

**CONSENT AGREEMENT BETWEEN  
RONALD L. PASTRICK, D.P.M.  
AND  
THE STATE MEDICAL BOARD OF OHIO  
CASE NO. 09-CRF-158**

This Consent Agreement is entered into by and between Ronald L. Pastrick, D.P.M., [Dr. Pastrick] and the State Medical Board of Ohio [the Board], a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

Dr. Pastrick enters into this Consent Agreement being fully informed of his rights under Chapter 119., Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudicative hearing on the issues considered herein.

**BASIS FOR ACTION**

This Consent Agreement is entered into on the basis of the following stipulations, admissions and understandings:

- A. The Board is empowered by Section 4731.22(B)(5), Ohio Revised Code, to limit, revoke, suspend a certificate, refuse to register or reinstate an applicant, or reprimand or place on probation the holder of a certificate for "[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."
- B. The Board is also empowered by Section 4731.22(B)(20), Ohio Revised Code, to limit, revoke, suspend a certificate, refuse to register or reinstate an applicant, or reprimand or place on probation the holder of a certificate for "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board."
- C. Additionally, the Board is empowered by Section 4731.281 (E), Ohio Revised Code, to impose a civil penalty of not more than five thousand dollars on an individual whom the Board finds did not complete the

CONSENT AGREEMENT

Ronald L. Pastrick, D.P.M.

Page 2

requisite Continuing Medical Education [CME] during the applicable time period.

- D. The Board enters into this Consent Agreement in lieu of formal proceedings based upon the violation of Sections 4731.22(B)(5) and (B)(20), to wit: Section 4731.281, Ohio Revised Code, and Rule 4731-10-02, Ohio Administrative Code, and expressly reserves the right to institute formal proceedings based upon any other violations of Chapter 4731. of the Revised Code, whether occurring before or after the effective date of this Agreement.
- E. Dr. Pastrick is licensed to practice podiatric medicine and surgery in the State of Ohio, License No. 36.002501.
- F. Dr. Pastrick admits to the factual and legal allegations as set forth in the Notice of Opportunity issued by the Board on December 9, 2009, attached hereto as Exhibit A and incorporated herein.
- G. Dr. Pastrick states, and the Board acknowledges receipt of acceptable documentation to support, that he has completed 100 credit hours of Category I & II CME during the current CME period, at least 40 of the hours were Category I CME. The Board agrees that Dr. Pastrick has now satisfied his CME requirement for the CME period.

**AGREED CONDITIONS**

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, Dr. Pastrick knowingly and voluntarily agrees with the Board to the following terms, conditions, and limitations:

**REPRIMAND**

- 1. Dr. Pastrick shall be and hereby is **REPRIMANDED**.

**FINE**

- 2. Dr. Pastrick shall pay a fine of five thousand dollars (\$5,000.00) to the Board within thirty days of the effective date of this Consent Agreement.

### **DOCUMENTATION OF CME**

3. Dr. Pastrick has supplied documentation acceptable to the Board of satisfactory completion of the requisite number or CME hours for the CME period of January 2, 2006 – January 1, 2008. Moreover, Dr. Pastrick shall supply documentation acceptable to the Board of satisfactory completion of the requisite number of CME hours for the two CME periods that correspond with Dr. Pastrick's next two periods of active licensure thereafter. This documentation must be received in the Board's Offices within thirty days of the conclusion of each CME period, unless otherwise determined by the Board.

### **REQUIRED REPORTING BY LICENSEE**

4. Within thirty days of the effective date of this Consent Agreement, Dr. Pastrick shall provide a copy of this Consent Agreement to all employers or entities with which he is under contract to provide health care services (including but not limited to third party payors) or is receiving training; and the Chief of Staff at each hospital where he has privileges or appointments. Further, Dr. Pastrick shall promptly provide a copy of this Consent Agreement to all employers or entities with which he contracts to provide health care services, or applies for or receives training, and the Chief of Staff at each hospital where he applies for or obtains privileges or appointments. In the event that Dr. Pastrick provides any health care services or health care direction or medical oversight to any emergency medical services organization or emergency medical services provider, within thirty days of the effective date of this Consent Agreement Dr. Pastrick shall provide a copy of this Consent Agreement to the Ohio Department of Public Safety, Division of Emergency Medical Services. Further, Dr. Pastrick shall provide the Board with one of the following documents as proof of each required notification within thirty days of the date of each such notification: (1) the return receipt of certified mail within thirty days of receiving that return receipt, (2) an acknowledgement of delivery bearing the original ink signature of the person to whom a copy of the Consent Agreement was hand delivered, (3) the original facsimile-generated report confirming successful transmission of a copy of the Consent Agreement to the person or entity to whom a copy of the Consent Agreement was faxed, or (4) an original computer-generated Printout of electronic mail communication documenting the email transmission of a copy of the Consent Agreement to the person or entity to whom a copy of the Consent Agreement was emailed.

## CONSENT AGREEMENT

Ronald L. Pastrick, D.P.M.

Page 4

5. Within thirty days of the effective date of this Consent Agreement, Dr. Pastrick shall provide a copy of this Consent Agreement to the proper licensing authority of any state or jurisdiction in which he currently holds any professional license, as well as any federal agency or entity, including but not limited to the Drug Enforcement Agency, through which he currently holds any license or certificate. Dr. Pastrick further agrees to provide a copy of this Consent Agreement at time of application to the proper licensing authority of any state in which he applies for any professional license or reinstatement of any professional license. Further, Dr. Pastrick shall provide the Board with one of the following documents as proof of each required notification within thirty days of the date of each such notification: (1) the return receipt of certified mail within thirty days of receiving that return receipt, (2) an acknowledgement of delivery bearing the original ink signature of the person to whom a copy of the Consent Agreement was hand delivered, (3) the original facsimile-generated report confirming successful transmission of a copy of the Consent Agreement to the person or entity to whom a copy of the Consent Agreement was faxed, or (4) an original computer-generated printout of electronic mail communication documenting the email transmission of a copy of the Consent Agreement to the person or entity to whom a copy of the Consent Agreement was emailed.
6. Dr. Pastrick shall notify the Board in writing of any change of principal practice address or residence address within thirty days of such change.

### **FAILURE TO COMPLY**

If, in the discretion of the Secretary and Supervising Member of the Board, Dr. Pastrick appears to have violated or breached any term or condition of this Consent Agreement, the Board reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including, but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this Consent Agreement.

If the Secretary and Supervising Member of the Board determine that there is clear and convincing evidence that Dr. Pastrick has violated any term, condition or limitation of this Consent Agreement, Dr. Pastrick agrees that the violation, as alleged, also constitutes clear and convincing evidence that his continued practice presents a danger of immediate and serious harm to the public for purposes of initiating a summary suspension pursuant to Section 4731.22(G), Ohio Revised Code.

### **DURATION/MODIFICATION OF TERMS**

The Reprimand of Dr. Pastrick shall not terminate. Further, Dr. Pastrick shall not request termination of the other terms, conditions and limitations contained in this Consent

## CONSENT AGREEMENT

Ronald L. Pastrick, D.P.M.

Page 5

Agreement for a minimum of five years. In addition, Dr. Pastrick shall not request modification to the terms, limitations, and conditions contained herein for a least one year, except that Dr. Pastrick may make such a request with the mutual approval and joint recommendation of the Secretary and Supervising Member. Otherwise, the above described terms, limitations and conditions may be amended or terminated in writing at any time upon the agreement of both parties.

In the event that the Board initiates future formal proceedings against Dr. Pastrick, including but not limited to issuance of a Notice of Opportunity for Hearing, this Consent Agreement shall continue in full force and effect until such time that it is superseded by ratification by the Board of a subsequent Consent Agreement or issuance by the Board of a final Board Order.

In the event that any term, limitation, or condition contained in this Consent Agreement is determined to be invalid by a court of competent jurisdiction, Dr. Pastrick and the Board agree that all other terms, limitations, and conditions contained in this Consent Agreement shall be unaffected.

### **ACKNOWLEDGEMENTS/LIABILITY RELEASE**

Dr. Pastrick acknowledges that he has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

Any action initiated by the Board based on alleged violations of this Consent Agreement shall comply with the Administrative Procedure Act, Chapter 119, Ohio Revised Code.

Dr. Pastrick hereby releases the Board, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

This Consent Agreement shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code. Further, this information may be reported to appropriate organizations, data banks and governmental bodies. Dr. Pastrick acknowledges that his social security number will be used if this information is so reported and agrees to provide his social security number to the Board for such purposes.

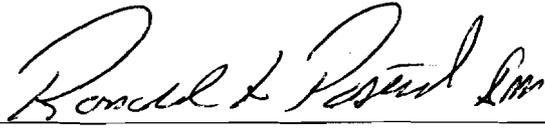
### **EFFECTIVE DATE**

It is expressly understood that this Consent Agreement is subject to ratification by the Board prior to signature by the Secretary and Supervising Member and shall become effective upon the last date of signature below.

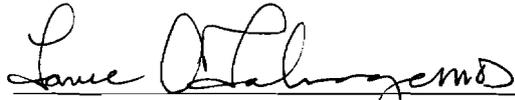
CONSENT AGREEMENT

Ronald L. Pastrick, D.P.M.

Page 6



RONALD L. PASTRICK, D.P.M.



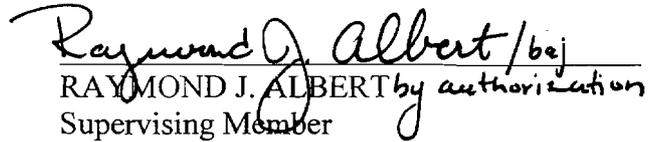
LANCE A. TALMAGE, M.D.  
Secretary

5-7-10

DATE

6-9-10

DATE



RAYMOND J. ALBERT by authorization  
Supervising Member

June 9, 2010

DATE



KYLE C. WILCOX  
Assistant Attorney General

5-14-2010

DATE

# State Medical Board of Ohio

30 E. Broad Street, 3rd Floor, Columbus, OH 43215-6127

Richard A. Whitehouse, Esq.  
Executive Director

(614) 466-3934  
med.ohio.gov

December 9, 2009

Case number: 09-CRF-158

Ronald L. Pastrick, D.P.M.  
583 Laurelwood Drive  
Cleves, Ohio 45002

Dear Doctor Pastrick:

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 podiatric medicine and surgery, or to reprimand you or place you on probation for one or more of the following reasons:

- (1) In your renewal application due on or about April 1, 2008, for the biennial registration of your certificate to practice medicine and surgery for the April 2, 2008 – April 1, 2010 period, you certified that during the January 2, 2006 – January 1, 2008 Continuing Medical Education [CME] cycle, you had completed or would complete the requisite hours of CME as required by Section 4731.281, Ohio Revised Code.
- (2) By certified mail dated November 10, 2008, the Board informed you that you were required to complete and submit a log demonstrating that you had completed at least one hundred hours of CME during the January 2, 2006 – January 1, 2008 CME cycle, and to provide documentation that, in fact, you had completed at least forty hours of Category I CME credits. Despite certifying on the aforementioned renewal application that you had completed all CME requirements, you submitted a letter dated November 28, 2008 stating you did not maintain the requisite hours of CME credits.

Your acts, conduct, and/or omissions as alleged in paragraphs (1) and (2) 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 podiatric medicine and surgery, osteopathic medicine and surgery, podiatry,

*Mailed 12-10-09*

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.

Your acts, conduct, and/or omissions as alleged in paragraphs (1) and (2) above, individually and/or collectively, constitute “violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board,” as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Section 4731.281, Ohio Revised Code.

Your acts, conduct, and/or omissions as alleged in paragraphs (1) and (2) above, individually and/or collectively, constitute “violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board,” as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-10-02, Ohio Administrative 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 podiatric medicine and surgery or to reprimand you or place you on probation.

Please note that, whether or not you request a hearing, Section 4731.22(L), Ohio Revised Code, provides that “[w]hen the board refuses to grant a certificate to an applicant, revokes an individual’s certificate to practice, refuses to register an applicant, or refuses to reinstate an individual’s certificate to practice, the board may specify that its action is permanent. An individual subject to a permanent action taken by the board is forever thereafter ineligible to hold a certificate to practice and the board shall not accept an application for reinstatement of the certificate or for issuance of a new certificate.”

Ronald L. Pastrick, D.P.M.

Page 3

Copies of the applicable sections are enclosed for your information.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lance A. Talmage, M.D.", written in a cursive style.

Lance A. Talmage, M.D.

Secretary

LAT/LLS/flb

Enclosures

CERTIFIED MAIL #91 7108 2133 3936 3070 8945

RETURN RECEIPT REQUESTED