internship position in psychiatry at the Menninger Foundation in Topeka, Kansas after being placed on probation for six (6) months.

   On or about February 28, 1981 you withdrew from a residency position in psychiatry at the University of Virginia School of Medicine in Charlottesville, Virginia after having been told your work performance was below your capabilities.

Pursuant to Section 4731.22(A), Ohio Revised Code, fraud, misrepresentation, or deception in applying for or securing any license or certificate issued by this Board is grounds to refuse to grant you a certificate to practice medicine and surgery in Ohio.

Pursuant to Section 4731.291(A)(1), Ohio Revised Code, an applicant for a temporary certificate to practice medicine and surgery shall furnish proof satisfactory to the Board that he ...is of good moral character. Such fraud, misrepresentation, or deception as stated in 1 above constitutes a failure of sufficiency of proof of good moral character.

October 12, 1983

2. On or about January 13, 1983 this Board proposed to deny your application for permanent licensure to practice medicine and surgery in Ohio alleging fraud, misrepresentation and deception on your application. You requested a hearing but withdrew your application before a hearing was held. Copies of your permanent licensure application and the proposal to deny letter are attached hereto and incorporated herein as allegations concerning the insufficiency of proof of your good moral character and the commission of fraud, misrepresentation, and deception in applying for any certificate issued by this Board.

Pursuant to Section 4731.22(A), Ohio Revised Code, fraud, misrepresentation, or deception in applying for or securing any license or certificate issued by this Board is grounds to refuse to grant you a temporary certificate in Ohio.

Pursuant to Section 4731.291(A)(1), Ohio Revised Code, an applicant for a temporary certificate to practice medicine and surgery shall furnish proof satisfactory to the Board that he... is of good moral character. Such fraud, misrepresentation, or deception as stated in 2 above constitutes a failure of sufficiency of proof of good moral character.

In accordance with Chapter 119., Ohio Revised Code, you are hereby advised that you have a right to a hearing in this matter. If you wish to request such a hearing, this request must be made 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 Board of Ohio may, in your absence and upon consideration of this matter, determine whether or not to refuse to grant you a certificate to practice medicine and surgery in the State of Ohio.

Copies of the applicable statutes are enclosed for your reference.

Very truly yours,

Henry G. Cramblett MD

Henry G. Cramblett, M.D.
Secretary

HGC:jmb

Enclosures:

CERTIFIED MAIL #P347 350 251
RETURN RECEIPT REQUESTED

cc: M. Daniel Gilboy, Attorney
11 Overhill Road
Youngstown, OH 44512

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

January 13, 1983

Glenn H. Kluge, M.D.
643 West Judson Avenue
Youngstown, OH 44511

Dear Doctor Kluge:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio proposes to deny your application for licensure under authority of Section 4731.22(A), Ohio Revised Code, for one or more of the following reasons:

1. In your application dated June 18, 1982, you stated that from June 1979 to January 1980 you were vacationing in Vera Cruz, Mexico. However, our investigations have found that from July 1, 1979 through December 21, 1979 you were serving an internship at The Menninger Foundation in Topeka, Kansas.

2. In your licensure application dated June 18, 1982, you stated that from January 1981 through January 1982 you were again vacationing in Vera Cruz, Mexico. However, our investigations have found that from January 1981 through February 28, 1981 you were involved in a residency training program at the University of Virginia School of Medicine in Charlottesville, Virginia.

3. In your licensure application dated June 18, 1982 under Section 4, question 2, you only listed Texas as a state in which you had been fully licensed to practice medicine. However, our investigations show that you were licensed to practice medicine in Virginia on April 9, 1981.

Pursuant to Section 4731.22(A), Ohio Revised Code, effective prior to August 27, 1982, the Ohio Medical Board may refuse to grant a certificate to a person found guilty of fraud, misrepresentation, or deception in applying for or securing any license or certificate issued by the Board.

4. On or about October 1982 you were requested by our licensure staff to give a permanent address for the time on your application during which you stated you were vacationing. You replied by a letter dated October 9, 1982 again stating that from June 1979 to January 1981 you were vacationing in Vera Cruz, Mexico. This letter also stated that from January 1981 through December 1982 you were vacationing in Vera Cruz, Mexico.

Pursuant to Section 4731.22(A), Ohio Revised Code, effective August 27, 1982, the Ohio Medical Board may refuse to grant a certificate to a person found by the Board to have committed fraud, misrepresentation, or deception in applying for or securing any license or certificate issued by the Board.

In accordance with Chapter 119., Ohio Revised Code, you are hereby advised that you have a right to a hearing in this matter. If you wish to request such a hearing, this request must be made 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 Board of Ohio may, in your absence and upon consideration of this matter, determine whether or not to refuse to grant you a certificate to practice medicine and surgery in the State of Ohio.

Copies of the appropriate statutes are enclosed for your reference.

Very truly yours,

Anthony Ruppersberg, Jr., M.D.
Secretary

AR:jmb

Enclosures:

CERTIFIED MAIL #P349 641 674
RETURN RECEIPT REQUESTED