

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

November 13, 1987

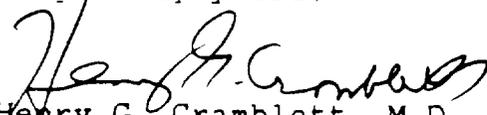
Jay B. Lyons, D.P.M.  
2285 North Ridge, P. O. Box 191  
Amherst, Ohio 44001

Dear Doctor Lyons:

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 November 11, 1987.

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

Very truly yours,

  
Henry G. Cramblett, M.D.  
Secretary

HGC:em

Enclosures

CERTIFIED MAIL NO. P-158-073-940  
RETURN RECEIPT REQUESTED

cc: John B. Otero, Esq.

CERTIFIED MAIL NO. P-158-073-941  
RETURN RECEIPT REQUESTED

Mailed 11/18/87

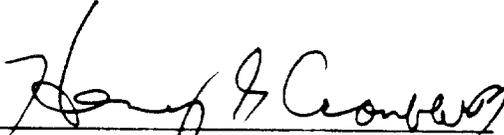
STATE OF OHIO  
THE STATE MEDICAL BOARD OF OHIO  
65 SOUTH FRONT STREET  
SUITE 510  
COLUMBUS, OHIO 43266-0315

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 November 11, 1987, constitutes a true and complete copy of the Findings, Order and Journal Entry in the matter of Jay B. Lyons, D.P.M., as it appears in the Journal of the State Medical Board of Ohio.

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

(SEAL)

  
Henry G. Gramblett, M.D.  
Secretary

November 13, 1987  
Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

JAY B. LYONS, D.P.M.

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FINDINGS, ORDER AND JOURNAL ENTRY

This matter came on for consideration before the State Medical Board of Ohio on the 11th day of November, 1987.

By letter dated August 11, 1983, the State Medical Board notified Jay B. Lyons, D.P.M., of its proposal to deny his application for reinstatement of his license to practice podiatric medicine in Ohio. The basis for the Board's proposal and notice of Dr. Lyons' right to request a hearing on the Board's proposed action are set forth in that letter, which is attached hereto and incorporated herein.

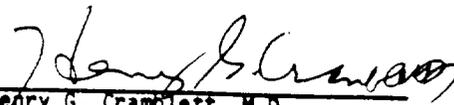
By letter dated September 8, 1983 and received in the offices of the State Medical Board on September 9, 1983, Dr. Lyons, through counsel, requested a hearing on the Board's proposed action.

By letter filed in the Board offices on October 15, 1987, which is attached hereto and incorporated herein, Dr. Lyons, through counsel, withdrew his request for formal hearing.

WHEREFORE, for the reasons outlined in the Board's August 11, 1983 letter of notice, it is hereby ORDERED that Dr. Lyons' application for reinstatement be DENIED, and further, that Dr. Lyons shall not be eligible for a license to practice podiatric medicine and surgery at any time in the future.

This Order is hereby entered upon the Journal of the State Medical Board of Ohio for the 11th day of November, 1987, and the original thereof shall be kept with said Journal.

(SEAL)

  
Henry G. Cramblett, M.D.  
Secretary

November 13, 1987

Date

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

August 11, 1983

Jay B. Lyons, D.P.M.  
2285 North Ridge, P.O. Box 191  
Amherst, OH 44001

Dear Doctor Lyons:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio proposes to limit, revoke, suspend, refuse to register or reinstate your certificate to practice podiatry, to reprimand or place you on probation, or to require you to submit to additional training or examination, pursuant to the provisions of Sections 4731.22 and 4731.222, Ohio Revised Code, and the provisions of Section 4731.591, Revised Code, as in effect prior to August 27, 1982, for one or more of the following reasons:

- (1) The allegations and statutory references contained in the attached letter of December 13, 1978, from Anthony Ruppertsberg, Jr., M.D., to yourself, are incorporated herein as if fully stated herein. Because the Medical Board was notified in February, 1979 and thereafter that you had sustained a cerebrovascular accident and would not be returning to practice, no hearing was held and no final action was taken regarding these allegations.
- (2) You did sustain a cerebrovascular accident in January, 1979, which has required extensive convalescent care. Such accident and required convalescence indicate that you are unable to practice according to acceptable and prevailing standards of care by reason of illness, excessive use of alcohol, excessive use of controlled substances, drugs, or chemicals, or as a result of a mental or physical condition, as that clause is used in Section 4731.22(B)(15), Ohio Revised Code.
- (3) You did not fulfill the registration requirements of Section 4731.281, Ohio Revised Code, in 1979, resulting in the automatic suspension of your certificate by operation of law on December 31, 1979. Pursuant to Section 4731.222, Ohio Revised Code, the Medical Board may, before restoring to good standing a certificate which has been in a suspended or inactive state for any cause for more than two years, require the applicant to pass an oral or written examination, or both, to determine his present fitness to resume practice; require the applicant to obtain additional training and to pass an examination upon completion of such training; and restrict or limit the extent, scope, or type of practice of the applicant. Revised Code Section 4731.222 further states that the board shall consider the moral background and the activities of the applicant during the period of suspension or inactivity, in accordance with Section 4731.08, of the Revised Code.

STATE OF OHIO  
THE STATE MEDICAL BOARD

Jay B. Lyons, D.P.M.  
Page Two

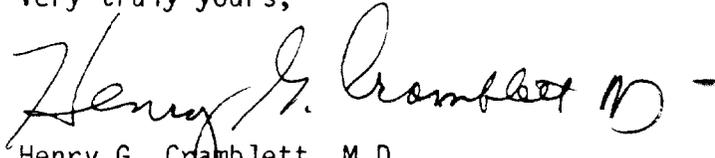
You are hereby notified that you are entitled to a hearing in this matter if you request such hearing within thirty (30) days of the time of mailing of this notice.

You are further advised that you are entitled to appear at such hearing in person or by your attorney, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing made within thirty (30) days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice podiatry or to reprimand or place you on probation, or to require you to submit to additional training or examination.

A copy of the Medical Practice Act is enclosed for your examination.

Very truly yours,

  
Henry G. Cramblett, M.D.  
Secretary

HGC:ls

Enclosure

CERTIFIED MAIL NO. P 354 447 850  
RETURN RECEIPT REQUESTED

STATE OF OHIO  
THE STATE MEDICAL BOARD  
Suite 1006  
180 East Broad Street  
Columbus, Ohio 43215

December 13, 1978

Jay B. Lyons, D.P.M.  
129 East Ninth Street  
Lorain, OH 44052

Dear Doctor Lyons:

In accordance with Chapter 119, Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio intends to determine whether or not to limit, reprimand, revoke, suspend, place on probation, refuse to register or reinstate your certificate to practice podiatry under the provisions of Section 4731.22 and Section 4731.591, Revised Code, for one or more of the following reasons:

1. On or about the following dates, you did prescribe the following drugs for one Jose Alicia in the amounts as indicated:

<u>Date</u>	<u>Drug</u>	<u>Amount</u>
01/17/77	Dilaudid 4 mg.	15
01/21/77	Dilaudid 4 mg.	30
01/31/77	Dilaudid 4 mg.	15
02/04/77	Dilaudid 4 mg.	30
02/05/77	Dilaudid 4 mg.	30
02/19/77	Dilaudid 4 mg.	30
02/25/77	Dilaudid 4 mg.	30
02/28/77	Dilaudid 4 mg.	18
03/11/77	Dilaudid 4 mg.	30
04/15/77	Dilaudid 4 mg.	30
04/26/77	Dilaudid 4 mg.	30
05/03/77	Dilaudid 4 mg.	30
05/10/77	Dilaudid 4 mg.	30
05/17/77	Dilaudid 4 mg.	30
05/17/77	Dilaudid 4 mg.	20
05/24/77	Dilaudid 4 mg.	25
06/01/77	Dilaudid 4 mg.	25
06/10/77	Dilaudid 2 mg.	60
06/14/77	Dilaudid 4 mg.	25

2. On or about the following dates, you did prescribe the following drugs for one Anthony Pongracz in the amounts as indicated:

<u>Date</u>	<u>Drug</u>	<u>Amount</u>
02/22/77	Dilaudid 4 mg.	30
02/26/77	Dilaudid 4 mg.	15
03/29/77	Dilaudid 4 mg.	30
04/01/77	Dilaudid 4 mg.	30
04/04/77	Dilaudid 4 mg.	30
04/08/77	Dilaudid 4 mg.	30
04/11/77	Dilaudid 4 mg.	30
04/12/77	Dilaudid 2 mg.	60
04/18/77	Dilaudid 4 mg.	30
04/21/77	Dilaudid 4 mg.	30
04/22/77	Dilaudid 4 mg.	30
04/26/77	Dilaudid 4 mg.	15
04/30/77	Dilaudid 4 mg.	15
05/02/77	Dilaudid 4 mg.	15
05/07/77	Dilaudid 4 mg.	30
05/10/77	Dilaudid 4 mg.	15
05/13/77	Dilaudid 4 mg.	30
05/17/77	Dilaudid 4 mg.	30
05/20/77	Dilaudid 4 mg.	30
05/24/77	Dilaudid 4 mg.	30
05/27/77	Dilaudid 4 mg.	30
06/03/77	Dilaudid 4 mg.	30
06/10/77	Dilaudid 4 mg.	30
06/17/77	Dilaudid 2 mg.	60
06/27/77	Dilaudid 4 mg.	30
07/05/77	Dilaudid 4 mg.	30
07/18/77	Dilaudid 4 mg.	30
07/25/77	Dilaudid 4 mg.	30
08/01/77	Dilaudid 4 mg.	30
08/08/77	Dilaudid 4 mg.	30
08/22/77	Dilaudid 4 mg.	35
08/29/77	Dilaudid 4 mg.	35
09/06/77	Dilaudid 4 mg.	35
09/12/77	Dilaudid 4 mg.	35
09/19/77	Dilaudid 4 mg.	35
09/26/77	Dilaudid 4 mg.	35
10/01/77	Dilaudid 4 mg.	35
10/07/77	Dilaudid 4 mg.	30
10/14/77	Dilaudid 4 mg.	30
10/20/77	Dilaudid 4 mg.	35
10/25/77	Dilaudid 4 mg.	30
10/29/77	Dilaudid 4 mg.	30
11/01/77	Dilaudid 4 mg.	35
11/05/77	Dilaudid 4 mg.	35
11/08/77	Dilaudid 4 mg.	35
11/12/77	Dilaudid 4 mg.	35
11/14/77	Dilaudid 2 mg.	70
11/19/77	Dilaudid 4 mg.	35
11/21/77	Dilaudid 4 mg.	30
11/25/77	Dilaudid 4 mg.	35
11/28/77	Dilaudid 3 mg.	60
12/02/77	Dilaudid 4 mg.	35
12/03/77	Dilaudid 4 mg.	35

December 13, 1978

<u>Date</u>	<u>Drug</u>	<u>Amount</u>
12/05/77	Dilaudid 4 mg.	35
12/08/77	Dilaudid 4 mg.	35
12/12/77	Dilaudid 4 mg.	35
12/14/77	Dilaudid 4 mg.	35
12/16/77	Dilaudid 4 mg.	40
12/19/77	Dilaudid 4 mg.	35
12/21/77	Dilaudid 4 mg.	35
12/23/77	Dilaudid 3 mg.	60
12/27/77	Dilaudid 4 mg.	35
12/28/77	Dilaudid 2 mg.	70
01/03/78	Dilaudid 2 mg.	60
01/12/78	Dilaudid 4 mg.	35
01/14/78	Dilaudid 4 mg.	35
01/14/78	Dilaudid 4 mg.	35
01/14/78	Dilaudid 3 mg.	40
01/18/78	Dilaudid 4 mg.	45
01/19/78	Dilaudid 4 mg.	45
01/20/78	Dilaudid 4 mg.	45
01/23/78	Dilaudid 4 mg.	35
01/24/78	Dilaudid 4 mg.	45
01/24/78	Dilaudid 4 mg.	35
01/26/78	Dilaudid 4 mg.	45
02/01/78	Dilaudid 4 mg.	45
02/02/78	Dilaudid 4 mg.	45
02/04/78	Dilaudid 4 mg.	15
02/04/78	Dilaudid 4 mg.	45
02/06/78	Dilaudid 4 mg.	45
02/08/78	Dilaudid 4 mg.	45
02/10/78	Dilaudid 4 mg.	45
02/11/78	Dilaudid 4 mg.	45
02/14/78	Dilaudid 4 mg.	40
02/16/78	Dilaudid 4 mg.	45
02/18/78	Dilaudid 4 mg.	45
02/20/78	Dilaudid 4 mg.	40
02/22/78	Dilaudid 4 mg.	40
02/24/78	Dilaudid 4 mg.	40
02/25/78	Dilaudid 4 mg.	30
02/25/78	Dilaudid 4 mg.	35
03/01/78	Dilaudid 4 mg.	35
03/01/78	Dilaudid 3 mg.	60
03/03/78	Dilaudid 4 mg.	30
03/04/78	Dilaudid 4 mg.	40
03/06/78	Dilaudid 4 mg.	45
03/07/78	Dilaudid 4 mg.	40
03/08/78	Dilaudid 3 mg.	40
03/10/78	Dilaudid 4 mg.	40
03/10/78	Dilaudid 4 mg.	35
03/13/78	Dilaudid 4 mg.	40
03/13/78	Dilaudid 4 mg.	35
03/16/78	Dilaudid 3 mg.	60
03/16/78	Dilaudid 4 mg.	40

December 13, 1978

<u>Date</u>	<u>Drug</u>	<u>Amount</u>
03/18/78	Dilaudid 4 mg.	40
03/18/78	Dilaudid 4 mg.	35
03/20/78	Dilaudid 4 mg.	40
03/20/78	dilaudid 4 mg.	35
03/21/78	Dilaudid 4 mg.	40
03/22/78	Dilaudid 4 mg.	35
03/25/78	Dilaudid 4 mg.	40
03/25/78	Dilaudid 4 mg.	35
03/27/78	Dilaudid 4 mg.	65
03/28/78	Dilaudid 4 mg.	85
04/01/78	Dilaudid 2 mg.	60
04/06/78	Morphine $\frac{1}{2}$ grain	30
04/09/78	Morphine $\frac{1}{2}$ grain	10
04/10/78	Morphine $\frac{1}{2}$ grain	35
04/12/78	Dilaudid 4 mg.	45
04/18/78	Morphine $\frac{1}{2}$ grain	35
04/19/78	Dilaudid 4 mg.	40
04/22/78	Dilaudid 4 mg.	50
04/24/78	Morphine $\frac{1}{2}$ grain	30
04/26/78	Dilaudid 4 mg.	45
04/28/78	Dilaudid 4 mg.	50
04/29/78	Morphine $\frac{1}{2}$ grain	30
05/02/78	Dilaudid 4 mg.	40
05/02/78	Dilaudid 4 mg.	40
05/03/78	Morphine $\frac{1}{2}$ grain	30
05/03/78	Dilaudid 4 mg.	40
05/06/78	Morphine $\frac{1}{2}$ grain	30
05/06/78	Dilaudid 4 mg.	45
05/08/78	Morphine $\frac{1}{2}$ grain	30
05/09/78	Dilaudid 4 mg.	45
05/10/78	Dilaudid 4 mg.	40
05/12/78	Morphine $\frac{1}{2}$ grain	30
05/12/78	Dilaudid 4 mg.	40
05/15/78	Dilaudid 4 mg.	40
05/16/78	Morphine $\frac{1}{2}$ grain	35
05/18/78	Dilaudid 4 mg.	40
05/19/78	Morphine $\frac{1}{2}$ grain	35
05/19/78	Dilaudid 4 mg.	45
05/23/78	Morphine $\frac{1}{2}$ grain	30
05/24/78	Dilaudid 4 mg.	40
05/24/78	Dilaudid 4 mg.	45
05/26/78	Morphine $\frac{1}{2}$ grain	40
05/29/78	Dilaudid 4 mg.	45
05/30/78	Morphine $\frac{1}{2}$ grain	35
06/01/78	Dilaudid 4 mg.	50
06/07/78	Dilaudid 4 mg.	45
06/10/78	Dilaudid 4 mg.	50
06/14/78	Dilaudid 4 mg.	50
06/17/78	Dilaudid 4 mg.	50
06/18/78	Dilaudid 4 mg.	40
06/21/78	Dilaudid 4 mg.	50
06/30/78	Dilaudid 4 mg.	50

<u>Date</u>	<u>Drug</u>	<u>Amount</u>
07/01/78	Dilaudid 4 mg.	50
07/03/78	Dilaudid 4 mg.	60
07/05/78	Dilaudid 4 mg.	50
07/06/78	Dilaudid 4 mg.	60
07/08/78	Dilaudid 4 mg.	45
07/10/78	Dilaudid 4 mg.	55
07/19/78	Dilaudid 2 mg.	70
07/23/78	Dilaudid 4 mg.	60
07/28/78	Dilaudid 2 mg.	34

Such acts, individually and/or collectively, constitute a "failure to use reasonable care discrimination in the administration of drugs" as that clause is used in Section 4731.22(B)(2), Ohio Revised Code.

Further, such acts, individually and/or collectively, constitute "a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances" as that clause is used in Section 4731.22(B)(6), Ohio Revised Code.

Further, such acts, individually and/or collectively, constitute "grossly unprofessional or dishonest conduct" as that clause is used in Section 4731.591, Ohio Revised Code.

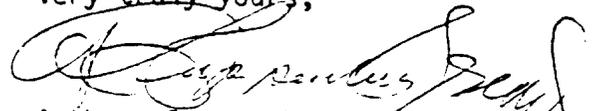
You are hereby advised that you are entitled to a hearing on this matter if you request such hearing within thirty (30) days of the time of mailing of this notice.

You are further advised that you are entitled to appear at such hearing in person, or by your attorney, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing made 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, reprimand, revoke, suspend, place on probation, refuse to register, or reinstate your certificate to practice podiatry.

A copy of the Medical Practice Act is enclosed for your examination.

Very truly yours,



Anthony Ruppertsberg, Jr., M.D.  
Secretary

AR:sp

Enclosure

CERTIFIED MAIL #810959  
RETURN RECEIPT REQUESTED