



# State Medical Board of Ohio

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July 14, 2004

Karen M. Paradies, M.D.  
2229 Victory Parkway, F-4  
Cincinnati, OH 45206

Dear Doctor Paradies:

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 July 14, 2004.

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 a Notice of Appeal with the State Medical Board of Ohio and 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 of the Ohio Revised Code.

Very truly yours,

Lance A. Talmage, M.D.  
Secretary

LAT:jam  
Enclosures

CERTIFIED MAIL RECEIPT NO. 7000 0600 0024 5150 2693  
RETURN RECEIPT REQUESTED

Cc: Eric J. Plinke, Esq.  
CERTIFIED MAIL RECEIPT NO. 7000 0600 0024 5150 2686  
RETURN RECEIPT REQUESTED

*Mailed 7-15-04  
Second Mailing 8-31-04*

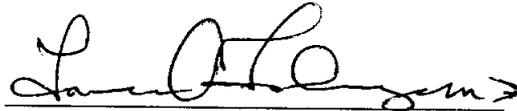
In the Matter of Karen M. Paradies, M.D.  
Page 2

Second mailing: University of Cincinnati Medical School  
ML 0559  
231 Albert Sabin Way  
Cincinnati, OH 45267  
CERTIFIED MAIL NO. 7000 0600 0024 5149 9498  
RETURN RECEIPT REQUESTED

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 July 14, 2004, constitutes a true and complete copy of the Findings, Order and Journal Entry in the Matter of Karen M. Paradies, M.D., as it appears in the Journal of the State Medical Board of Ohio.

This Certification is made by the authority of the State Medical Board of Ohio in its behalf.



Lance A. Talmage, M.D.  
Secretary

(SEAL)

July 14, 2004

Date

**BEFORE THE STATE MEDICAL BOARD OF OHIO**

IN THE MATTER OF :  
:  
KAREN M. PARADIES, M.D. :

**FINDINGS, ORDER AND JOURNAL ENTRY**

This matter came on for consideration before the State Medical Board of Ohio on July 14, 2004, pursuant to a Notice of Opportunity for Hearing issued to Karen M. Paradies, M.D., on January 14, 2004. No request for hearing having been received within the statutorily mandated time period, Hearing Examiner Siobhan R. Clovis, Esq., on behalf of the Board, reviewed and summarized evidence supporting the Notice, and prepared Proposed Findings and a Proposed Order.

WHEREFORE, having reviewed Ms. Clovis' Proposed Findings and Proposed Order, which is attached hereto and incorporated herein, the Board hereby finds that there is reliable, probative and substantial evidence to support the allegations as set forth in the January 14, 2004, Notice of Opportunity for Hearing.

Accordingly, it is hereby ORDERED that:

The certificate of Karen M. Paradies, M.D., to practice medicine and surgery in the State of Ohio shall be PERMANENTLY REVOKED.

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

  
\_\_\_\_\_  
Lance A. Talmage, M.D.  
Secretary

(SEAL)

July 14, 2004  
\_\_\_\_\_  
Date

STATE MEDICAL BOARD  
OF OHIO  
2004 MAY 21 P 1: 16

**PROPOSED FINDINGS AND PROPOSED ORDER  
IN THE MATTER OF KAREN M. PARADIES, M.D.**

The Matter of Karen M. Paradies, M.D., was reviewed by Siobhan R. Clovis, Esq., Hearing Examiner for the State Medical Board of Ohio.

**INTRODUCTION**

Basis for the Review

1. By letter dated January 14, 2004, the State Medical Board of Ohio [Board] notified Karen M. Paradies, 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 allegations that Dr. Paradies had violated an April 2, 2003, Board Order by relapsing on cocaine and alcohol.

The Board alleged that Dr. Paradies has demonstrated the “[i]mpairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice,” as that clause is used in Section 4731.22(B)(26), Ohio Revised Code.”

The Board further alleged that Dr. Paradies has violated “the conditions of limitation placed by the board upon [her] certificate to practice,” as that clause is used in Section 4731.22(B)(15), Ohio Revised Code.”

Accordingly, the Board advised Dr. Paradies of her right to a hearing in this matter. (Exhibit 2C).

2. On January 15, and March 3, 2004, in accordance with Section 119.07, Ohio Revised Code, the Notice of Opportunity for Hearing [Notice] was sent via certified mail, return receipt requested, to the last known address of record for Dr. Paradies: 2229 Victory Parkway F-4, Cincinnati, Ohio, 45206. A return receipt documenting proper service was not obtained from either of these mailings. Accordingly, on March 29, April 5, and April 12, 2004, a notice was published in the Cincinnati Enquirer advising Dr. Paradies of the Notice of Opportunity for Hearing and its contents. The notice also advised that Dr. Paradies had thirty days from the last date of publication to request a hearing. Proof of those publications was mailed to Dr. Paradies’s last known address of record on May 13, 2004. (Exhibits 2C, 3, and 4).

3. As of May 14, 2004, more than thirty days following the last date of publication, the Board had not received a hearing request from Dr. Paradies. (Exhibit 1).

### **EVIDENCE EXAMINED**

1. Exhibit 1: May 14, 2004, Memorandum from Barbara A. Jacobs, Public Services Administrator, to Gregory Porter, Chief Hearing Officer.
2. Exhibit 2: May 14, 2004, Certification by William J. Schmidt, Assistant Executive Director for the Board, of the following Board records concerning Karen M. Paradies, M.D.:
  - a. Exhibit 2A: November 13, 2002, Notice of Summary Suspension and Opportunity for Hearing, with attachments.
  - b. Exhibit 2B: April 2, 2003, letter from the Board; April 2, 2003, Entry of Order; March 7, 2003, Report and Recommendation; and an Excerpt from the Draft Minutes of April 2, 2003. (Note: The Hearing Examiner numbered the pages).
  - c. Exhibit 2C: January 14, 2004, Notice of Opportunity for Hearing.
3. Exhibit 3: May 13, 2004, Affidavit of Debra L. Jones, Continuing Medical Education and Renewal Officer for the Board.
4. Exhibit 4: May 13, 2004, Affidavit of Jacqueline A. Moore, Disciplinary Information Assistant for the Board, with one attached exhibit.
5. Exhibit 5: May 14, 2004, Affidavit of Danielle C. Bickers, Compliance Officer for the Board, with three attached exhibits.

### **SUMMARY OF THE EVIDENCE**

All exhibits, even if not specifically mentioned, were thoroughly reviewed and considered by the Hearing Examiner.

1. Karen M. Paradies, M.D., attained her medical degree in 2000 from the State University of New York, Upstate Medical University, in Syracuse, New York. In July 2000, Dr. Paradies began a psychiatry residency at the University of Cincinnati Medical Center in Cincinnati, Ohio. She completed two years of the program. On July 5, 2002, the Board

licensed Dr. Paradies to practice medicine and surgery in Ohio. (Exhibit [Ex.] 2B at 16, 23).

2. On November 13, 2002, the Board issued a pre-hearing Notice of Summary Suspension and Opportunity for Hearing advising Dr. Paradies that her certificate to practice medicine and surgery in Ohio had been summarily suspended. This action was based upon an alleged impairment of Dr. Paradies's ability to practice according to acceptable and prevailing standards of care due to alcohol and/or drug use or abuse. Also on November 13, 2002, the Board issued to Dr. Paradies a Notice of Opportunity for Hearing proposing to take disciplinary action against her certificate based upon alleged violations of Sections 4731.22(A) and 4731.22(B)(5), (13), (26), and (35), Ohio Revised Code.
3. On April 2, 2003, the Board issued an Entry of Order that permanently revoked Dr. Paradies's certificate to practice medicine and surgery in Ohio, but stayed the revocation. The Board suspended Dr. Paradies's certificate indefinitely, for at least eighteen months. Dr. Paradies's certificate is still suspended pursuant to the April 2, 2003, Order. (Ex. 2B at 3; 2C at 1).
4. In the April 2, 2003, Order, the Board approved and confirmed the following Findings of Fact:
  1. On or about April 23, 2002, Karen M. Paradies, M.D., submitted an 'Application for Certificate—Medicine or Osteopathic Medicine' [License Application] to the Board. As part of this License Application, Dr. Paradies executed an 'Affidavit and Release of Applicant' in which she certified under oath that all statements made with respect to her License Application were true and complete. Dr. Paradies further acknowledged that the application was an ongoing process that required her to immediately notify the Board in writing of any changes to the answers provided in her License Application if such change occurred at any time prior to a license being granted. On or about July 5, 2002, based upon the information Dr. Paradies provided, the Board issued Dr. Paradies a full and unrestricted license to practice medicine and surgery in Ohio.

In her License Application, Dr. Paradies answered 'No' to Question 25 that asks, 'Are you currently engaged in the illegal use of controlled substances?' Dr. Paradies failed to update and correct the answer after she used cocaine in May 2002.

2. On August 7, 2002, Dr. Paradies was convicted in the Hamilton County Municipal Court in Cincinnati, Ohio, of misdemeanor Child Endangerment, in violation of Section 2919.22, Ohio Revised Code. The conviction resulted from Dr. Paradies leaving her sleeping three-year old daughter at home alone with the door open for approximately eight hours on May 4, 2002. Dr. Paradies was sentenced to 180 days in jail, with credit for one day served and the remaining 179 days suspended. Dr. Paradies was also placed on probation for a period of three years, with the conditions that Dr. Paradies complete an aftercare program and cooperate with Children's Services.
3. On May 18, 2002, after receiving emergency treatment for a fractured wrist arising from an automobile accident that occurred when she was driving while intoxicated, Dr. Paradies was admitted to Fort Hamilton Hospital in Hamilton, Ohio, for diagnoses including Alcohol Dependence and Cocaine Dependence. Certified copies of Dr. Paradies'[s] treatment records from Fort Hamilton Hospital demonstrate that, shortly before this accident occurred, Dr. Paradies had decided not to take the Antabuse that had been prescribed to her by her treating psychiatrist until after she had an evening of drinking alcohol at home. Moreover, after consuming twelve beers, Dr. Paradies decided 'to try to buy some cocaine.'

As a result of the May 18, 2002, accident Dr. Paradies was convicted in Norwood Mayor's Court in Norwood, Ohio, on or about May 30, 2002, of charges that included one count of Reckless Operation of a Motor Vehicle, in violation of City of Norwood, Ohio, Ordinance 333.09A, a misdemeanor of the fourth degree. Certified copies of court documents indicate that Dr. Paradies was referred to Glenbeigh Hospital in Rock Creek, Ohio, for participation in a ninety-day treatment program.

4. On September 9, 2002, and again on September 10, 2002, Dr. Paradies contacted the Board's Chief Enforcement Coordinator. During the first telephone call Dr. Paradies reported the following:
  - Dr. Paradies had been treated for chemical dependency at a twenty-eight day in-patient program at Conifer Park Hospital in New York in 1985.

- Dr. Paradies had relapsed on alcohol in November 2001 and had continued to use alcohol through May 2002.
- She had used cocaine in May 2002.
- In June 2002, she had completed twenty-eight days of in-patient treatment for chemical dependency at Glenbeigh Hospital, a Board-approved treatment provider in Rock Creek, Ohio.
- She had subsequently entered into an aftercare program with Bethesda Hospital, a Board-approved treatment provider in Cincinnati, Ohio.
- She had a conviction related to Reckless Operation in May 2002.
- She had been convicted of Child Endangerment as a result of leaving her child at home alone.
- After completing treatment at Glenbeigh Hospital in June 2002, she had again relapsed by consuming six beers on or about September 4, 2002, and then vomited due to being on Antabuse.

During the second telephone call the following day, Dr. Paradies disclosed that she had been previously treated for chemical dependency on an out-patient basis during 1993 at Strong Memorial Hospital in Rochester, New York.

5. As a result of an automobile accident that had occurred on or about October 5, 2002, Dr. Paradies was found guilty in the Clermont County Municipal Court in Batavia, Ohio, of one count of Driving While Under the Influence of Alcohol or Drugs, in violation of Section 4511.19(A)(1), Ohio Revised Code, a misdemeanor of the first degree; Child Endangerment, in violation of Section 2919.22, Ohio Revised Code, a misdemeanor of the first degree; and Failure to Use a Child Restraint System, in violation of Section 4511.81, Ohio Revised Code, a minor misdemeanor.

Certified records from the Clermont County Municipal Court document that, while driving, Dr. Paradies was observed weaving in and out of her lane of traffic, knocking over several roadway construction barrels, and striking a concrete wall. After Dr. Paradies came to a stop, law enforcement officers discovered a six-pack of beer in Dr. Paradies'[s] car, with two cans empty and a third partially depleted. Although the officers subjected Dr. Paradies to a field sobriety test, it had to be discontinued when Dr. Paradies almost fell into the roadway. Further, although a child's safety seat was present in the car, Dr. Paradies had failed to secure her three-year-old daughter in the car seat, resulting in the child being unrestrained at the time of the accident.

6. On October 15, 2002, Dr. Paradies telephoned the Board's Chief Enforcement Coordinator, stating that, on October 4, 2002, Dr. Paradies had again relapsed on alcohol.

(Ex. 2B at 32–34).

Accordingly, the Board determined that Dr. Paradies had failed to provide complete and accurate information on her licensure application about her illegal use of cocaine, which constituted “‘fraud, misrepresentation, or deception in applying for or securing any certificate to practice or certificate of registration issued by the board,’ as that clause is used in Section 4731.22(A), Ohio Revised Code,” and “‘[m]aking a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatry, or a limited branch of medicine; or in securing or attempting to secure any certificate to practice or certificate of registration issued by the board,’ as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.” (Ex. 2B at 3, 34).

The Board further determined that Dr. Paradies had demonstrated the “‘[i]mpairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice,’ as that clause is used in Section 4731.22(B)(26), Ohio Revised Code.” (Ex. 2B at 3, 34).

Moreover, the Board determined that Dr. Paradies's misdemeanor convictions in Hamilton County Municipal Court and Clermont County Municipal Court constituted “‘[a] plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for treatment in lieu of conviction for, a misdemeanor involving moral turpitude,’ as that clause is used in Section 4731.22(B)(13), Ohio Revised Code.” (Ex. 2B at 3, 35).

5. The April 2, 2003, Order set forth certain terms, conditions, and limitations related to Dr. Paradies's certificate to practice medicine and surgery in Ohio, including interim monitoring during Dr. Paradies's suspension from practice. (Ex. 2B at 3-11). The interim monitoring requirements included:

- Dr. Paradies shall obey all federal, state and local laws; all rules governing the practice of medicine and surgery in Ohio; and all terms imposed by any criminal court. (Paragraph B.1.).
- Dr. Paradies shall submit quarterly declarations under penalty of Board disciplinary action and/or criminal prosecution, stating whether there has been compliance with all conditions of this Order. (Paragraph B.3.).
- Dr. Paradies shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of Dr. Paradies'[s] history of chemical dependency. (Paragraph B.5.).
- Dr. Paradies shall abstain completely from the use of alcohol. (Paragraph B.6.).
- Dr. Paradies shall maintain participation in an alcohol and drug rehabilitation program, such as A.A., N.A., C.A., or Caduceus, no less than three times per week, unless otherwise determined by the Board. Substitution of any other specific program must receive prior Board approval. Dr. Paradies shall submit acceptable documentary evidence of continuing compliance with this program, which must be received in the Board's offices no later than the due date for Dr. Paradies'[s] quarterly declarations. (Paragraph B.10.).

(Ex. 2B at 3-5).

6. Dr. Paradies has failed to comply with the interim monitoring requirements set forth above. A urine specimen that Dr. Paradies submitted for drug testing on November 19, 2003, tested positive for cocaine and was GC/MS confirmed for the presence of benzoylecgonine. On December 1, 2003, Dr. Paradies left a voice-mail message with Danielle Bickers, Compliance Officer for the Board, reporting that she had relapsed on cocaine. (Ex. 5, 5A).

Further, a urine specimen Dr. Paradies submitted for drug testing on December 4, 2003, also tested positive for cocaine and was GC/MS confirmed for the presence of benzoylecgonine. (Ex. 5, 5C).

On December 18, 2003, the Board received a letter from Ronald A. Sachs, M.D., Dr. Paradies's treating psychiatrist, reporting that, in late November 2003, Dr. Paradies had relapsed by consuming alcohol and "using a large amount of crack." Dr. Sachs further reported that Dr. Paradies had decreased her A.A. attendance to once per week before her relapse; that she had reestablished sobriety for two weeks, but then "used again" in mid-December; and that she had been discharged from her aftercare group. (Ex. 5, 5B).

Lastly, despite the requirements set forth in Paragraphs B.3. and B.10. in the Board's April 2, 2003, Order, Dr. Paradies failed to timely submit to the Board verification of her requisite attendance at drug-rehabilitation meetings. She also failed to submit the quarterly declaration due on January 1, 2004, in which she was required to state whether or not she had been in compliance with all conditions of the April 2, 2003, Order. (Ex. 2B at 4-5; Ex. 5).

7. It should be noted that the Board thoroughly discussed Dr. Paradies's case, in her presence, before issuing the April 2, 2003, Order. The Board's discussion made clear that Dr. Paradies was being given only one chance to attain sobriety. (Ex. 2B at 45-48).

### **PROPOSED FINDINGS**

1. On November 13, 2002, the Board issued a pre-hearing Notice of Summary Suspension and Opportunity for Hearing advising Dr. Paradies that her certificate to practice medicine and surgery in Ohio had been summarily suspended based upon an alleged impairment of Dr. Paradies's ability to practice according to acceptable and prevailing standards of care due to alcohol and/or drug use or abuse. Also on November 13, 2002, the Board issued to Dr. Paradies a Notice of Opportunity for Hearing proposing to take disciplinary action against her certificate based upon alleged violations of Sections 4731.22(A) and 4731.22(B)(5), (13), (26), and (35), Ohio Revised Code.
2. Thereafter, on April 2, 2003, the Board issued an Entry of Order that permanently revoked Dr. Paradies's certificate to practice medicine and surgery, stayed such revocation, and suspended Dr. Paradies's certificate for an indefinite period of time, but not less than eighteen months. Dr. Paradies's license to practice medicine and surgery in the State of Ohio remains suspended pursuant to this Order.

- A. The Findings of Fact and Conclusions of Law that were approved and confirmed by the Board pursuant to the April 2003 Order included the following determinations:
- i. Dr. Paradies's failure to provide complete and accurate information on her licensure application concerning her illegal use of controlled substances, specifically cocaine, constituted "fraud, misrepresentation, or deception in applying for or securing any certificate to practice or certificate of registration issued by the board," as that clause is used in Section 4731.22(A), Ohio Revised Code, and "[m]aking a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatry, or a limited branch of medicine; or in securing or attempting to secure any certificate to practice or certificate of registration issued by the board," as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.
  - ii. Evidence that demonstrated Dr. Paradies's "[i]mpairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice," as that clause is used in Section 4731.22(B)(26), Ohio Revised Code, included the following:
    - a. Dr. Paradies has a history of prior treatment for chemical dependency and relapse that includes: twenty-eight days of in-patient treatment at Conifer Park Hospital in New York in 1985; out-patient treatment at Strong Hospital in Rochester, New York, during 1993; relapse on alcohol in November 2001 with continued use through May 2002; relapse on cocaine in May 2002; twenty-eight days of in-patient treatment at Glenbeigh Hospital in Rock Creek, Ohio, in June 2002; relapse on alcohol while on Antabuse on September 4, 2002; and relapse on alcohol on October 4, 2002.
    - b. Dr. Paradies was convicted in the Hamilton County Municipal Court in Cincinnati, Ohio, of misdemeanor Child Endangerment, in violation of Section 2919.22, Ohio Revised Code, for leaving her three-year old daughter at home alone with the door open for approximately eight hours on May 4, 2002.

The Board determined that, in addition to demonstrating impairment, this conviction also constituted "[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 involving moral turpitude,” as that clause is used in Section 4731.22(B)(13), Ohio Revised Code.

- c. Dr. Paradies was convicted in Norwood Mayor’s Court, in Norwood, Ohio, of charges that included one count of Reckless Operation of a Motor Vehicle, in violation of City of Norwood, Ohio, Ordinance 333.09A, a misdemeanor of the fourth degree, and was referred by the court to participate in a ninety-day treatment program. This conviction arose from an automobile accident that occurred on May 18, 2002, after Dr. Paradies consumed twelve beers and decided “to try to buy some cocaine.”
- d. Dr. Paradies was convicted in Clermont County Municipal Court, in Batavia, Ohio, of one count of Driving Under the Influence of Alcohol or Drugs, in violation of Section 4511.19(A)(1), Ohio Revised Code, a misdemeanor of the first degree; Child Endangerment, in violation of Section 2919.22, Ohio Revised Code, a misdemeanor of the first degree; and Failure to Use a Child Restraint System, in violation of Section 4511.81, Ohio Revised Code, a minor misdemeanor. These convictions arose from an automobile accident that occurred on or about October 5, 2002, in which Dr. Paradies knocked over several construction barrels and struck a concrete wall while driving with her unrestrained three-year-old daughter in the car. After the accident, law enforcement officers discovered a six-pack of beer in the car, with two cans empty and a third partially depleted.

The Board determined that, in addition to demonstrating impairment, these convictions also constituted “[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 involving moral turpitude,” as that clause is used in Section 4731.22(B)(13), Ohio Revised Code.

- B. Further, the April 2, 2003, Order set forth certain terms, conditions and limitations related to Dr. Paradies’s medical licensure, including the following interim monitoring requirements:
  - i. Pursuant to Paragraph B.1. of the April 2003 Order, “Dr. Paradies shall obey all federal, state and local laws; all rules governing the practice of medicine and surgery in Ohio; and all terms imposed by any criminal court.”
  - ii. Pursuant to Paragraph B.3. of the April 2003 Order, “Dr. Paradies shall submit quarterly declarations under penalty of Board disciplinary action and/or criminal

prosecution, stating whether there has been compliance with all conditions of this Order.”

- iii. Pursuant to Paragraph B.5. of the April 2003 Order, “Dr. Paradies shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of Dr. Paradies’ history of chemical dependency.”
  - iv. Pursuant to Paragraph B.6. of the April 2003 Order, “Dr. Paradies shall abstain completely from the use of alcohol.”
  - v. Pursuant to Paragraph B.10. of the April 2003 Order, “Dr. Paradies shall maintain participation in an alcohol and drug rehabilitation program, such as A.A., N.A., C.A., or Caduceus, no less than three times per week, unless otherwise determined by the Board. Substitution of any other specific program must receive prior Board approval. Dr. Paradies shall submit acceptable documentary evidence of continuing compliance with this program, which must be received in the Board’s offices no later than the due date for Dr. Paradies’ quarterly declarations.”
3. Despite the requirements set forth in the April 2, 2003, Order, Dr. Paradies relapsed. The urine specimen that Dr. Paradies submitted for drug testing on November 19, 2003, was reported as positive for cocaine and was GC/MS confirmed for the presence of benzoylecgonine. On December 1, 2003, Dr. Paradies informed the Board’s Compliance Officer that she had relapsed on cocaine. Additionally, the urine specimen Dr. Paradies submitted for drug testing on December 4, 2003, was also reported as positive for cocaine and was GC/MS confirmed for the presence of benzoylecgonine. Further, on December 18, 2003, Dr. Paradies’s treating psychiatrist reported to the Board that, in late November 2003, Dr. Paradies had relapsed by consuming alcohol and “using a large amount of crack.” Her treating psychiatrist further reported that Dr. Paradies had decreased her A.A. meeting attendance to once per week before the relapse; that she had reestablished sobriety for two weeks, but then “used again” in mid-December; and that she had been discharged from her aftercare group.

Further, despite the requirements set forth in Paragraphs B.3. and B.10. of the April 2, 2003, Order, Dr. Paradies failed to timely submit to the Board documentation verifying her attendance at the required number of drug-rehabilitation meetings. She also failed to timely submit the quarterly declaration due January 1, 2004, in which she was required to state whether she had been in compliance with all conditions of the April 2, 2003, Order.

4. Proposed Findings 1, 2, and 3 demonstrate Dr. Paradies's "[i]mpairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice," as that clause is used in Section 4731.22(B)(26), Ohio Revised Code.
5. Proposed Finding 3 demonstrates "[v]iolation[s] of the conditions of limitation placed by the board upon a certificate to practice," as that clause is used in Section 4731.22(B)(15), Ohio Revised Code.

\* \* \* \* \*

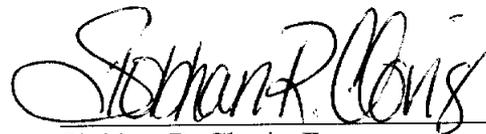
Dr. Paradies's prior Board action demonstrated that Dr. Paradies had been so overcome by her disease that she had placed not just her own life in danger, but that of her own daughter. This Board made clear in crafting its April 2, 2003, Order that Dr. Paradies had one last chance to attain sobriety. Despite that warning, Dr. Paradies relapsed on crack cocaine and alcohol. This unfortunately compels the conclusion that the threat of severe consequences will not deter Dr. Paradies from relapsing again. For these reasons, permanent revocation is warranted.

#### **PROPOSED ORDER**

It is hereby ORDERED that:

The certificate of Karen M. Paradies, M.D., to practice medicine and surgery in the State of Ohio shall be PERMANENTLY REVOKED.

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



Siobhan R. Clovis, Esq.  
Hearing Examiner



# State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: [www.state.oh.us/med/](http://www.state.oh.us/med/)

January 14, 2004

Karen M. Paradies, M.D.  
2229 Victory Parkway F-4  
Cincinnati, Ohio 45206

Dear Doctor Paradies:

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

- (1) On or about November 13, 2002, the Board issued a pre-hearing Notice of Summary Suspension and Opportunity for Hearing, a copy of which is attached hereto and fully incorporated herein, summarily suspending your certificate to practice based upon alleged impairment of your ability to practice medicine and surgery according to acceptable and prevailing standards of care due to alcohol and/or drug use or abuse. Further, on or about November 13, 2002, the Board issued to you a Notice of Opportunity for Hearing related to alleged violations including Sections 4731.22(A) and 4731.22(B)(5), (10), and (26), Ohio Revised Code.
- (2) Thereafter, on or about April 2, 2003, the Board issued an Entry of Order [April 2003 Order], a copy of which is attached hereto and fully incorporated herein, that permanently revoked your certificate to practice medicine and surgery, stayed such revocation, and suspended your certificate for an indefinite period of time, but not less than eighteen months. Pursuant to the April 2003 Order, your license to practice medicine and surgery in the State of Ohio remains suspended to date.
  - (A) The Findings of Fact and Conclusions of Law that were approved and confirmed by the Board pursuant to the April 2003 Order included the following determinations:
    - (i) Your conduct of failing to provide complete and accurate information on your licensure application pertaining to your illegal use of controlled substances, specifically cocaine, constituted "fraud, misrepresentation, or deception in applying for or securing any certificate to practice or certificate of registration issued by the board," as that clause is used in Section 4731.22(A), Ohio Revised Code, and "[m]aking a false,

*Mailed 1-15-04  
Second Mailing 3-3-04*

fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatry, or a limited branch of medicine; or in securing or attempting to secure any certificate to practice or certificate of registration issued by the board,” as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.

(ii) Your conduct that constituted “[i]mpairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice,” as that clause is used in Section 4731.22(B)(26), Ohio Revised Code, included the following:

(a) You have a history of prior treatment for chemical dependency and relapse that includes: twenty-eight days of in-patient treatment at Conifer Park Hospital in New York in 1985, out-patient treatment at Strong Hospital in Rochester, New York during 1993; relapse on alcohol in November 2001 with continued use through May 2002; relapse on cocaine in May 2002; twenty-eight days of in-patient treatment at Glenbeigh Hospital in Rock Creek, Ohio, in June 2002; relapse on alcohol while on Antabuse on September 4, 2002; and relapse on alcohol on October 4, 2002.

(b) You were convicted in the Hamilton County Municipal Court in Cincinnati, Ohio, of misdemeanor Child Endangerment, in violation of Section 2919.22, Ohio Revised Code, related to leaving your three-year old daughter at home alone with the door open for approximately eight hours on May 4, 2002.

Further, the Order determined that your conduct in this matter also constituted “[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 involving moral turpitude,” as that clause is used in Section 4731.22(B)(13), Ohio Revised Code.

(c) You were convicted in Norwood Mayor’s Court, in Norwood, Ohio, of charges that included one count of Reckless Operation of a Motor Vehicle, in violation of City of Norwood, Ohio, Ordinance 333.09A, a misdemeanor of the fourth degree, and were referred by the Court to participate in a ninety day treatment program. This conviction was related to an automobile accident that occurred on or about May 18, 2002,

after you consumed twelve beers and decided “to try to buy some cocaine.”

- (d) You were convicted in Clermont County Municipal Court, in Batavia, Ohio, on one count of Driving Under the Influence of Alcohol or Drugs, in violation of Section 4511.19(A)(1), Ohio Revised Code, a misdemeanor of the first degree; Child Endangerment, in violation of Section 2919.22, Ohio Revised Code, a misdemeanor of the first degree; and Failure to Use a Child Restraint System, in violation of Section 4511.81, Ohio Revised Code, a minor misdemeanor. These convictions were related to an automobile accident that occurred on or about October 5, 2002, in which you knocked over several construction barrels and struck a concrete wall while driving with your unrestrained three-year old daughter in the car, after which law enforcement officers discovered a six-pack of beer in your car, with two cans empty and a third partially depleted.

Further, the Order determined that your conduct in this matter also constituted “[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 involving moral turpitude,” as that clause is used in Section 4731.22(B)(13), Ohio Revised Code.

- (B) Further, the aforementioned April 2003 Order set forth certain terms, conditions and limitations related to your medical licensure including the following interim monitoring requirements:
  - (i) Pursuant to Paragraph B.1. of the April 2003 Order, “Dr. Paradies shall obey all federal, state and local laws; all rules governing the practice of medicine and surgery in Ohio; and all terms imposed by any criminal court.”
  - (ii) Pursuant to Paragraph B.3. of the April 2003 Order, “Dr. Paradies shall submit quarterly declarations under penalty of Board disciplinary action and/or criminal prosecution, stating whether there has been compliance with all conditions of this Order.”
  - (iii) Pursuant to Paragraph B.5. of the April 2003 Order, “Dr. Paradies shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of Dr. Paradies’ history of chemical dependency.”

- (iv) Pursuant to Paragraph B.6. of the April 2003 Order, "Dr. Paradies shall abstain completely from the use of alcohol."
  - (v) Pursuant to Paragraph B.10. of the April 2003 Order, "Dr. Paradies shall maintain participation in an alcohol and drug rehabilitation program, such as A.A., N.A., C.A., or Caduceus, no less than three times per week, unless otherwise determined by the Board. Substitution of any other specific program must receive prior Board approval. Dr. Paradies shall submit acceptable documentary evidence of continuing compliance with this program, which must be received in the Board's offices no later than the due date for Dr. Paradies' quarterly declarations."
- (3) Despite the aforementioned requirements set forth in the April 2003 Order, you have relapsed. The urine specimen you submitted for drug testing on or about November 19, 2003, was reported as positive for cocaine and was GC/MS confirmed for the presence of benzoylecgonine. On or about December 1, 2003, you informed the Board's Compliance Officer that you had relapsed on cocaine. Additionally, the urine specimen you submitted for drug testing on or about December 4, 2003, was also reported as positive for cocaine and was GC/MS confirmed for the presence of benzoylecgonine. Further, on or about December 18, 2003, it was reported to the Board by your treating psychiatrist that during or about November 2003 you had relapsed by consuming alcohol and "using a large amount of crack." Your treating psychiatrist further reported that you had decreased your A.A. meeting attendance to once per week prior to such relapse; that you had reestablished sobriety for a period of two weeks, but then used again in mid-December; and that you had been discharged from your aftercare group.

Further, despite the requirements set forth in Paragraphs B.3. and B.10. of the April 2003 Order, you have failed to timely submit to the Board documentation verifying your attendance for the required number of drug rehabilitation program meetings, as well as the quarterly declaration that was due January 1, 2004, stating whether you have been in compliance with all conditions of the April 2003 Order.

Your acts, conduct, and/or omissions as alleged in paragraphs (1), (2), and (3) above, individually and/or collectively, constitute "[i]mpairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice," as that clause is used in Section 4731.22(B)(26), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (3) above, individually and/or collectively, constitute a "[v]iolation of the conditions of limitation placed by the board upon a certificate to practice," as that clause is used in Section 4731.22(B)(15), 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 and must be received in the offices of the State Medical Board within thirty days of the time of mailing of this notice.

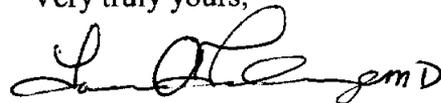
You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at 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 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 # 7000 0600 0024 5150 7308  
RETURN RECEIPT REQUESTED

cc: Eric Plinke, Esq.  
Porter, Wright, Morris & Arthur  
41 South High Street  
Columbus, Ohio 43215

Karen M. Paradies, M.D.  
Page 6

CERTIFIED MAIL # 7000 0600 0024 5150 7315  
RETURN RECEIPT REQUESTED

Second mailing: CERTIFIED MAIL NO. 7000 0600 0024 5150 1269  
RETURN RECEIPT REQUESTED



# State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: [www.state.oh.us/med/](http://www.state.oh.us/med/)

April 2, 2003

Karen M. Paradies, M.D.  
7159 Honeywood Court  
Cincinnati, OH 45230

Dear Doctor Paradies:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of Sharon W. Murphy, Attorney Hearing Examiner, State Medical Board of Ohio; and an excerpt of draft Minutes of the State Medical Board, meeting in regular session on April 2, 2003, 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 a Notice of Appeal with the State Medical Board of Ohio and 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

*Anand G. Garg, M.D.*  
Anand G. Garg, M.D.  
Secretary

AGG:jam  
Enclosures

CERTIFIED MAIL RECEIPT NO. 7000 0600 0024 5148 4685  
RETURN RECEIPT REQUESTED

Cc: Eric J. Plinke and John P. Carney, Esqs.  
CERTIFIED MAIL RECEIPT NO. 7000 0600 0024 5148 4678  
RETURN RECEIPT REQUESTED

*Mailed 4/21/03*

CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; Report and Recommendation of Sharon W. Murphy, State Medical Board Attorney Hearing Examiner; and excerpt of draft Minutes of the State Medical Board, meeting in regular session on April 2, 2003, 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 Karen M. Paradies, 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.

Anand G. Garg, M.D.  
Anand G. Garg, M.D. *AGG*  
Secretary

(SEAL)

April 2, 2003  
Date

**BEFORE THE STATE MEDICAL BOARD OF OHIO**

IN THE MATTER OF

\*

\*

KAREN M. PARADIES, M.D.

\*

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio on April 2, 2003.

Upon the Report and Recommendation of Sharon W. Murphy, 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.

- A. **PERMANENT REVOCATION, STAYED; SUSPENSION:** The certificate of Karen M. Paradies, M.D., to practice medicine and surgery in the State of Ohio shall be PERMANENTLY REVOKED. Such permanent revocation is STAYED, and Dr. Paradies' certificate shall be SUSPENDED for an indefinite period of time, but not less than eighteen months.
- B. **INTERIM MONITORING:** During the period that Dr. Paradies' certificate to practice medicine and surgery in Ohio is suspended, Dr. Paradies shall comply with the following terms, conditions, and limitations:
1. **Obey the Law and Terms Imposed by the Criminal Courts:** Dr. Paradies shall obey all federal, state and local laws; all rules governing the practice of medicine and surgery in Ohio; and all terms imposed by any criminal court.
  2. **Personal Appearances:** Dr. Paradies shall appear in person for an interview before the full Board or its designated representative during the third month following the effective date of this Order. Subsequent personal appearances must occur every three months 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.

3. **Quarterly Declarations:** Dr. Paradies shall submit quarterly declarations under penalty of Board disciplinary action and/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 this Order becomes effective. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.
4. **Evidence of Compliance with the Terms of Criminal Probation:** At the time she submits her quarterly declarations, Dr. Paradies shall also submit declarations under penalty of Board disciplinary action or criminal prosecution stating whether she has complied with all the terms, conditions, and limitations that have been imposed by any court.
5. **Abstention from Drugs:** Dr. Paradies shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of Dr. Paradies' history of chemical dependency.
6. **Abstention from Alcohol:** Dr. Paradies shall abstain completely from the use of alcohol.
7. **Comply with the Terms of the Aftercare Contract:** Dr. Paradies shall maintain continued compliance with the terms of the aftercare contract entered into with her treatment provider, provided that, where terms of the aftercare contract conflict with terms of this Order, the terms of this Order shall control.
8. **Drug & Alcohol Screens; Supervising Physician:** Dr. Paradies shall submit to random urine screenings for drugs and/or alcohol on a weekly basis or as otherwise directed by the Board. Dr. Paradies shall ensure that all screening reports are forwarded directly to the Board on a quarterly basis. The drug testing panel utilized must be acceptable to the Secretary of the Board.

Within thirty days of the effective date of this Order, or as otherwise determined by the Board, Dr. Paradies shall submit to the Board for its prior approval the name and curriculum vitae of a supervising physician to whom Dr. Paradies shall submit the required specimens. In approving an individual to serve in this capacity, the Board will give preference to a physician who practices in the same locale as Dr. Paradies. Dr. Paradies and the supervising physician shall ensure that the urine specimens are obtained on a random basis and that the giving of the specimen is witnessed by a reliable person. In addition, the supervising physician shall assure that appropriate control over

the specimen is maintained and shall immediately inform the Board of any positive screening results.

Dr. Paradies shall ensure that the supervising physician provides quarterly reports to the Board, in a format acceptable to the Board as set forth in the materials provided by the Board to the supervising physician, verifying whether all urine screens have been conducted in compliance with this Order, whether all urine screens have been negative, and whether the supervising physician remains willing and able to continue in his or her responsibilities.

In the event that the designated supervising physician becomes unable or unwilling to so serve, Dr. Paradies must immediately notify the Board in writing, and make arrangements acceptable to the Board for another supervising physician as soon as practicable. Dr. Paradies shall further ensure that the previously designated supervising physician also notifies the Board directly of his or her inability to continue to serve and the reasons therefore.

All screening reports and supervising physician reports required under this paragraph must be received in the Board's offices no later than the due date for Dr. Paradies' quarterly declaration. It is Dr. Paradies' responsibility to ensure that reports are timely submitted.

9. **Submission of Blood or Urine Specimens upon Request:** Dr. Paradies shall submit blood and urine specimens for analysis without prior notice at such times as the Board may request, at Dr. Paradies' expense.
10. **Rehabilitation Program:** Dr. Paradies shall maintain participation in an alcohol and drug rehabilitation program, such as A.A., N.A., C.A., or Caduceus, no less than three times per week, unless otherwise determined by the Board. Substitution of any other specific program must receive prior Board approval. Dr. Paradies shall submit acceptable documentary evidence of continuing compliance with this program, which must be received in the Board's offices no later than the due date for Dr. Paradies' quarterly declarations.
11. **Contact Impaired Physicians Committee:** Dr. Paradies shall comply with her contract with the Ohio Physicians Effectiveness Program or with another impaired physicians committee approved by the Board.
12. **Psychiatric Assessment/Treatment:** Within thirty days of the effective date of this Order, or as otherwise determined by the Board, Dr. Paradies shall submit to the Board for its prior approval the name and curriculum vitae of a psychiatrist of Dr. Paradies' choice. The Board may consider Roslyn Seligman, M.D., as an approved provider.

Upon approval by the Board, Dr. Paradies shall obtain from the approved psychiatrist an assessment of Dr. Paradies' current psychiatric status. Prior to the initial assessment, Dr. Paradies shall furnish the approved psychiatrist copies of the Board's Order, including the Summary of the Evidence, Findings of Fact, and Conclusions, and any other documentation from the hearing record which the Board may deem appropriate or helpful to that psychiatrist.

Upon completion of the initial assessment, Dr. Paradies shall cause a written report to be submitted to the Board from the approved psychiatrist. The written report shall include:

- a. A detailed report of the evaluation of Dr. Paradies' current psychiatric status and condition;
- b. A detailed plan of recommended psychiatric treatment, if any, based upon the psychiatrist's informed assessment of Dr. Paradies' current needs; and
- c. Any reports upon which the treatment recommendation is based, including reports of physical examination and psychological or other testing.

Should the Board approved psychiatrist recommend psychiatric treatment, and upon approval by the Board, Dr. Paradies shall undergo and continue psychiatric treatment weekly or as otherwise directed by the Board. The sessions shall be in person and may not be conducted by telephone or other electronic means. Dr. Paradies shall comply with her psychiatric treatment plan, including taking medications as prescribed for her psychiatric disorder.

Dr. Paradies shall continue in psychiatric treatment until such time as the Board determines that no further treatment is necessary. To make this determination, the Board shall require reports from the approved treating psychiatrist. The psychiatric reports shall contain information describing Dr. Paradies' current treatment plan and any changes that have been made to the treatment plan since the prior report; Dr. Paradies' compliance with the treatment plan; Dr. Paradies' psychiatric status; Dr. Paradies' progress in treatment; and results of any laboratory or other studies that have been conducted since the prior report. Dr. Paradies shall ensure that the reports are forwarded to the Board on a quarterly basis and are received in the Board's offices no later than the due date for Dr. Paradies' quarterly declaration.

In addition, Dr. Paradies shall ensure that her treating psychiatrist immediately notifies the Board of Dr. Paradies' failure to comply with her psychiatric

treatment plan and/or any determination that Dr. Paradies is unable to practice due to her psychiatric disorder.

In the event that the designated psychiatrist becomes unable or unwilling to serve in this capacity, Dr. Paradies must immediately so notify the Board in writing and make arrangements acceptable to the Board for another psychiatrist as soon as practicable. Dr. Paradies shall further ensure that the previously designated psychiatrist also notifies the Board directly of his or her inability to continue to serve and the reasons therefore.

C. **CONDITIONS FOR REINSTATEMENT OR RESTORATION:** The Board shall not consider reinstatement or restoration of Dr. Paradies' certificate to practice medicine and surgery until all of the following conditions have been met:

1. **Application for Reinstatement or Restoration:** Dr. Paradies shall submit an application for reinstatement or restoration, accompanied by appropriate fees, if any.
2. **Compliance with Interim Conditions:** Dr. Paradies shall have maintained compliance with all the terms and conditions set forth in Paragraph B of this Order.
3. **Certification of Compliance with the Terms Imposed by Any Criminal Court:** At the time she submits her application for reinstatement or restoration, Dr. Paradies shall submit to the Board certification from each court which has imposed an order against Dr. Paradies, dated no earlier than sixty days prior to Dr. Paradies' application for reinstatement or restoration, indicating that Dr. Paradies has maintained full compliance with the terms imposed by that court.
4. **Demonstration of Ability to Resume Practice:** Dr. Paradies shall demonstrate to the satisfaction of the Board that she can resume practice in compliance with acceptable and prevailing standards of care under the provisions of her certificate. Such demonstration shall include but shall not be limited to the following:
  - a. Certification from a treatment provider approved under Section 4731.25 of the Revised Code that Dr. Paradies has successfully completed any required inpatient treatment.
  - b. Evidence of continuing full compliance with a post-discharge aftercare contract with a treatment provider approved under Section 4731.25 of the Revised Code. Such evidence shall include, but not be limited to, a copy of the signed aftercare contract. The aftercare contract must comply with rule 4731-16-10 of the Administrative Code.

- c. Evidence of continuing full compliance with this Order.
  - d. Two written reports indicating that Dr. Paradies' ability to practice has been evaluated for chemical dependency and/or impairment and that she has been found capable of practicing according to acceptable and prevailing standards of care. The evaluations shall have been performed by individuals or providers approved by the Board for making such evaluations. Moreover, the evaluations shall have been performed within sixty days prior to Dr. Paradies' application for reinstatement or restoration. The reports of evaluation shall describe with particularity the bases for the determination that Dr. Paradies has been found capable of practicing according to acceptable and prevailing standards of care and shall include any recommended limitations upon her practice.
5. **Psychiatric Reports Evidencing Fitness to Practice; Recommended Limitations:** At the time Dr. Paradies submits her application for reinstatement or restoration, Dr. Paradies shall provide the Board with a written report of evaluation by a psychiatrist acceptable to the Board indicating that Dr. Paradies' ability to practice has been assessed and that she has been found capable of practicing in accordance with acceptable and prevailing standards of care. Such evaluation shall have been performed within sixty days prior to Dr. Paradies' application for reinstatement or restoration. The report of evaluation shall describe with particularity the bases for the determination that Dr. Paradies has been found capable of practicing according to acceptable and prevailing standards of care and shall include any recommended limitations upon her practice.
6. **Additional Evidence of Fitness To Resume Practice:** In the event that Dr. Paradies has not been engaged in the active practice of medicine and surgery for a period in excess of two years prior to application for reinstatement or restoration, the Board may exercise its discretion under Section 4731.222 of the Revised Code to require additional evidence of her fitness to resume practice.
- D. **PROBATION:** Upon reinstatement or restoration, Dr. Paradies' certificate shall be subject to the following PROBATIONARY terms, conditions, and limitations for a period of at least five years:
1. **Terms, Conditions, and Limitations Continued from Suspension Period:** Dr. Paradies shall continue to be subject to the terms, conditions, and limitations specified in Paragraph B of this Order.

2. **Modification of Terms**: Dr. Paradies shall not request modification of the terms, conditions, or limitations of probation for at least one year after imposition of these probationary terms, conditions, and limitations.
3. **Practice Plan**: Prior to Dr. Paradies' commencement of practice in Ohio, or as otherwise determined by the Board, Dr. Paradies shall submit to the Board and receive its approval for a plan of practice in Ohio. The practice plan, unless otherwise determined by the Board, shall be limited to a supervised structured environment in which Dr. Paradies' activities will be directly supervised and overseen by a monitoring physician approved by the Board. Dr. Paradies shall obtain the Board's prior approval for any alteration to the practice plan approved pursuant to this Order.

At the time Dr. Paradies submits her practice plan, she shall also submit the name and curriculum vitae of a monitoring physician for prior written approval by the Secretary or Supervising Member of the Board. In approving an individual to serve in this capacity, the Secretary or Supervising Member will give preference to a physician who practices in the same locale as Dr. Paradies and who is engaged in the same or similar practice specialty.

The monitoring physician shall monitor Dr. Paradies and her practice, and shall review Dr. Paradies' patient charts. The chart review may be done on a random basis, with the frequency and number of charts reviewed to be determined by the Board.

Further, the monitoring physician shall provide the Board with reports on the monitoring of Dr. Paradies and her practice, and on the review of Dr. Paradies' patient charts. Dr. Paradies shall ensure that the reports are forwarded to the Board on a quarterly basis and are received in the Board's offices no later than the due date for Dr. Paradies' quarterly declaration.

In the event that the designated monitoring physician becomes unable or unwilling to serve in this capacity, Dr. Paradies must immediately so notify the Board in writing. In addition, Dr. Paradies shall make arrangements acceptable to the Board for another monitoring physician within thirty days after the previously designated monitoring physician becomes unable or unwilling to serve, unless otherwise determined by the Board. Furthermore, Dr. Paradies shall ensure that the previously designated monitoring physician also notifies the Board directly of his or her inability to continue to serve and the reasons therefore.

4. **Tolling of Probationary Period While Out of State**: In the event that Dr. Paradies should leave Ohio for three consecutive months, or reside or practice outside the State, Dr. Paradies must notify the Board in writing of the dates of departure and return. Periods of time spent outside Ohio will not apply

to the reduction of this probationary period, unless otherwise determined by motion of the Board in instances where the Board can be assured that the purposes of the probationary monitoring are being fulfilled.

5. **Violation of Terms of Probation:** If Dr. Paradies violates probation 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.
  
- E. **TERMINATION OF PROBATION:** Upon successful completion of probation, as evidenced by a written release from the Board, Dr. Paradies' certificate will be fully restored.
  
- F. **RELEASES:** Dr. Paradies shall provide continuing authorization, through appropriate written consent forms, for disclosure of evaluative reports, summaries, and records, of whatever nature, by any and all parties that provide treatment or evaluation for Dr. Paradies' chemical dependency, psychiatric conditions, and/or related conditions, or for purposes of complying with this Order, whether such treatment or evaluations occurred before or after the effective date of this Order. The above-mentioned evaluative reports, summaries, and records are considered medical records for purposes of Section 149.43 of the Ohio Revised Code and are confidential pursuant to statute.  
  
Dr. Paradies shall also provide the Board written consent permitting any treatment provider from whom Dr. Paradies obtains treatment to notify the Board in the event she fails to agree to or comply with any recommended treatment or with any treatment or aftercare contract. Failure to provide such consent, or revocation of such consent, shall constitute a violation of this Order.
  
- G. **REQUIRED REPORTING TO EMPLOYERS AND HOSPITALS:** Within thirty days of the effective date of this Order, Dr. Paradies 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. Paradies 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.
  
- H. **REQUIRED REPORTING TO OTHER STATE LICENSING AUTHORITIES:** Within thirty days of the effective date of this Order, Dr. Paradies 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. Paradies shall also provide a copy of this Order by certified mail, return receipt requested, at 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. Paradies shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.

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

(SEAL)

  
Anand G. Garg, M.D. *1/1/03*  
Secretary

April 2, 2003

Date

STATE MEDICAL BOARD  
OF OHIO

2003 MAR -7 P 1:47

**REPORT AND RECOMMENDATION  
IN THE MATTER OF KAREN M. PARADIES, M.D.**

The Matter of Karen M. Paradies, M.D., was heard by Sharon W. Murphy, Attorney Hearing Examiner for the State Medical Board of Ohio, on February 19, 2003.

**INTRODUCTION**

I. Basis for Hearing

- A. In a Notice of Summary Suspension and Opportunity for Hearing, dated November 13, 2002, the State Medical Board of Ohio [Board] notified Karen M. Paradies, M.D., that, pursuant to Section 4731.22(G), Ohio Revised Code, the Board had adopted an Order of Summary Suspension of her certificate to practice medicine and surgery in Ohio. The Board further advised that continued practice of medicine or surgery would be considered practicing medicine without a certificate, in violation of Section 4731.41, Ohio Revised Code. (State's Exhibit 1A).

Furthermore, the Board notified Dr. Paradies that it had proposed to take disciplinary action against her certificate based upon allegations pertaining to a history of impairment, submission of false or fraudulent answers in an application for licensure, misdemeanor convictions, and failure to timely respond to interrogatories sent to her by the Board.

Accordingly, the Board alleged that Dr. Paradies' conduct and/or her criminal convictions constitute the following violations:

- “‘fraud, misrepresentation, or deception in applying for or securing any certificate to practice or certificate of registration issued by the board,’ as that clause is used in Section 4731.22(A), Ohio Revised Code.”
- “‘[m]aking a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or a limited branch of medicine; or in securing or attempting to secure any certificate to practice or certificate of registration issued by the board,’ as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.”
- “‘[i]mpairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol,

or other substances that impair ability to practice,’ as that clause is used in Section 4731.22(B)(26), Ohio Revised Code.”

- “[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 involving moral turpitude,’ as that clause is used in Section 4731.22(B)(13), Ohio Revised Code.”
- “[f]ailure to cooperate in an investigation conducted by the board under division (F) of this section, including failure to comply with a subpoena or order issued by the board at a deposition or in written interrogatories, except that failure to cooperate with an investigation shall not constitute grounds for discipline under this section if a court of competent jurisdiction has issued an order that either quashes a subpoena or permits the individual to withhold the testimony or evidence in issue,’ as that clause is used in Section 4731.22(B)(35), Ohio Revised Code.”

Finally, the Board advised Dr. Paradies of her right to request a hearing in this matter. (State’s Exhibit 1A).

- B. On December 4, 2002, Eric J. Plinke and John P. Carney, Esqs., submitted a written hearing request on behalf of Dr. Paradies. (State’s Exhibit 1B).

## II. Appearances

- A. On behalf of the State of Ohio: Jim Petro, Attorney General, by Rebecca J. Albers, Assistant Attorney General.
- B. On behalf of the Respondent: Eric J. Plinke, Esq.

## **EVIDENCE EXAMINED**

### I. Testimony Heard

- A. Presented by the State
1. Karen M. Paradies, M.D., as upon cross-examination
  2. Rebecca Marshall
- B. Presented by the Respondent
- Karen M. Paradies, M.D.

II. Exhibits Examined

A. Presented by the State

1. State's Exhibits 1A through 1L: Procedural exhibits.
2. State's Exhibit 2: Certified copies of documents concerning Dr. Paradies maintained by the Board.
3. State's Exhibit 3: Certified copy of a certificate of conviction regarding Dr. Paradies from the State of New York, Monroe County, Brighton Town Court.
4. State's Exhibit 4: Copies of certified copies of documents regarding Dr. Paradies from the Mayor's Court, City of Norwood, Ohio.
5. State's Exhibit 5: Certified copies of documents regarding Dr. Paradies from the Hamilton County, Ohio, Municipal Court. (Note: pages numbered by the Attorney Hearing Examiner post-hearing).
6. State's Exhibits 6 and 7: Copies of certified copies of documents regarding Dr. Paradies from the Clermont County, Ohio, Municipal Court. (Note: some pages numbered by the Attorney Hearing Examiner post-hearing).
7. State's Exhibit 8: Copies of interrogatories for Dr. Paradies and other documents sent from the Board to Eric J. Plinke, Esq.
8. State's Exhibit 10: Certified copies of documents regarding Dr. Paradies from The Fort Hamilton Hospital, Hamilton, Ohio. (Note: exhibit sealed to protect patient confidentiality. Further note: some pages numbered post-hearing by the Attorney Hearing Examiner).
9. State's Exhibit 11: Certified copies of documents regarding Dr. Paradies from Glenbeigh Hospital and Outpatient Centers, Rock Creek, Ohio. (Note: exhibit sealed to protect patient confidentiality.)
10. State's Exhibit 12: Copies of answers to interrogatories submitted to the Board by Dr. Paradies.

B. Presented by the Respondent

1. Respondent's Exhibit A: An October 2, 2002, letter regarding Dr. Paradies to the Board from Warren M. Liang, M.D., Director, Psychiatry Residency Training Program, University of Cincinnati Medical Center.

2. Respondent's Exhibit B: A February 10, 2003, letter regarding Dr. Paradies addressed "To Whom It May Concern" from Nicholas Atanasoff, D.O., Resident Psychiatrist, University of Cincinnati Department of Psychiatry. (As redacted. See Hearing transcript at 113-116).
3. Respondent's Exhibit C: A February 10, 2003, letter regarding Dr. Paradies to the Board from David Leonard, M.D., Third Year Resident in Psychiatry, University of Cincinnati. (As redacted. See Hearing transcript at 113-116).
4. Respondent's Exhibit D: Copy of a September 10, 2002, Confidential Advocacy Contract between Dr. Paradies and the Ohio Physicians Effectiveness Program, Inc.
5. Respondent's Exhibit E: A February 13, 2003, letter regarding Dr. Paradies to the Board from Lena Jefferson, M.D., Resident in Psychiatry, University of Cincinnati.
6. Respondent's Exhibit F: A March 4, 2003, letter regarding Dr. Paradies to the Board from Roslyn Seligman, M.D., FAPA, FAACAP, FAAFPM., Associate Professor of Psychiatry, University of Cincinnati College of Medicine. (Note: Exhibit sealed to protect patient confidentiality. Further note: As redacted. See Procedural Matters, below.)
7. Respondent's Exhibit G: A February 11, 2003, letter regarding Dr. Paradies to the Board from Rekha Tailor, M.D., Resident Psychiatrist, University of Cincinnati. (As redacted. See Procedural Matters, below.)
8. Respondent's Exhibit H: A February 20, 2003, letter regarding Dr. Paradies to the Board from Dr. Liang.

C. Presented Jointly by the Parties:

Joint Exhibit 1: Stipulation.

### **PROCEDURAL MATTERS**

The hearing record in this matter was held open in order to obtain additional evidence. This evidence was received on March 5, 2003. In a joint voice mail message, Counsel for the State objected to portions of Exhibits F and G. Counsel for Respondent advised that he would not argue against the State's objections. Accordingly, portions of Respondent's Exhibits F and G were redacted with the agreement of the parties, and Respondent's Exhibits E through H were admitted to the record. Thereafter, the hearing record closed on March 6, 2003.

## SUMMARY OF THE EVIDENCE

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

### Background Information

1. Karen M. Paradies, M.D., testified that she had obtained her medical degree in 2000 from the State University of New York, Upstate Medical University, in Syracuse, New York. In July 2000, Dr. Paradies began a psychiatry residency program at the University Hospitals, University of Cincinnati Medical Center, in Cincinnati, Ohio. Dr. Paradies completed two years of that program; she is no longer participating in the residency program. (Hearing Transcript [Tr.] at 13-14, 61; State's Exhibit [St. Ex.] at 31).

Dr. Paradies is currently working as a community research liaison in a position associated with the psychiatry department at the University of Cincinnati Medical Center. Dr. Paradies testified that the position involves no direct patient care. (Tr. at 14).

### Dr. Paradies' Impairment History

2. In 1985, when she was eighteen years old, Dr. Paradies completed a twenty-eight day inpatient program at Conifer Park, New York, for alcohol and marijuana dependence. Upon discharge, however, Dr. Paradies had resumed drinking and had started using cocaine. Dr. Paradies continued to use cocaine until 1990, 1991, or 1992. In 1991 and in 1993, in Rochester, New York, Dr. Paradies was arrested for Operating a Motor Vehicle While Intoxicated. (Tr. at 61-62; St. Ex. 3; St. Ex. 12 at 5, 15).

On March 7, 1994, Dr. Paradies was convicted of one count of Operating a Motor Vehicle While Intoxicated in Brighton Town Court in Rochester, Monroe County, New York. The conviction was based on conduct that had occurred in May 1993. The court fined Dr. Paradies \$500 and revoked her driver's license for six months. (St. Ex. 3).

3. In 1993 or 1994, Dr. Paradies completed an outpatient program at Strong Memorial Hospital in Rochester, New York, for Alcohol dependence and polysubstance abuse. Dr. Paradies testified that she had maintained sobriety from May 1993 through November 2001. (Tr. at 19-21, 61-62; St. Ex. 3; St. Ex. 12 at 5, 15).

Dr. Paradies testified that she had not participated in Alcoholics Anonymous [AA] or other alcoholism support groups. Moreover, she had not undergone random toxicology screening. She stated that she had become involved in Tae Kwon Do and had used that discipline to help her maintain her sobriety. (Tr. at 62-63).

4. Dr. Paradies testified that she had experienced major depression and feelings of paranoia in approximately 1995. She stated that she had received psychiatric treatment at that time. (Tr. at 104).

**Dr. Paradies' June 13, 2000, Application for a Training Certificate in Ohio**

5. On or about June 13, 2000, Dr. Paradies submitted an Application for Training Certificate to the Board. (St. Ex. 2 at 2-12). In the Application for Training Certificate, Dr. Paradies advised as follows:

I was arrested for driving while intoxicated in Rochester, NY in November 1991 and May 1993. I was found guilty of misdemeanor DWI in both instances. I attended outpatient alcohol counseling after both arrests. I completed my last treatment for alcohol dependence in 1994.

My driver license was restored several years ago. I have not had any alcohol-related difficulties legally, socially, or otherwise since 1993.

(St. Ex. 2 at 6). The Board issued Dr. Paradies a training certificate on October 23, 2000. (St. Ex. 2 at 12).

**Dr. Paradies' November 2001 Relapse**

6. In November 2001, Dr. Paradies experienced the break-up of a seven year domestic relationship. Dr. Paradies testified that the break-up had been very difficult and unpleasant, especially since they had been raising Dr. Paradies' two and a half year old daughter. (Tr. at 63).

Dr. Paradies testified that she had started drinking alcohol again in mid-November 2001. Dr. Paradies testified that, the first time, she had had "a few beers." Nevertheless, she continued to drink alcohol, and her drinking rapidly escalated. Dr. Paradies denied having used any illegal substances at that time. (Tr. at 22-23, 64; St. Ex. 10 at 5).

Dr. Paradies testified that, at the time she started drinking again, she had believed that the length of time since her last problems with alcohol and the success she had been experiencing in her life had cured her of alcohol dependency. Dr. Paradies testified that she had believed that she could control her drinking. She stated that that had been her "relapse mentality." (Tr. at 64, 66-67).

**Dr. Paradies' April 22, 2002, Application for Licensure in Ohio**

7. On April 22, 2002, Dr. Paradies submitted an "Application for Certificate – Medicine or Osteopathic Medicine" [License Application] to the Board. (St. Ex. 2 at 14-44). As part of her License Application, Dr. Paradies executed an "Affidavit and Release of Applicant" in which she certified under oath that all statements made with respect to her License Application were true and complete. Moreover, Dr. Paradies acknowledged that the application was an ongoing process. She further acknowledged that she had been required to notify the Board in writing of any changes to the answers provided in her License Application if such change occurred at any time prior to a license to practice medicine being granted. (Tr. at 16-17; St. Ex. 2 at 27).
8. In her License Application, Dr. Paradies answered "No" to Question 25 which asks, "Are you currently engaged in the illegal use of controlled substances?" The term "currently" is defined in the License Application as "recently enough so that the use of drugs may have an ongoing impact on one's functioning as a licensee, or within the past two years." (St. Ex. 2 at 22).
9. In her License Application, Dr. Paradies answered "Yes" to Question 15 which asks, "Have you ever pled guilty to, been found guilty of a violation of any law, or been granted intervention or treatment in lieu of conviction \* \* \*?" Moreover, Dr. Paradies provided a supplemental statement in explanation, stating,

I had DWI convictions in Nov [sic] 1993 in Cheektowaga, NY and May 1995 in Rochester, NY. I attended a several week outpatient rehab program in 1995 and have had no occupational, social, or legal difficulties secondary to alcohol since that time.

(St. Ex. 2 at 23).

10. At hearing, Dr. Paradies acknowledged that the information in the supplemental statement attached to her Licensure application was incorrect and inconsistent in the information contained in the supplemental statement attached to her application for a training certificate. Dr. Paradies testified that she had "made a mistake" in completing the supplemental statement for her application for full licensure. She explained that the information contained in the supplemental statement attached to her application for a training certificate was correct. She confirmed that she had been found guilty of driving while intoxicated in Rochester in 1991 and in 1993, and that she had completed treatment for alcohol dependence in 1994. Dr. Paradies stated that she is not sure at this time, but she may have referenced Cheektowaga and May 1995 because she had received a speeding ticket in Cheektowaga in May 1995. (Tr. at 19-21).

**Dr. Paradies' May 5, 2002, Arrest**

11. On May 4, 2002, Dr. Paradies left her three year old daughter at home alone with the door open for approximately eight hours. (St. Ex. 5; Joint Exhibit 1).

Dr. Paradies testified she and her daughter had gone to the park that day. Dr. Paradies started drinking. When they returned home that evening, Dr. Paradies had put her daughter to bed, and continued to drink while her daughter slept. (Tr. at 32, 34). Dr. Paradies further testified that:

You know, my memory is not great for the events, so - - I had not had any cocaine in about ten years. I came up with the brilliant idea to go out and buy some, which horrifies me now, but that's a mental process that I went through in my state of intoxication at that time. So I intended to come back right away, and it was several hours before I came back.

(Tr. at 34).

Dr. Paradies testified that her daughter had awoken and wandered outside of the house. Neighbors saw the child and called the police. The police picked up Dr. Paradies' daughter and placed the child in foster care overnight. The following day, Dr. Paradies' ex-domestic partner collected Dr. Paradies' daughter and kept her. (Tr. at 32).

On May 5, 2002, Dr. Paradies was arrested by the Hamilton County Sheriff's Department based on her failure to care for and protect a child. (St. Ex. 5 at 7).

Dr. Paradies testified that her parents had come from Rochester to stay with her shortly thereafter. At that time, Dr. Paradies' daughter was allowed to return to Dr. Paradies' home. (Tr. at 33).

**Dr. Paradies' May 18, 2002, Automobile Accident**

12. On or about May 18, 2002, Dr. Paradies was involved in an automobile accident when driving while intoxicated. Dr. Paradies received emergency treatment for a fractured wrist as a result of that accident. (Joint Exhibit 1). Dr. Paradies also experienced a head injury, and suffered symptoms of amnesia for a few weeks. (Tr. at 69-70).

**Dr. Paradies' May 2002 Treatment at Fort Hamilton Hospital**

13. Later that day, May 18, 2002, Dr. Paradies was admitted to Fort Hamilton Hospital in Hamilton, Ohio. Her discharge diagnoses were listed as Bipolar Disorder, Alcohol Dependence and Cocaine Dependence. (St. Ex. 10 at 5).

A Psychiatric Admission Note indicates the following:

- Dr. Paradies was a thirty-five year old woman with “a history of major depression and a remote history of alcohol dependence, a remote history of cocaine abuse and a recent relapse of alcohol and cocaine abuse during a hypomanic episode.”
- Dr. Paradies had been treated in the past for depression, but that treatment had been difficult for Dr. Paradies since anti-depressive medications had stimulated hypomanic episodes.
- Dr. Paradies had begun drinking as a teenager and had believed she was an alcoholic at age nineteen. Dr. Paradies had also consumed other illegal substances at that time.
- Dr. Paradies was convicted of Driving Under the Influence on two occasions.
- Dr. Paradies achieved sobriety in 1995 and had maintained it for seven years.
- Dr. Paradies relapsed on alcohol in November 2001 after ending her relationship with a partner of seven years.
- Shortly before the admission, Dr. Paradies’ treating psychiatrist had prescribed Antabuse, but Dr. Paradies had decided to have an evening of drinking alcohol prior to starting the medication. Dr. Paradies had planned to remain at home, and consumed twelve beers. Despite her plan to remain at home, Dr. Paradies had driven her car in an attempt to obtain cocaine. Dr. Paradies drove into the median on I-71. She hit her head on the windshield and experienced a loss of consciousness of an unknown period of time. Dr. Paradies also fractured her left wrist.

(St. Ex. 10 at 10-13).

14. In the discharge summary, Kenneth Tepe, M.D., noted that,

The patient has had significant substance abuse, although mostly in the past. She had been clean and sober for the several years she spent in medical school and the start of her residency in psychiatry at the University of Cincinnati. She relapsed about six months prior to this admission, after the breakup of a long term significant relationship.

\* \* \*

The patient did well during a relatively brief hospitalization. She was seen fairly extensively by both staff and psychiatry. She was able, in the [face] of her multiple losses and recent trauma, to take a reasonable attitude and to

make sequential plans. She did well on the inpatient unit as well as in individual sessions and [her] mood stabilized nicely.

(St. Ex. 10 at -6). Dr. Paradies was discharged on May 23, 2002, to be followed at the Bethesda Hospital Rehabilitation Unit, by Dr. Seligman, and with Alcoholics Anonymous. Her discharge medications were Trileptal 300 mg, twice daily, and Antabuse, once daily. (St. Ex. 10 at 6).

15. On May 23, 2002, Dr. Tepe wrote to the Hamilton County Municipal Court at follows:

I appreciate your indulgence in allowing [Dr. Paradies] to remain in the hospital until her bond hearing on 5/23/2002. I do believe that her incarceration, immediately after discharge from the hospital, would have seriously impaired her psychiatric status and been medically contraindicated.

As you may know, [Dr. Paradies] has both mental illness and substance dependence. Her mental illness, termed "Bipolar II Disorder," produces periods of hyperactivity, poor judgment and rapid mood variation. She has not been previously treated for this. She is now on appropriate medication which I fully expect will stabilize her mood. Her substance dependence involves alcohol and cocaine. This is also without previous treatment. She has arranged to enter Bethesda Oak treatment program and will be starting 5/24/02. She and I have extensively discussed her involvement in Alcoholics Anonymous, which she has also been scheduled to begin 5/24/2002. She has asked me to contact the Ohio State Medial Board to arrange peer monitoring through their Impaired Physicians Program. Finally, she will continue treatment with her psychiatrist, Dr. Roslyn Seligman, and be in touch with me as necessary. [Dr. Paradies] is interested in active treatment and supervision; any or all of the above might be stipulations of probation, as you wish.

(St. Ex. 5 at 8).

16. After discharge from Fort Hamilton Hospital, Dr. Paradies remained at home with her parents making arrangements for her admission to a drug treatment center. Dr. Paradies participated in an intensive outpatient program at Bethesda Oaks Hospital in Cincinnati. She was admitted for inpatient treatment at Glenbeigh Hospital in Rock Creek, Ohio eight days after her discharge from Fort Hamilton Hospital. (Tr. at 25-2, 73-74; St. Ex. 11 at 3; St. Ex. 12 at 5).

**Dr. Paradies' May 30, 2002, Conviction in the Norwood Mayor's Court**

17. Between her discharge from Fort Hamilton Hospital and her admission to Glenbeigh Hospital, Dr. Paradies appeared in the Norwood Mayor's Court, Norwood, Ohio. On May 30, 2002, Dr. Paradies entered a plea of no contest to a charge of Reckless Operation of a Motor

Vehicle, a fourth degree misdemeanor in violation of City of Norwood Ordinance 333.09A. Dr. Paradies also entered a plea of no contest to a charge of Failure to Control, a minor misdemeanor. The charges resulted from Dr. Paradies' May 18, 2002, automobile accident. (St. Ex. 4).

The court found Dr. Paradies guilty and fined her \$350. The court also suspended Dr. Paradies' drivers license for one year, but allowed her privileges to drive to work. In addition, the court ordered Dr. Paradies to complete a ninety day program at "Rocky Creek." (St. Ex. 4).

#### **Dr. Paradies' May–June 2002 Treatment at Glenbeigh Hospital**

18. On May 31, 2002, Dr. Paradies was admitted to Glenbeigh Hospital in Rock Creek, Ohio. She completed a twenty-eight day inpatient program. (St. Ex. 11 at 3; St. Ex. 12 at 5). Dr. Paradies testified that she had chosen to enter an inpatient treatment program upon the recommendation of Barron Farrier of the Ohio Physicians Effectiveness Program [OPEP]. (Tr. at 26).

The discharge summary indicates that Dr. Paradies was discharged on June 27, 2002, "with staff approval." She was scheduled to attend aftercare at Bethesda Oak Hospital in Cincinnati. It was also recommended that she attend ninety AA/NA/CA meetings in ninety days, participate in recovery activities in a recovering community, continue with psychiatric care with Dr. Seligman, and participate in OPEP. (St. Ex. 11 at 8-9).

19. Dr. Paradies testified that she had maintained sobriety for approximately two months after leaving Glenbeigh Hospital. (Tr. at 73).

#### **Dr. Paradies' June–October 2002 Aftercare Program at Bethesda Oaks Hospital**

20. Dr. Paradies participated in an aftercare program at Bethesda Oaks Hospital from June 2002 through October 2002. (St. Ex. 12 at 5). In that program Dr. Paradies participated in Alcoholics Anonymous meetings, urine screening, and contacted OPEP. (Tr. at 74).
21. At the same time, Dr. Paradies' psychiatrist prescribed a daily dose of Antabuse. (Tr. at 80).

#### **Dr. Paradies Suspension from and Return to the Residency Program**

22. Dr. Paradies' privileges at the University of Cincinnati Hospital were suspended pending completion of the program at Glenbeigh Hospital. (St. Ex. 12 at 7). After her discharge from Glenbeigh Hospital, Dr. Paradies was allowed to resume her position at the residency program. She had signed a contract whereby she had agreed to keep program officials apprised of her recovery and to submit copies of her urine screen results. (Tr. at 78).

### **The Board's Issuance of a Certificate to Dr. Paradies on July 5, 2002**

23. On or about July 5, 2002, based upon the information Dr. Paradies provided, the Board issued Dr. Paradies a full and unrestricted license to practice medicine and surgery in Ohio. Nevertheless, despite her previous acknowledgment that the application was an ongoing process that required her to immediately notify the Board in writing of any changes to the answers provided in her License Application, Dr. Paradies did not correct her answer denying that she was currently engaged in the illegal use of a controlled substance at any time prior to the issuance of her certificate. (Joint Exhibit 1).

### **Dr. Paradies' July and August 2002 Conviction and Sentencing in Hamilton County Municipal Court**

24. On July 9, 2002, in Hamilton County Municipal Court in Cincinnati, Ohio, Dr. Paradies entered a plea of no contest to a misdemeanor charge of Child Endangerment, in violation of Section 2919.22, Ohio Revised Code. The charge arose from Dr. Paradies' having left her daughter home alone on May 4, 2002. The court found Dr. Paradies guilty, and scheduled the matter for a pre-sentence investigation. (St. Ex. 5 at 1).

On August 7, 2002, the court sentenced Dr. Paradies to 180 days in jail, but suspended 179 days and gave Dr. Paradies credit for one day already served. Moreover, the court placed Dr. Paradies on probation for a period of three years, with the conditions that Dr. Paradies complete an aftercare program and cooperate with Clermont County Children's Services. (St. Ex. 5 at 5-6).

Dr. Paradies testified that, as a result of the conviction, she was not allowed to be alone with her child and could only see her during supervised visits. (Tr. at 31).

### **Dr. Paradies' August 12, 2002, Contract with the Ohio Physicians Effectiveness Program**

25. On August 12, 2002, Dr. Paradies signed a contract with the Ohio Physicians Effectiveness Program [OPEP]. In the contract, Dr. Paradies agreed to abstain from all mood-altering drugs, including alcohol. She also agreed, among other things, to attend three AA or related meetings per week, to participate in random weekly urine monitoring, and to report any relapses. The contract was signed by the director of OPEP on September 10, 2002. (Tr. at 74; Respondent's Exhibit [Resp. Ex.] D).

### **Dr. Paradies September 4, 2002, Relapse**

26. On September 4, 2002, Dr. Paradies relapsed for one day. Dr. Paradies testified that she had had problems with cravings, that she had been facing significant financial difficulties, and that her personal life had been in a shambles. More importantly, she had not taken the proper steps to prevent herself from relapsing. Dr. Paradies stated that, as a result, she had drunk six

beers while taking Antabuse. She stated that she had gotten ill after consuming the beer. (Tr. at 46, 78-79).

Dr. Paradies testified that she had been working at that time. She stated that she had immediately notified her employer of her relapse. She also notified Mr. Farrier at OPEP. Mr. Farrier recommended that she contact the Board. (Tr. at 75-77).

**Dr. Paradies' September 9 and 10, 2002, Reports to the Board Regarding her Relapse**

27. On September 9, 2002, and again on September 10, 2002, Dr. Paradies contacted the Board's Chief Enforcement Coordinator, Lori Gilbert. (Tr. at 44-45). Dr. Paradies testified that this had been her first contact with the Board, other than filing applications and receiving her certificates. Dr. Paradies testified that she tried to describe her entire history to Ms. Gilbert. She stated that Ms. Gilbert had been supportive. (Tr. at 7-77).

During the first telephone call Dr. Paradies reported the following:

- Dr. Paradies had been treated for chemical dependency at a twenty-eight day in-patient program at Conifer Park Hospital in New York in 1985.
- Dr. Paradies had relapsed on alcohol in November 2001 and had continued to use alcohol through May 2002.
- She had used cocaine in May 2002.
- In June 2002, she had completed twenty-eight days of in-patient treatment for chemical dependency at Glenbeigh Hospital, a Board-approved treatment provider in Rock Creek, Ohio.
- She had subsequently entered into an aftercare program with Bethesda Hospital, a Board-approved treatment provider in Cincinnati, Ohio.
- She had a conviction related to Reckless Operation in May 2002.
- She had been convicted of Child Endangerment as a result of leaving her child at home alone.
- After completing treatment at Glenbeigh Hospital in June 2002, she had again relapsed by consuming six beers on or about September 4, 2002, and then vomited due to being on Antabuse.

(Joint Exhibit 1).

During the second telephone call the following day, Dr. Paradies disclosed that she had been previously treated for chemical dependency on an out-patient basis during 1993 at Strong Memorial Hospital in Rochester, New York. (Joint Exhibit 1).

**Dr. Paradies' October 4, 2002, Relapse**

28. On October 4, 2002, Dr. Paradies relapsed by consuming alcohol over a twenty-four hour period. Dr. Paradies testified that she had not been taking Antabuse as prescribed by her psychiatrist. (Tr. at 36, 79-80).

**Dr. Paradies' October 5, 2002, Automobile Accident**

29. On October 5, 2002, Dr. Paradies was arrested and charged with Driving While Under the Influence of Alcohol or Drugs, Child Endangerment, and Failure to Use a Child Restraint System. (St. Ex. 6 at 3-6, 10; St. Ex. 7 at 3-4).

A police report indicates that another driver observed Dr. Paradies driving on a highway in a construction zone. Dr. Paradies' car was moving in and out of her lane and striking construction barrels. Dr. Paradies also stuck a concrete wall. Other drivers stopped Dr. Paradies' car and contacted the police. After Dr. Paradies came to a stop, law enforcement officers discovered a six-pack of beer in Dr. Paradies' car, with two cans empty and a third partially depleted. Dr. Paradies refused to submit to a Breathalyzer test. Further, although Dr. Paradies' three-year-old daughter was in a car seat, she had not been securely restrained at the time of the accident. (St. Ex. 6 at 9).

The officers subjected Dr. Paradies to a field sobriety test. The test was discontinued when Dr. Paradies nearly fell into the roadway. (St. Ex. 6 at 7-8).

30. Dr. Paradies testified that, on October 4, 2002, a Friday night, she had consumed alcohol late into the night. The next morning she had still been intoxicated, and had taken her daughter in the car to go on an outing. Dr. Paradies testified that, while she was driving, she had run into construction barrels on the right side of the road. Another motorist saw her and drove close to her car to force her off the road. Dr. Paradies stated that she had driven into a construction wall and the motorist contacted the police. (Tr. at 36-37).

Dr. Paradies further testified that, when the officer arrived, he found that Dr. Paradies' daughter was in a car seat, but that the belt had not been connected in a way that would have kept the child safe. (Tr. at 37).

Dr. Paradies testified that the officer had administered a sobriety test. Dr. Paradies recalled that she had been unable to perform the test appropriately. Dr. Paradies acknowledged that, if she had not put her foot down while standing on the other foot, she would have fallen. Dr. Paradies further testified that she had eventually entered pleas of no contest to charges of

operating a motor vehicle while intoxicated, child endangerment, and not having her daughter properly restrained. (Tr. at 37-39).

31. Dr. Paradies testified that she had spent seven or eight days in the Clermont County jail after the accident. She stated that she had waited until her parents could return from Rochester before she was released. Dr. Paradies further testified that she had consulted friends and her psychiatrist, who had advised that she remain in jail to assure that she did not “go out and drink again.” Dr. Paradies testified that she had wanted to make sure that she “wouldn’t put [herself] or anyone else in danger.” (Tr. at 39-40).

#### **Dr. Paradies’ October 11, 2002, Conviction in Clermont County Municipal Court**

32. On October 11, 2002, in Clermont County Municipal Court in Batavia, Ohio, Dr. Paradies was found guilty of Driving While Under the Influence of Alcohol or Drugs, a first degree misdemeanor in violation of Section 4511.19(A)(1), Ohio Revised Code. She was also found guilty of Child Endangerment, a first degree misdemeanor in violation of Section 2919.2(A), Ohio Revised Code; and Failure to Use a Child Restraint System, a minor misdemeanor in violation of Section 4511.81, Ohio Revised Code. The charges resulted from the automobile accident which had taken place on October 5, 2002. The court scheduled sentencing for four months later. (St. Ex. 6 at 1-2; St. Ex. 7 at 2; Joint Exhibit 1). At the time of hearing, Dr. Paradies had not yet been sentenced for these offenses. (Tr. at 39).
33. After leaving the Clermont County jail, Dr. Paradies moved out of her apartment and completed a change of address form directing all of her mail to her parents home in New York. Dr. Paradies testified that she had known that within a very short time she would be reporting to the Hamilton County Justice Center for incarceration. Moreover, she knew that, from the Hamilton County Justice Center, she would be transferred to a court-ordered long term inpatient treatment facility. (Tr. at 83).

#### **Dr. Paradies’ October 15, 2002, Report to the Board Regarding her Relapse**

34. On or about October 15, 2002, Dr. Paradies telephoned the Board’s Chief Enforcement Coordinator, stating that she had relapsed on alcohol on or about October 4, 2002. (Joint Exhibit 1).

#### **Dr. Paradies’ October 21, 2002, Incarceration at the Hamilton County Justice Center**

35. On October 21, 2002, Dr. Paradies reported to the Hamilton County Justice Center for incarceration. She remained there for one day, before being transferred to Talbert House, an alcohol and drug treatment facility in Cincinnati, Ohio. (Tr. at 42, 83).

**Dr. Paradies' October 2002-January 2003 Treatment at Talbert House in Cincinnati, Ohio**

36. Dr. Paradies participated in inpatient treatment at Talbert House from October 22, 2002, through January 22, 2003. Dr. Paradies remained there for ninety-three days. (Tr. at 42; St. Ex. 12 at 5).

**Dr. Paradies' November 1, 2002, Termination from her Residency Program**

37. Dr. Paradies was terminated from the residency program at the University of Cincinnati on November 1, 2002. The termination resulted from her consumption of alcohol which had violated a work agreement she had entered into with the residency program. (St. Ex. 12 at 7).

**The Board's November 13, 2002, Summary Suspension of Dr. Paradies' Certificate**

38. On November 13, 2002, pursuant to Section 4731.22(G), Ohio Revised Code, the Board summarily suspended Dr. Paradies' certificate to practice medicine and surgery in Ohio. (St. Ex. 1A). Her certificate remains suspended at this time. (Tr. at 55).

**The Board's Interrogatories for Dr. Paradies**

39. On September 30, 2002, the Board sent, by regular mail and by facsimile, a document entitled "The State Medical Board of Ohio's First Set of Interrogatories Directed to Karen M. Paradies, M.D." to Eric J. Plinke, Esq. A cover letter advised that Dr. Paradies was expected to answer the interrogatories and submit the answers to the Board no later than October 14, 2002. (St. Ex. 8). Dr. Paradies did not submit the completed interrogatories by that date. (Tr. at 43-44, 84-85).

On December 12, 2002, Mr. Plinke submitted Dr. Paradies' completed interrogatories to the Board. In a cover letter, Mr. Plinke advised that Dr. Paradies had been unable to complete the interrogatories by the date requested because Dr. Paradies had been "subject to a court-ordered in-patient treatment program. Dr. Paradies had not access to the interrogatories until later in her residential stay at Talbert House Treatment Center and this made it impossible for her to timely comply with the Board's request." (St. Ex. 12 at 1).

40. Dr. Paradies testified that she had not received the interrogatories until she had been at Talbert House for several weeks. Dr. Paradies explained that she had had her mail forwarded to her parents address in Rochester. Therefore, the interrogatories had first gone to New York and then her parents sent them to Talbert House. Dr. Paradies testified that, for the first several weeks, Talbert House simply returned the interrogatories to Dr. Paradies' parents. She stated that it had been very difficult to receive correspondence at Talbert House. (Tr. at 43-44, 84-85).

Dr. Paradies testified that she believes she had cooperated with the Board to the best of her ability under the circumstances. (Tr. at 95).

#### **Dr. Paradies' Current Recovery Status**

41. Dr. Paradies testified that she has maintained sobriety since October 5, 2002. She has been attending aftercare at Bethesda Oaks Hospital. She has also been working closely with her sponsor and attending four AA related meetings per week. Dr. Paradies testified that she is attending Narcotics Anonymous [NA] meetings in addition to AA meetings and that it has been very helpful. She is also submitting urine for screening on a random basis and complying with her OPEP contract. Finally, Dr. Paradies testified that, since the program at Talbert House, she has learned to be less of "a loner." She stated that she has developed friendships and a way of relating to other people that she had not done before. As a result, she has been associating with other persons in recovery and has found it to be a great benefit. (Tr. at 91-92, 9, 123).

Dr. Paradies testified that she is also seeing a chemical dependency counselor, Angela Pepper, at Bethesda Oaks. Dr. Paradies stated that she plans to see the Ms. Pepper once per month. Dr. Paradies further testified that she is no longer taking Antabuse as it proved to be ineffective as a deterrent. (Tr. at 108).

#### **Dr. Paradies' Current Psychiatric Status**

42. Dr. Paradies testified that she is aware that the Board did not allege psychiatric impairment in the November 13, 2002, notice of opportunity for hearing in this matter. Nevertheless, Dr. Paradies stated that she would not object to questions regarding her psychiatric condition, despite caselaw which may support her position.<sup>1</sup> Moreover, Dr. Paradies advised that she would not object should the Board decide to impose sanctions which included requirements for psychiatric evaluation and treatment. (Tr. at 97-99).

Finally, Dr. Paradies has already released her psychiatric treatment records to the Board and agreed to provide the Board signed releases for any other psychiatric treatment records that may exist. (Tr. at 59-60, 70-71, 102, 105).

43. Dr. Paradies testified that she is currently receiving psychiatric treatment from Dr. Seligman, and that she has been seeing Dr. Seligman for over two years. Dr. Paradies testified that the

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<sup>1</sup> In *In re Eastway* (1994), 95 Ohio App.3d 516, 642 N.E.2d 1135, cert. denied, the Franklin County Court of Appeals held that the Board could not require psychiatric treatment as a condition of probation when it had not charged a physician with being mentally impaired. Therefore, a Board order which includes such sanctions is not supported by reliable, probative, and substantial evidence and is not in accordance with the law. See also *Lawrence S. Krain, M.D. v. State Medical Board of Ohio* (Oct. 29, 1998), Franklin App. No. 97APE08-981, unreported.

diagnosis rendered by Dr. Seligman is adjustment disorder. She stated that she had also been diagnosed with major depression by a psychiatrist who had treated her in the past. In addition, Dr. Paradies stated that she had been diagnosed with bipolar disorder and bipolar II disorder by psychiatrists at Glenbeigh Hospital and Fort Hamilton Hospital. Dr. Paradies explained that bipolar II disorder refers to a combination of major depression and hypomania rather than major depression and mania, as would be the case with a bipolar I disorder. (Tr. at 87-88, 100-102).

Dr. Paradies acknowledged that there were a few references to psychoses in her Fort Hamilton Hospital medical records. Dr. Paradies noted, however, that, to her knowledge, she has never been psychotic and was not psychotic during her Fort Hamilton hospitalization. (Tr. at 103-106) (Note: the references to psychosis in the Fort Hamilton medical records do not appear to be significant. See, for example, State's Exhibit 10 at pages 3, 9, 12 and 18). Moreover, in a March 4, 2003, letter to the Board, Dr. Seligman wrote that. "In my opinion, Dr. Paradies does not have a psychotic disorder (Including Bipolar Disorder)." (Resp. Ex. F).

Dr. Paradies testified that she is currently taking Effexor, an anti-depressant; Remeron, an anti-depressant to help with sleep; and Trileptal, a mood-stabilizing agent which Dr. Paradies is using as an adjunct anti-depressant. (Tr. at 87-8, 101-102).

#### **Dr. Paradies' Current General Status**

44. Dr. Paradies testified that she has given her ex-domestic partner formal custody of Dr. Paradies' three year old daughter. Dr. Paradies testified that she will not apply for custody until she has had a documented year of sobriety. She stated that she sees her child often. (Tr. at 46-47).
45. Dr. Paradies testified that her focus in life has completely changed. Previously, her main concern had been money and her license to practice medicine. Now, she stated, her main concern is sobriety. Dr. Paradies explained that,

even at the time I came out of Glenbeigh Hospital, you know, I had to go be with my daughter, I had to make up for being away from my daughter for a month. I had to make up this, do that. You know, now I'm looking \* \* \* at more of a big picture. So I only see my daughter twice a week now and I'm just going to let things take time so that I can do this right this time.

(Tr. at 93-94). She later stated that

I have a serious problem with alcohol and drugs. I have been able to maintain extended sobriety in the past. This past year, these 11 months of my relapse were devastating, and I'm just lucky that something worse didn't happen. But I

believe I'm on the right track now. I do have over four months sober, thank God, at this point today.

I love being a physician and it is a privilege. I know that when I'm using alcohol or drugs my judgment is absolutely terrible. This is an understatement. But when I am not using alcohol or drugs, my judgment is excellent. I just love being a physician. I particularly love being a psychiatrist. I'm respected and supported by my work. Even now, after all that's happened, they support me.

And I feel that I have a lot to offer the profession, as long as I maintain sobriety, and that has to come first. If I maintain sobriety, I feel I have a lot I can contribute to the profession and to my patients. And I just hope I get that opportunity. But for now, I'm just going to – I will work on continuing my recovery program and we'll take it – I will take it day by day. I thank you for the hearing.

(Tr. at 96).

**February 20, 2003, Letter of Support from the Director of the Residency Training Program**

46. On February 20, 2003, Warren M. Liang, M.D., Director of the Psychiatry Residency Training Program at the University of Cincinnati College of Medicine, advised the Board as follows:

Karen is our most-outstanding PGY-3 resident. We have identified her as a resident with outstanding potential, and we are already recruiting her as a future faculty member of our department.

\* \* \*

Her achievements encompass clinical proficiency, psychiatric knowledge, teaching ability, humanism, and research. On a 5-point scale with 5 = highest, Karen has achieved an overall clinical rating of 4.53 from her supervisors.

Sample comments include:

“Dr. Paradies, by nature, seems to be an uncommonly sensitive and caring person. She had two extremely ill and complex patients and her devotion to their care and welfare was exemplary.”

“Karen is an exceptional resident, talented with broad areas of interests, open to learning, curious, articulate, with excellent clinical skills and judgment. Dedicated to her patient yet a team player who is pleasure to work with.”

“Karen is an exceptional resident. Very competent, enthusiastic & knowledgeable. Very highly recommended for training in child psychology.”

“One of the best residents I had; very proficient; knows literature well; gets along with others.”

Her PRITE scores have been outstanding: 99<sup>th</sup> and 98<sup>th</sup> percentiles in psychiatry and 87<sup>th</sup> and 88<sup>th</sup> percentiles in neurology.

For her outstanding teaching efforts with medical students, she was selected by the third year clerks to receive the Golden Apple Teaching Award by a Psychiatric Resident.

Even more impressively, she was selected by student vote as one of only 6 of over 500 house staff in the entire hospital to receive the Arnold P. Gold Award for Humanism and Excellence in Teaching. This award recognizes humanistic qualities the resident demonstrates in her teaching, patient care, and interactions with colleagues.

\* \* \*

The department chairman has already met with Karen to express our interests in having her join our faculty as we believe she shows so much outstanding potential.

She is the first author of “Seasonal affective disorder: helping patients beat the winter blues,” co-written with Dr. J Randolph Hillard, in *Current Psychiatry*, December 2002.

On a personal note, she is a delight to work with. She is uncomplaining, energetic, and enthusiastic. She is amazingly quick in learning new information and applying it clinically. Our field will definitely be hearing more from this woman in the future. I have felt that confident about only one other resident I have worked with in the last 8 years as training director.

I am aware from Dr. Paradies of her substance use and treatment. I have offered my assistance in any way to assist in her sobriety. I am glad to report that her clinical care of patients and her performance of her resident responsibilities have been at the superior level despite these difficulties. She has never reported to work in an impaired state nor under the influence.

(Resp. Ex. H).

### **Other Letters of Support**

47. Dr. Paradies submitted additional letters written in her support. (Resp. Exs. B, C, E, and G).

### **FINDINGS OF FACT**

1. On or about April 23, 2002, Karen M. Paradies, M.D., submitted an "Application for Certificate – Medicine or Osteopathic Medicine" [License Application] to the Board. As part of this License Application, Dr. Paradies executed an "Affidavit and Release of Applicant" in which she certified under oath that all statements made with respect to her License Application were true and complete. Dr. Paradies further acknowledged that the application was an ongoing process that required her to immediately notify the Board in writing of any changes to the answers provided in her License Application if such change occurred at any time prior to a license being granted. On or about July 5, 2002, based upon the information Dr. Paradies provided, the Board issued Dr. Paradies a full and unrestricted license to practice medicine and surgery in Ohio.

In her License Application, Dr. Paradies answered "No" to Question 25 that asks, "Are you currently engaged in the illegal use of controlled substances?" Dr. Paradies failed to update and correct the answer after she used cocaine in May 2002.

2. On August 7, 2002, Dr. Paradies was convicted in the Hamilton County Municipal Court in Cincinnati, Ohio, of misdemeanor Child Endangerment, in violation of Section 2919.22, Ohio Revised Code. The conviction resulted from Dr. Paradies leaving her sleeping three-year old daughter at home alone with the door open for approximately eight hours on May 4, 2002. Dr. Paradies was sentenced to 180 days in jail, with credit for one day served and the remaining 179 days suspended. Dr. Paradies was also placed on probation for a period of three years, with the conditions that Dr. Paradies complete an aftercare program and cooperate with Children's Services.
3. On May 18, 2002, after receiving emergency treatment for a fractured wrist arising from an automobile accident that occurred when she was driving while intoxicated, Dr. Paradies was admitted to Fort Hamilton Hospital in Hamilton, Ohio, for diagnoses including Alcohol Dependence and Cocaine Dependence. Certified copies of Dr. Paradies' treatment records from Fort Hamilton Hospital demonstrate that, shortly before this accident occurred, Dr. Paradies had decided not to take the Antabuse that had been prescribed to her by her treating psychiatrist until after she had an evening of drinking alcohol at home. Moreover, after consuming twelve beers, Dr. Paradies decided "to try to buy some cocaine."

As a result of the May 18, 2002, accident Dr. Paradies was convicted in Norwood Mayor's Court in Norwood, Ohio, on or about May 30, 2002, of charges that included one count of

Reckless Operation of a Motor Vehicle, in violation of City of Norwood, Ohio, Ordinance 333.09A, a misdemeanor of the fourth degree. Certified copies of court documents indicate that Dr. Paradies was referred to Glenbeigh Hospital in Rock Creek, Ohio, for participation in a ninety-day treatment program.

4. On September 9, 2002, and again on September 10, 2002, Dr. Paradies contacted the Board's Chief Enforcement Coordinator. During the first telephone call Dr. Paradies reported the following:

- Dr. Paradies had been treated for chemical dependency at a twenty-eight day in-patient program at Conifer Park Hospital in New York in 1985.
- Dr. Paradies had relapsed on alcohol in November 2001 and had continued to use alcohol through May 2002.
- She had used cocaine in May 2002.
- In June 2002, she had completed twenty-eight days of in-patient treatment for chemical dependency at Glenbeigh Hospital, a Board-approved treatment provider in Rock Creek, Ohio.
- She had subsequently entered into an aftercare program with Bethesda Hospital, a Board-approved treatment provider in Cincinnati, Ohio.
- She had a conviction related to Reckless Operation in May 2002.
- She had been convicted of Child Endangerment as a result of leaving her child at home alone.
- After completing treatment at Glenbeigh Hospital in June 2002, she had again relapsed by consuming six beers on or about September 4, 2002, and then vomited due to being on Antabuse.

During the second telephone call the following day, Dr. Paradies disclosed that she had been previously treated for chemical dependency on an out-patient basis during 1993 at Strong Memorial Hospital in Rochester, New York.

5. As a result of an automobile accident that had occurred on or about October 5, 2002, Dr. Paradies was found guilty in the Clermont County Municipal Court in Batavia, Ohio, of one count of Driving While Under the Influence of Alcohol or Drugs, in violation of Section 4511.19(A)(1), Ohio Revised Code, a misdemeanor of the first degree; Child Endangerment, in violation of Section 2919.22, Ohio Revised Code, a misdemeanor of the first degree; and

Failure to Use a Child Restraint System, in violation of Section 4511.81, Ohio Revised Code, a minor misdemeanor.

Certified records from the Clermont County Municipal Court document that, while driving, Dr. Paradies was observed weaving in and out of her lane of traffic, knocking over several roadway construction barrels, and striking a concrete wall. After Dr. Paradies came to a stop, law enforcement officers discovered a six-pack of beer in Dr. Paradies' car, with two cans empty and a third partially depleted. Although the officers subjected Dr. Paradies to a field sobriety test, it had to be discontinued when Dr. Paradies almost fell into the roadway. Further, although a child's safety seat was present in the car, Dr. Paradies had failed to secure her three-year old daughter in the car seat, resulting in the child being unrestrained at the time of the accident.

6. On October 15, 2002, Dr. Paradies telephoned the Board's Chief Enforcement Coordinator, stating that, on October 4, 2002, Dr. Paradies had again relapsed on alcohol.
7. Dr. Paradies failed to respond to "The State Medical Board of Ohio's First Set of Interrogatories Directed to Karen M. Paradies" by the specified due date of October 14, 2002, despite being required to do so pursuant to the interrogatories served through Dr. Paradies' attorney by both facsimile and regular mail on or about September 30, 2002. Dr. Paradies submitted the completed interrogatories on December 12, 2002.

### **CONCLUSIONS OF LAW**

1. The conduct of Karen M. Paradies, M.D., as set forth in Findings of Fact 1, constitutes "fraud, misrepresentation, or deception in applying for or securing any certificate to practice or certificate of registration issued by the board," as that clause is used in Section 4731.22(A), Ohio Revised Code.
2. The conduct of Dr. Paradies, as set forth in Findings of Fact 1, constitutes "[m]aking a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or a limited branch of medicine; or in securing or attempting to secure any certificate to practice or certificate of registration issued by the board," as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.
3. The conduct of Dr. Paradies, as set forth in Findings of Fact 1, 2, 3, 4, 5, and 6, constitutes "[i]mpairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice," as that clause is used in Section 4731.22(B)(26), Ohio Revised Code.

4. The conduct of Dr. Paradies, as set forth in Findings of Fact 2 and 5, 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 involving moral turpitude,” as that clause is used in Section 4731.22(B)(13), Ohio Revised Code.
5. The evidence presented at hearing is insufficient to support a conclusion that the conduct of Dr. Paradies, as set forth in Findings of Fact 7, constitutes “[f]ailure to cooperate in an investigation conducted by the board under divisions (F) of this section, including failure to comply with a subpoena or order issued by the board at a deposition or in written interrogatories, except that failure to cooperate with an investigation shall not constitute grounds for discipline under this section if a court of competent jurisdiction has issued an order that either quashes a subpoena or permits the individual to withhold the testimony or evidence in issue,” as that clause is used in Section 4731.22(B)(35), Ohio Revised Code. The evidence suggests that Dr. Paradies cooperated with the Board to the best of her ability under the circumstances

\* \* \* \* \*

The evidence is undisputed that Dr. Paradies has a history of severe alcohol impairment and relapse. Moreover, her conduct while under the influence of alcohol is appalling.

There are, however, a number of mitigating circumstances. Dr. Paradies is a young physician who suffers from a serious dual diagnosis: substance dependence and, at the least, major depression. Dr. Paradies maintained sobriety for at least seven years and achieved significant successes in her life, despite the fact that she was not involved in a supportive recovery program. Most likely due to the lack of a supportive recovery program, in November 2002, during a time of great stress, Dr. Paradies lost control. Fortunately, the period of time in which she was not in control was relatively brief – eleven months. Since October 2002, Dr. Paradies has undergone intensive treatment and has devoted herself to her recovery. She is making choices in her life to assure her continued recovery and, for the first time, is participating in a supportive recovery program. Moreover, Dr. Paradies agreed to allow the Board to evaluate and monitor her psychiatric status although she is under no legal obligation to do so. Under these circumstances, and after a period of suspension to allow Dr. Paradies an opportunity to demonstrate that she can maintain sobriety for an extended period of time, the Board would be justified in allowing Dr. Paradies a chance to return to the practice of medicine in Ohio so long as strict monitoring can be enforced.

### **PROPOSED ORDER**

- A. **SUSPENSION OF CERTIFICATE:** The certificate of Karen M. Paradies, M.D., to practice medicine and surgery in the State of Ohio shall be **SUSPENDED** for an indefinite period of time, but not less than eighteen months.

B. **INTERIM MONITORING:** During the period that Dr. Paradies' certificate to practice medicine and surgery in Ohio is suspended, Dr. Paradies shall comply with the following terms, conditions, and limitations:

1. **Obey the Law and Terms Imposed by the Criminal Courts:** Dr. Paradies shall obey all federal, state and local laws; all rules governing the practice of medicine and surgery in Ohio; and all terms imposed by any criminal court.
2. **Personal Appearances:** Dr. Paradies shall appear in person for an interview before the full Board or its designated representative during the third month following the effective date of this Order. Subsequent personal appearances must occur every three months 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.
3. **Quarterly Declarations:** Dr. Paradies shall submit quarterly declarations under penalty of Board disciplinary action and/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 this Order becomes effective. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.
4. **Evidence of Compliance with the Terms of Criminal Probation:** At the time she submits her quarterly declarations, Dr. Paradies shall also submit declarations under penalty of Board disciplinary action or criminal prosecution stating whether she has complied with all the terms, conditions, and limitations that have been imposed by any court.
5. **Abstinence from Drugs:** Dr. Paradies shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to her by another so authorized by law who has full knowledge of Dr. Paradies' history of chemical dependency.
6. **Abstinence from Alcohol:** Dr. Paradies shall abstain completely from the use of alcohol.
7. **Comply with the Terms of the Aftercare Contract:** Dr. Paradies shall maintain continued compliance with the terms of the aftercare contract entered into with her treatment provider, provided that, where terms of the aftercare contract conflict with terms of this Order, the terms of this Order shall control.
8. **Drug & Alcohol Screens; Supervising Physician:** Dr. Paradies shall submit to random urine screenings for drugs and/or alcohol on a weekly basis or as otherwise directed by

the Board. Dr. Paradies shall ensure that all screening reports are forwarded directly to the Board on a quarterly basis. The drug testing panel utilized must be acceptable to the Secretary of the Board.

Within thirty days of the effective date of this Order, or as otherwise determined by the Board, Dr. Paradies shall submit to the Board for its prior approval the name and curriculum vitae of a supervising physician to whom Dr. Paradies shall submit the required specimens. In approving an individual to serve in this capacity, the Board will give preference to a physician who practices in the same locale as Dr. Paradies. Dr. Paradies and the supervising physician shall ensure that the urine specimens are obtained on a random basis and that the giving of the specimen is witnessed by a reliable person. In addition, the supervising physician shall assure that appropriate control over the specimen is maintained and shall immediately inform the Board of any positive screening results.

Dr. Paradies shall ensure that the supervising physician provides quarterly reports to the Board, in a format acceptable to the Board as set forth in the materials provided by the Board to the supervising physician, verifying whether all urine screens have been conducted in compliance with this Order, whether all urine screens have been negative, and whether the supervising physician remains willing and able to continue in his or her responsibilities.

In the event that the designated supervising physician becomes unable or unwilling to so serve, Dr. Paradies must immediately notify the Board in writing, and make arrangements acceptable to the Board for another supervising physician as soon as practicable. Dr. Paradies shall further ensure that the previously designated supervising physician also notifies the Board directly of his or her inability to continue to serve and the reasons therefore.

All screening reports and supervising physician reports required under this paragraph must be received in the Board's offices no later than the due date for Dr. Paradies' quarterly declaration. It is Dr. Paradies' responsibility to ensure that reports are timely submitted.

9. **Submission of Blood or Urine Specimens upon Request**: Dr. Paradies shall submit blood and urine specimens for analysis without prior notice at such times as the Board may request, at Dr. Paradies' expense.
10. **Rehabilitation Program**: Dr. Paradies shall maintain participation in an alcohol and drug rehabilitation program, such as A.A., N.A., C.A., or Caduceus, no less than three times per week, unless otherwise determined by the Board. Substitution of any other specific program must receive prior Board approval. Dr. Paradies shall submit acceptable documentary evidence of continuing compliance with this program, which

must be received in the Board's offices no later than the due date for Dr. Paradies' quarterly declarations.

11. **Contact Impaired Physicians Committee:** Dr. Paradies shall comply with her contract with the Ohio Physicians Effectiveness Program or with another impaired physicians committee approved by the Board.
12. **Psychiatric Assessment/Treatment:** Within thirty days of the effective date of this Order, or as otherwise determined by the Board, Dr. Paradies shall submit to the Board for its prior approval the name and curriculum vitae of a psychiatrist of Dr. Paradies' choice. The Board may consider Roslyn Seligman, M.D., as an approved provider.

Upon approval by the Board, Dr. Paradies shall obtain from the approved psychiatrist an assessment of Dr. Paradies' current psychiatric status. Prior to the initial assessment, Dr. Paradies shall furnish the approved psychiatrist copies of the Board's Order, including the Summary of the Evidence, Findings of Fact, and Conclusions, and any other documentation from the hearing record which the Board may deem appropriate or helpful to that psychiatrist.

Upon completion of the initial assessment, Dr. Paradies shall cause a written report to be submitted to the Board from the approved psychiatrist. The written report shall include:

- a. A detailed report of the evaluation of Dr. Paradies' current psychiatric status and condition;
- b. A detailed plan of recommended psychiatric treatment, if any, based upon the psychiatrist's informed assessment of Dr. Paradies' current needs; and
- c. Any reports upon which the treatment recommendation is based, including reports of physical examination and psychological or other testing.

Should the Board approved psychiatrist recommend psychiatric treatment, and upon approval by the Board, Dr. Paradies shall undergo and continue psychiatric treatment weekly or as otherwise directed by the Board. The sessions shall be in person and may not be conducted by telephone or other electronic means. Dr. Paradies shall comply with her psychiatric treatment plan, including taking medications as prescribed for her psychiatric disorder.

Dr. Paradies shall continue in psychiatric treatment until such time as the Board determines that no further treatment is necessary. To make this determination, the Board shall require reports from the approved treating psychiatrist. The psychiatric reports shall contain information describing Dr. Paradies' current treatment plan and any changes that have been made to the treatment plan since the prior report; Dr. Paradies'

compliance with the treatment plan; Dr. Paradies' psychiatric status; Dr. Paradies' progress in treatment; and results of any laboratory or other studies that have been conducted since the prior report. Dr. Paradies shall ensure that the reports are forwarded to the Board on a quarterly basis and are received in the Board's offices no later than the due date for Dr. Paradies' quarterly declaration.

In addition, Dr. Paradies shall ensure that her treating psychiatrist immediately notifies the Board of Dr. Paradies' failure to comply with her psychiatric treatment plan and/or any determination that Dr. Paradies is unable to practice due to her psychiatric disorder.

In the event that the designated psychiatrist becomes unable or unwilling to serve in this capacity, Dr. Paradies must immediately so notify the Board in writing and make arrangements acceptable to the Board for another psychiatrist as soon as practicable. Dr. Paradies shall further ensure that the previously designated psychiatrist also notifies the Board directly of his or her inability to continue to serve and the reasons therefore.

C. **CONDITIONS FOR REINSTATEMENT OR RESTORATION:** The Board shall not consider reinstatement or restoration of Dr. Paradies' certificate to practice medicine and surgery until all of the following conditions have been met:

1. **Application for Reinstatement or Restoration**: Dr. Paradies shall submit an application for reinstatement or restoration, accompanied by appropriate fees, if any.
2. **Compliance with Interim Conditions**: Dr. Paradies shall have maintained compliance with all the terms and conditions set forth in Paragraph B of this Order.
3. **Certification of Compliance with the Terms Imposed by Any Criminal Court**: At the time she submits her application for reinstatement or restoration, Dr. Paradies shall submit to the Board certification from each court which has imposed an order against Dr. Paradies, dated no earlier than sixty days prior to Dr. Paradies' application for reinstatement or restoration, indicating that Dr. Paradies has maintained full compliance with the terms imposed by that court.
4. **Demonstration of Ability to Resume Practice**: Dr. Paradies shall demonstrate to the satisfaction of the Board that she can resume practice in compliance with acceptable and prevailing standards of care under the provisions of her certificate. Such demonstration shall include but shall not be limited to the following:
  - a. Certification from a treatment provider approved under Section 4731.25 of the Revised Code that Dr. Paradies has successfully completed any required inpatient treatment.

- b. Evidence of continuing full compliance with a post-discharge aftercare contract with a treatment provider approved under Section 4731.25 of the Revised Code. Such evidence shall include, but not be limited to, a copy of the signed aftercare contract. The aftercare contract must comply with rule 4731-16-10 of the Administrative Code.
  - c. Evidence of continuing full compliance with this Order.
  - d. Two written reports indicating that Dr. Paradies' ability to practice has been evaluated for chemical dependency and/or impairment and that she has been found capable of practicing according to acceptable and prevailing standards of care. The evaluations shall have been performed by individuals or providers approved by the Board for making such evaluations. Moreover, the evaluations shall have been performed within sixty days prior to Dr. Paradies' application for reinstatement or restoration. The reports of evaluation shall describe with particularity the bases for the determination that Dr. Paradies has been found capable of practicing according to acceptable and prevailing standards of care and shall include any recommended limitations upon her practice.
5. **Psychiatric Reports Evidencing Fitness to Practice; Recommended Limitations:** At the time Dr. Paradies submits her application for reinstatement or restoration, Dr. Paradies shall provide the Board with a written report of evaluation by a psychiatrist acceptable to the Board indicating that Dr. Paradies' ability to practice has been assessed and that she has been found capable of practicing in accordance with acceptable and prevailing standards of care. Such evaluation shall have been performed within sixty days prior to Dr. Paradies' application for reinstatement or restoration. The report of evaluation shall describe with particularity the bases for the determination that Dr. Paradies has been found capable of practicing according to acceptable and prevailing standards of care and shall include any recommended limitations upon her practice.
6. **Additional Evidence of Fitness To Resume Practice:** In the event that Dr. Paradies has not been engaged in the active practice of medicine and surgery for a period in excess of two years prior to application for reinstatement or restoration, the Board may exercise its discretion under Section 4731.222 of the Revised Code to require additional evidence of her fitness to resume practice.
- D. **PROBATION:** Upon reinstatement or restoration, Dr. Paradies' certificate shall be subject to the following PROBATIONARY terms, conditions, and limitations for a period of at least five years:

1. **Terms, Conditions, and Limitations Continued from Suspension Period:**  
Dr. Paradies shall continue to be subject to the terms, conditions, and limitations specified in Paragraph B of this Order.
2. **Modification of Terms:** Dr. Paradies shall not request modification of the terms, conditions, or limitations of probation for at least one year after imposition of these probationary terms, conditions, and limitations.
3. **Practice Plan:** Prior to Dr. Paradies' commencement of practice in Ohio, or as otherwise determined by the Board, Dr. Paradies shall submit to the Board and receive its approval for a plan of practice in Ohio. The practice plan, unless otherwise determined by the Board, shall be limited to a supervised structured environment in which Dr. Paradies' activities will be directly supervised and overseen by a monitoring physician approved by the Board. Dr. Paradies shall obtain the Board's prior approval for any alteration to the practice plan approved pursuant to this Order.

At the time Dr. Paradies submits her practice plan, she shall also submit the name and curriculum vitae of a monitoring physician for prior written approval by the Secretary or Supervising Member of the Board. In approving an individual to serve in this capacity, the Secretary or Supervising Member will give preference to a physician who practices in the same locale as Dr. Paradies and who is engaged in the same or similar practice specialty.

The monitoring physician shall monitor Dr. Paradies and her practice, and shall review Dr. Paradies' patient charts. The chart review may be done on a random basis, with the frequency and number of charts reviewed to be determined by the Board.

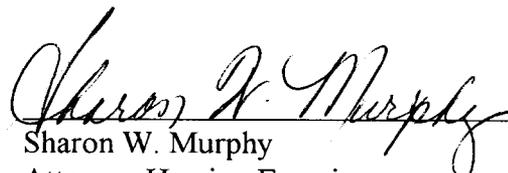
Further, the monitoring physician shall provide the Board with reports on the monitoring of Dr. Paradies and her practice, and on the review of Dr. Paradies' patient charts. Dr. Paradies shall ensure that the reports are forwarded to the Board on a quarterly basis and are received in the Board's offices no later than the due date for Dr. Paradies' quarterly declaration.

In the event that the designated monitoring physician becomes unable or unwilling to serve in this capacity, Dr. Paradies must immediately so notify the Board in writing. In addition, Dr. Paradies shall make arrangements acceptable to the Board for another monitoring physician within thirty days after the previously designated monitoring physician becomes unable or unwilling to serve, unless otherwise determined by the Board. Furthermore, Dr. Paradies shall ensure that the previously designated monitoring physician also notifies the Board directly of his or her inability to continue to serve and the reasons therefore.

4. **Tolling of Probationary Period While Out of State**: In the event that Dr. Paradies should leave Ohio for three consecutive months, or reside or practice outside the State, Dr. Paradies must notify the Board in writing of the dates of departure and return. Periods of time spent outside Ohio will not apply to the reduction of this probationary period, unless otherwise determined by motion of the Board in instances where the Board can be assured that the purposes of the probationary monitoring are being fulfilled.
  5. **Violation of Terms of Probation**: If Dr. Paradies violates probation 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.
- E. **TERMINATION OF PROBATION**: Upon successful completion of probation, as evidenced by a written release from the Board, Dr. Paradies' certificate will be fully restored.
- F. **RELEASES**: Dr. Paradies shall provide continuing authorization, through appropriate written consent forms, for disclosure of evaluative reports, summaries, and records, of whatever nature, by any and all parties that provide treatment or evaluation for Dr. Paradies' chemical dependency, psychiatric conditions, and/or related conditions, or for purposes of complying with this Order, whether such treatment or evaluations occurred before or after the effective date of this Order. The above-mentioned evaluative reports, summaries, and records are considered medical records for purposes of Section 149.43 of the Ohio Revised Code and are confidential pursuant to statute.
- Dr. Paradies shall also provide the Board written consent permitting any treatment provider from whom Dr. Paradies obtains treatment to notify the Board in the event she fails to agree to or comply with any recommended treatment or with any treatment or aftercare contract. Failure to provide such consent, or revocation of such consent, shall constitute a violation of this Order.
- G. **REQUIRED REPORTING TO EMPLOYERS AND HOSPITALS**: Within thirty days of the effective date of this Order, Dr. Paradies 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. Paradies 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.
- H. **REQUIRED REPORTING TO OTHER STATE LICENSING AUTHORITIES**: Within thirty days of the effective date of this Order, Dr. Paradies 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. Paradies shall also provide a copy of this Order by certified mail, return receipt requested, at 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. Paradies shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.

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

  
Sharon W. Murphy  
Attorney Hearing Examiner



# State Medical Board of Ohio

77 E. High St., 19th Floor • Columbus, OH 43215-6127 • (614) 456-3956 • WebSite: [www.state.ohio.us/](http://www.state.ohio.us/)

## EXCERPT FROM THE DRAFT MINUTES OF APRIL 2, 2003

### REPORTS AND RECOMMENDATIONS

Mr. Browning announced that the Board would now consider the findings and orders appearing on the Board's agenda.

Mr. Browning asked whether each member of the Board had received, read, and considered the hearing record, the proposed findings, conclusions, and orders, and any objections filed in the matters of: Ireneo T. Cadsawan, M.D.; Karen M. Paradies, M.D.; Barry J. Politi, M.D.; and Guy M. Sava, M.D. A roll call was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmage	- aye
	Dr. Bhati	- aye
	Dr. Somani	- aye
	Ms. Sloan	- aye
	Dr. Davidson	- aye
	Dr. Agresta	- aye
	Dr. Garg	- aye
	Dr. Steinbergh	- aye
	Mr. Browning	- aye

Mr. Browning 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. Bhati	- aye
	Dr. Somani	- aye
	Ms. Sloan	- aye
	Dr. Davidson	- aye
	Dr. Agresta	- aye
	Dr. Steinbergh	- aye

Mr. Browning - aye

Mr. Browning 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.

Mr. Browning stated that if there were no objections, the Chair would dispense with the reading of the proposed findings of fact, conclusions and orders in the above matters. No objections were voiced by Board members present.

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

.....  
KAREN M. PARADIES, M.D.

Mr. Browning directed the Board's attention to the matter of Karen M. Paradies, M.D. He advised that objections were filed to Hearing Examiner Murphy's Report and Recommendation and were previously distributed to Board members.

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

Dr. Paradies thanked the Board for the opportunity to be heard. She stated that she has a serious problem with alcohol and drug dependence, adding that it is a problem that takes paramount importance that she needs to address before she can be a good doctor, a good mother and a human being of whom she can be proud. She's done things while under the influence which horrify her. Dr. Paradies stated that she knows that, when she's sober, she can do great things. She can make great contributions to the field of psychiatry and be a good role model for other physicians. When she's drinking or using drugs, all of that goes away.

Dr. Paradies stated that she understands that having a license to practice medicine is a privilege. She stated that she hopes that the Board sees fit to give her an opportunity to establish a period of monitored sobriety so that she can someday return to the practice of medicine. She stated that she feels that she has a lot to contribute to patient care and to the field, but she must first show that she can maintain sobriety. Dr. Paradies stated that in the past she has had extended sobriety, but she has never been involved in support programs such as A.A. or N.A. She pretty much did it on her own. Looking back, a big part of her relapse was that she didn't have the support she needed when she had a personal crisis. At this time she has an excellent support network, which she believes will continue to grow as she begins to know more people in the fellowship of A.A. and N.A., and in her aftercare. Dr. Paradies stated that it is critical for her to have this support network to maintain prolonged sobriety.

Mr. Browning asked whether the Assistant Attorney General wished to respond.

Ms. Albers stated that the Hearing Examiner did an excellent job in setting forth the evidence in this case. She added that this is a very sad case, but, as the Hearing Examiner said, Dr. Paradies' conduct while impaired was appalling. She has two convictions for endangering her child while she was under the influence. Ms. Albers stated that, while she supports the Report and Recommendation, she's not sure that the Proposed Order with the 18-month suspension addresses the seriousness of her conduct while she was impaired.

**DR. AGRESTA MOVED TO APPROVE AND CONFIRM MS. MURPHY'S PROPOSED FINDINGS OF FACT, CONCLUSIONS, AND ORDER IN THE MATTER OF KAREN M. PARADIES, M.D. DR. STEINBERGH SECONDED THE MOTION.**

Mr. Browning stated that he would now entertain discussion in the above matter.

Dr. Steinbergh stated that this is an appalling case. It shows such a serious case of impairment that she feels that the Proposed Order needs to be stronger. Dr. Paradies' attorney points out that this is Dr. Paradies' first contact with the State Medical Board. Dr. Steinbergh indicated that that's a shame because this person has been so severely impaired that she goes beyond the point where the Board likes to see someone coming before it for the first time.

Dr. Steinbergh stated that, being consistent with impairment cases of this kind, where Dr. Paradies actually put her child in danger and has been convicted of that, she would amend the Proposed Order.

**DR. STEINBERGH MOVED TO AMEND PARAGRAPH A OF THE PROPOSED ORDER IN THE MATTER OF KAREN M. PARADIES, M.D., TO INCLUDE A PERMANENT REVOCATION, WITH A STAY OF THAT REVOCATION. DR. SOMANI SECONDED THE MOTION.**

Dr. Steinbergh stated that she does not want the suspension period to be retroactive, as requested by Dr. Paradies' attorney. She stated that she feels that Dr. Paradies needs to be totally out of practice for a period of at least two years. Making the 18-month suspension effective as noted in the Order is appropriate.

Dr. Somani stated that, when he reviewed this case, he had the same feelings. Here is a person who has been impaired since 1995, with relapse after relapse. In a case such as this, after three or four relapses, the Board would take the license away. There is no question that this is a serious impairment. The Board can give her one chance because this is the first time it appears that she is engaging in the rehabilitation process. This should be a clear message to Dr. Paradies that this is the last chance. She should do everything possible to reform herself, get treatment, take two years to get sober. There should be monitoring in place. The message has to be clear that this is truly the last chance. Dr. Paradies already has a long term impairment process with a number of relapses. The Board does not tolerate such cases.

Dr. Steinbergh stated that she did want to make the point for Dr. Paradies that, from the years of impairment, her best bet for survival is to take this time out, even though it may seem severe to her. She needs the time to get well. The Board wants her to get well, but it has found in talking with other impaired physicians that if it doesn't act seriously right now, she runs the risk of coming back before the Board.

Dr. Egner asked Dr. Paradies if, when she applied for medical school, any of her history became apparent at that time.

Dr. Paradies stated that it did not.

Dr. Egner stated that Dr. Paradies' history is appalling. Although she says her recovery will be successful this time because she's going through a more traditional rehabilitation, she has gone through rehab programs before. She hasn't done this completely on her own. She was in a rehab program at 18 years old. She was in another in 1994. Dr. Egner stated that she is very concerned about Dr. Paradies making it. Dr. Egner noted that the Board has received outstanding recommendations from Dr. Paradies' residency training program. It's hard for her to reconcile that with Dr. Paradies' history and behavior. It doesn't fit the picture. If the Board goes with stayed, permanent revocation, she wants Dr. Paradies to understand that a DUI will get her permanently revoked. A misdemeanor could get her permanently revoked. This puts Dr. Paradies on a very narrow line. Dr. Egner stated that she wants Dr. Paradies to understand that she's different from a lot of the cases the Board sees, when it gives another chance after relapse. Dr. Egner stated that she doesn't think that Dr. Paradies will see another chance after relapse.

Dr. Talmage referred to a book by the American College of Surgeons on the impaired physician. The book points out that physicians, particularly surgeons, are very skilled at being impaired from the end of surgery until the next morning, and being able to function well the next day, for a time. Eventually the impairment exceeds that and it starts to affect their work. It doesn't surprise him that somebody can be good during the day early in the process and still be very seriously impaired. The Order, as amended, is appropriate. Hopefully, Dr. Paradies will take this to heart and this time it will work, because there will not be not a second chance.

Dr. Bhati stated that he's struck by Dr. Paradies' comments that she is looking for a long sobriety. There isn't any long sobriety. She's either sober or not. If she stays sober, that's great; but if she cannot, that's the last stop. If she's had a problem since age 18 until now, and gone through multiple treatments, the chance for her to remain sober is very miniscule. Dr. Bhati stated that he hopes and prays that Dr. Paradies does stay sober. Normally, when the Board sees such an appalling situation, with felony charges and DUI charges, and endangering children, it normally doesn't have any tolerance with those people, and it takes their licenses away completely. Dr. Paradies should consider herself to be very lucky that the Board is willing to consider her for an 18-month suspension. This is the last stop for her.

Referring to Dr. Egner's concerns that Dr. Paradies' impairment history does not reconcile with the recommendations from her residency program, Ms. Sloan noted that she believes that it probably does

reconcile. Because Dr. Paradies has had this problem for so long, she has been able to fly under the radar of all of those people in the programs in which she's participated. That is a big concern because she doesn't want Dr. Paradies to think that she can continue to do that. This is serious, and she struggled with the 18-month suspension. She stated that she feels it should be longer.

Dr. Steinbergh stated that, by the time Dr. Paradies gets her license back, she will have been under suspension for two years.

Dr. Davidson stated that she agrees with the sentiments of all the prior speakers, particularly Dr. Egner. There have been multiple efforts at some pretty sophisticated treatment, which would have included the recommendations for aftercare. Those were available and well known. Dr. Davidson stated that she is pessimistic about the future, but hopeful given the glowing reports about the quality of this physician's potential contributions to medicine. The one thing she would like to mention that hasn't been emphasized is the fact that Dr. Paradies lied in her April 22, 2002 application for licensure. She said that she made a mistake in completing the supplemental statement on her application for full licensure when she referenced one DUI in November 1995, and there was obviously much more than that. Although in the throes of ongoing impairment, there is also some duplicity in the application process to consider.

A vote was taken on Dr. Steinbergh's motion to amend:

Vote:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Talmage	- aye
	Dr. Bhati	- aye
	Dr. Somani	- aye
	Ms. Sloan	- aye
	Dr. Davidson	- aye
	Dr. Agresta	- aye
	Dr. Garg	- abstain
	Dr. Steinbergh	- aye

The motion carried.

**DR. SOMANI MOVED TO APPROVE AND CONFIRM MS. MURPHY'S PROPOSED FINDINGS OF FACT, CONCLUSIONS, AND ORDER, AS AMENDED, IN THE MATTER OF KAREN M. PARADIES, M.D. DR. STEINBERGH SECONDED THE MOTION.** A vote was taken:

Vote:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Talmage	- aye
	Dr. Bhati	- aye
	Dr. Somani	- aye

EXCERPT FROM THE DRAFT MINUTES OF APRIL 2, 2003  
IN THE MATTER OF KAREN M. PARADIES, M.D.

Ms. Sloan	- aye
Dr. Davidson	- aye
Dr. Agresta	- aye
Dr. Garg	- abstain
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.state.oh.us/med/](http://www.state.oh.us/med/)

## NOTICE OF SUMMARY SUSPENSION AND OPPORTUNITY FOR HEARING

November 13, 2002

Karen M. Paradies, M.D.  
7159 Honeywood Court  
Cincinnati, Ohio 45230

Dear Doctor Paradies:

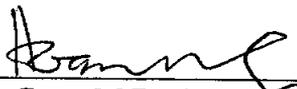
Enclosed please find certified copies of the Entry of Order, the Notice of Opportunity for Hearing, and an excerpt of the Minutes of the State Medical Board, meeting in regular session on November 13, 2002, including a Motion adopting the Order of Summary Suspension and issuing the Notice of Opportunity for Hearing pursuant to Section 4731.22(G), Ohio Revised Code.

You are advised that continued practice after receipt of this Order shall be considered practicing without a certificate, in violation of Section 4731.41, Ohio Revised Code.

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

Additionally, pursuant to Chapter 119, Ohio Revised Code, you are hereby advised that you are entitled to a hearing on the allegations set forth in the Notice of Opportunity for Hearing. If you wish to request such hearing, that request must be made in writing and be received in the offices of the State Medical Board within thirty (30) days of the time of mailing of this notice. Further information concerning such hearing is contained within the Notice of Opportunity for Hearing.

THE STATE MEDICAL BOARD OF OHIO

  
Anand G. Garg, M.D., Secretary

AGG:blt  
Enclosures

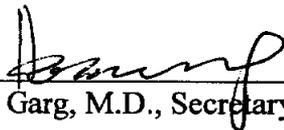
CC: Eric Plinke, Esq.  
Porter, Wright, Morris & Arthur  
41 South High Street  
Columbus, Ohio 43215

*Mailed 11-14-02*

**CERTIFICATION**

I hereby certify that the attached copies of the Entry of Order of the State Medical Board of Ohio and the Motion by the State Medical Board, meeting in regular session on November 13, 2002, to Adopt the Order of Summary Suspension and to Issue the Notice of Opportunity for Hearing, constitute true and complete copies of the Motion and Order as they appear in the Journal of the State Medical Board of Ohio.

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

  
\_\_\_\_\_  
Anand G. Garg, M.D., Secretary

(SEAL)

November 13, 2002

**BEFORE THE STATE MEDICAL BOARD OF OHIO**

IN THE MATTER OF :  
 :  
KAREN M. PARADIES, M.D. :  
 :

**ENTRY OF ORDER**

This matter came on for consideration before the State Medical Board of Ohio the 13th day of November, 2002.

Pursuant to Section 4731.22(G), Ohio Revised Code, and upon recommendation of Anand G. Garg, M.D., Secretary, and Raymond J. Albert, Supervising Member; and

Pursuant to their determination that there is clear and convincing evidence that Karen M. Paradies, M.D., has violated Section 4731.22(B)(26), Ohio Revised Code, as alleged in Notice of Opportunity for Hearing which is enclosed herewith and fully incorporated herein, which determination is based upon review of information received pursuant to an investigation; and

Pursuant to their further determination that Dr. Paradies' continued practice presents a danger of immediate and serious harm to the public;

The following Order is hereby entered on the Journal of the State Medical Board of Ohio for the 13th day of November, 2002;

It is hereby ORDERED that the certificate of Karen M. Paradies, M.D., to practice medicine or surgery in the State of Ohio be summarily suspended.

It is hereby ORDERED that Karen M. Paradies, M.D., shall immediately close all her medical offices and immediately refer all active patients to other appropriate physicians.

This Order shall become effective immediately.

(SEAL)

  
\_\_\_\_\_  
Anand G. Garg, M.D., Secretary  
  
\_\_\_\_\_  
November 13, 2002



# State Medical Board of Ohio

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## EXCERPT FROM THE DRAFT MINUTES OF NOVEMBER 13, 2002

### KAREN M. PARADIES, M.D. ORDER OF SUMMARY SUSPENSION AND NOTICE OF OPPORTUNITY FOR HEARING

At this time the Board read and considered the proposed Order of Summary Suspension and Notice of Opportunity For Hearing in the above matter, a copy of which shall be maintained in the exhibits section of this Journal.

**DR. STEINBERGH MOVED TO APPROVE THE ORDER OF SUMMARY SUSPENSION AND TO SEND THE NOTICE OF OPPORTUNITY FOR HEARING TO DR. PARADIES. DR. AGRESTA SECONDED THE MOTION. A vote was taken:**

Vote:	Mr. Albert	-abstain
	Dr. Egner	-aye
	Dr. Buchan	-aye
	Mr. Browning	-aye
	Ms. Sloan	-aye
	Dr. Davidson	-aye
	Dr. Agresta	-aye
	Dr. Garg	-abstain
	Dr. Steinbergh	-aye

The motion carried.



# State Medical Board of Ohio

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## NOTICE OF OPPORTUNITY FOR HEARING

November 13, 2002

Karen M. Paradies, M.D.  
7159 Honeywood Court  
Cincinnati, Ohio 45230

Dear Doctor Paradies:

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

- (1) On or about April 23, 2002, you submitted an "Application for Certificate – Medicine or Osteopathic Medicine" [License Application]. As part of this License Application, you executed an "Affidavit and Release of Applicant" in which you certified under oath that all statements made with respect to your License Application were true and complete, and wherein you acknowledged that the application was an ongoing process that required you to immediately notify the Board in writing of any changes to the answers provided in your License Application if such change occurred at any time prior to a license to practice medicine being granted. Thereafter, on or about July 5, 2002, based upon the information you provided, the Board issued you a full and unrestricted license to practice medicine and surgery in Ohio.
  - (A) In your License Application you answered "No" to Question 25 that asks, "Are you currently engaged in the illegal use of controlled substances?" The term "currently" is defined in the License Application as "recently enough so that the use of drugs may have an ongoing impact on one's functioning as a licensee, or within the past two years."

In fact, your answer to Question 25 was untrue because you were engaged in the illegal use of cocaine when you relapsed on alcohol and cocaine in or about November 2001 and your use continued through at least May

2002. Further, you failed to update and correct the false answer you provided to Question 25.

- (B) In addition, you provided a supplemental statement in explanation of your positive response to Question 15 of the License Application regarding whether you had ever been found guilty of a violation of any law other than a minor traffic violation, stating, "I had DWI convictions in Nov [sic] 1993 in Cheektowaga, NY and May 1995 in Rochester, NY. I attended a several week outpatient rehab program in 1995 and have had no occupational, social, or legal difficulties secondary to alcohol since that time." The dates and locations you provided regarding your history of driving while intoxicated and your history of chemical dependency treatment in your License Application were inconsistent with those you previously provided in your Training Application, in which you stated that you had been arrested for driving while intoxicated in Rochester, NY in November 1991 and May 1993; attended outpatient alcohol counseling after both arrests; completed your last treatment for alcohol dependence in early 1994; and had "not had any alcohol-related difficulties legally, socially, or otherwise since 1993." Further, certified copies of court records reflect that you were arrested on or about May 15, 1993, and thereafter convicted of one count of Operating a Motor Vehicle While Intoxicated and one count of Unsafe Lane Change, in Brighton Town Court, in Monroe County, New York, on or about March 7, 1994.
- (2) As a result of leaving your sleeping three-year old daughter at home alone with the door open for approximately eight hours on or about May 4, 2002, you subsequently were convicted in Hamilton County Municipal Court, in Cincinnati, Ohio, on or about August 7, 2002, of misdemeanor Child Endangerment, in violation of Section 2919.22, Ohio Revised Code. You were sentenced to 180 days in jail, with credit for one day served and the remaining 179 days suspended. You were also placed on probation for a period of three years, with the conditions that you complete your aftercare program and cooperate with Children's Services.
- (3) On or about May 18, 2002, after receiving emergency treatment for a fractured wrist arising from an automobile accident that occurred when you were driving while intoxicated, you were admitted to Fort Hamilton Hospital in Hamilton, Ohio, for diagnoses including, but not limited to, Alcohol Dependence and Cocaine Dependence. Certified copies of your treatment records from Fort Hamilton Hospital demonstrate that shortly before this accident occurred, you had decided not to take the Antabuse that had been previously prescribed to you by your treating psychiatrist until after you had an evening of drinking alcohol at

home. After consuming twelve beers, you then decided "to try to buy some cocaine."

As a result of the aforementioned May 18, 2002, accident you subsequently were convicted in Norwood Mayor's Court, in Norwood, Ohio, on or about May 30, 2002, of charges that included one count of Reckless Operation of a Motor Vehicle, in violation of City of Norwood, Ohio, Ordinance 333.09A, a misdemeanor of the fourth degree due to your refusal to submit to a Breathalyzer test when requested by law enforcement. Certified copies of court documents indicate that you were referred to Glenbeigh Hospital in Rock Creek, Ohio, for participation in a ninety-day treatment program.

- (4) On or about September 9, 2002, and again on or about September 10, 2002, you contacted the Board's Chief Enforcement Coordinator. During the first telephone call you reported that you had relapsed in or about November 2001 and continued to use alcohol, cocaine, and marijuana through May 2002; that you had been previously treated for chemical dependency at a twenty-eight day in-patient program at Conifer Park Hospital in New York in 1985; and that in June 2002, you had completed twenty-eight days of in-patient treatment for chemical dependency at Glenbeigh Hospital, a Board-approved treatment provider in Rock Creek, Ohio, and had subsequently entered into an aftercare program with Bethesda Hospital, a Board-approved treatment provider in Cincinnati, Ohio. You also reported that you had a conviction related to Reckless Operation in May 2002, as well as a conviction for Child Endangerment as a result of leaving your child at home alone. You further reported that after your completion of twenty-eight days of in-patient treatment at Glenbeigh Hospital in June 2002, you had again relapsed by consuming six beers on or about September 4, 2002, and then vomited due to being on Antabuse.

During the second telephone call the following day, you disclosed that you had also been previously treated for chemical dependency on an out-patient basis during 1993 at Strong Hospital in Rochester, New York.

- (5) As a result of an automobile accident that occurred on or about October 5, 2002, you were found guilty in Clermont County Municipal Court, in Batavia, Ohio, on or about October 11, 2002, of one count Driving While Under the Influence of Alcohol or Drugs, in violation of Section 4511.19(A)(1), Ohio Revised Code, a misdemeanor of the first degree; Child Endangerment, in violation of Section 2919.22, Ohio Revised Code, a misdemeanor of the first degree; and Failure to Use a Child Restraint System, in violation of Section 4511.81, Ohio Revised Code, a minor misdemeanor.

Certified records from Clermont County Municipal Court document that while driving, you were observed weaving in and out of your lane and knocking over several roadway construction barrels. You then struck a concrete wall with your vehicle, but continued driving. After you came to a stop, law enforcement officers discovered a six-pack of beer in your car, with two cans empty and a third partially depleted. Although the officers subjected you to a field sobriety test, it had to be discontinued due to safety concerns when you almost fell into the roadway. You refused to submit to a Breathalyzer test. Further, although a child's safety seat was present in the car, you had failed to secure your three-year old daughter in the car seat, resulting in her being unrestrained at the time of the accident.

- (6) On or about October 15, 2002, you telephoned the Board's Chief Enforcement Coordinator, stating that you had again relapsed on alcohol on or about October 4, 2002.
- (7) You failed to respond to "The State Medical Board of Ohio's First Set of Interrogatories Directed to Karen M. Paradies" by the specified due date of October 14, 2002, despite being required to do so pursuant to the interrogatories served through your attorney by both facsimile and regular mail on or about September 30, 2002. A follow-up letter was also sent by both facsimile and regular mail from the Board's Enforcement Coordinator to your attorney on October 22, 2002, requesting that you submit the overdue interrogatories no later than October 24, 2002. In response to this correspondence, on or about October 22, 2002, the Board's Enforcement Coordinator received a telephone call from your attorney stating that he had spoken with you and that you were working to complete your responses to the interrogatories. However, to date, you have failed to provide any written response to the Board's interrogatories as required.

Your acts, conduct, and/or omissions as alleged in paragraph (1)(A) above, individually and/or collectively, constitute "fraud, misrepresentation, or deception in applying for or securing any certificate to practice or certificate of registration issued by the board," as that clause is used in Section 4731.22(A), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (1)(A) above, individually and/or collectively, constitute "[m]aking a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or a limited branch of medicine; or in securing or attempting to secure any certificate to practice or certificate of registration issued by the board," as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (1), (2), (3), (4), (5) and (6) above, individually and/or collectively, constitute “[i]mpairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice,” as that clause is used in Section 4731.22(B)(26), Ohio Revised Code.

Further, your plea of guilty or the judicial finding of guilt as alleged in paragraphs (2), and (5) above, individually and/or collectively, constitute “[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 involving moral turpitude,” as that clause is used in Section 4731.22(B)(13), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraph (7) above, individually and/or collectively, constitute “[f]ailure to cooperate in an investigation conducted by the board under divisions (F) of this section, including failure to comply with a subpoena or order issued by the board at a deposition or in written interrogatories, except that failure to cooperate with an investigation shall not constitute grounds for discipline under this section if a court of competent jurisdiction has issued an order that either quashes a subpoena or permits the individual to withhold the testimony or evidence in issue,” as that clause is used in Section 4731.22(B)(35), 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 and 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, 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 (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, permanently revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand 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,



Anand G. Garg, M.D.  
Secretary

AGG/blt  
Enclosures

CERTIFIED MAIL # 7000 0600 0024 5140 4911  
RETURN RECEIPT REQUESTED

CC: Eric Plinke, Esq.  
Porter, Wright, Morris & Arthur  
41 South High Street  
Columbus, Ohio 43215

CERTIFIED MAIL # 7000 0600 0024 5140 4928  
RETURN RECEIPT REQUESTED