



State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: www.med.ohio.gov

November 10, 2004

Garrett Michael Connors, D.P.M.
4282 Lake Road
Youngstown, OH 44511

Dear Doctor Connors:

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 10, 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 5149 9030
RETURN RECEIPT REQUESTED

Mailed 11-12-04

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 10, 2004, constitutes a true and complete copy of the Findings, Order and Journal Entry in the Matter of Garrett Michael Connors, D.P.M., 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)

November 10, 2004

Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF :
:
GARRETT MICHAEL CONNORS, D.P.M. :

FINDINGS, ORDER AND JOURNAL ENTRY

This matter came on for consideration before the State Medical Board of Ohio on November 10, 2004, pursuant to a Notice of Opportunity for Hearing issued to Garrett Michael Connors, D.P.M., on July 14, 2004. No request for hearing having been received within the statutorily mandated time period, Hearing Examiner Sharon W. Murphy, 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. Murphy's 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 July 14, 2004, Notice of Opportunity for Hearing.

Accordingly, it is hereby ORDERED that:

- A. **REPRIMAND:** Garrett Michael Connors, D.P.M., is REPRIMANDED.
- B. **FINE:** Dr. Connors shall pay a FINE of \$5,000.00 to the State Medical Board of Ohio. This fine shall be paid no later than thirty days after the effective date of this Order.
- C. **SUSPENSION OF CERTIFICATE:** The certificate of Dr. Connors to practice podiatric medicine and surgery in the State of Ohio shall be SUSPENDED for an indefinite term.
- D. **CONDITIONS FOR REINSTATEMENT OR RESTORATION:** The Board shall not consider reinstatement or restoration of Dr. Connors' certificate to practice until all of the following minimum requirements are met:
 - 1. Dr. Connors shall submit an application for reinstatement or restoration, accompanied by appropriate fees.

2. Dr. Connors shall pay the fine set forth in Paragraph B, above.
 3. Dr. Connors shall provide documentation acceptable to the Board of his satisfactory completion of one hundred hours of Continuing Medical Education [CME] credits for the period of January 2, 2001 – January 1, 2003. It shall be the responsibility of Dr. Connors to work with appropriate Board staff to ascertain what will be considered as satisfactory documentation and to obtain the same.
 4. Dr. Connors shall supply documentation acceptable to the Board of satisfactory completion of one hundred hours of approved CME, at least forty hours of which shall be in Category I, for each CME period, if any, during which his certificate remains suspended.
 5. In the event that Dr. Connors has not been engaged in the active practice of podiatric medicine for a period of more than two years prior to his application for reinstatement, Dr. Connors shall submit to and pass a written examination or any other evaluation of competency which the Board may deem appropriate to assess his clinical competency.
- E. **DOCUMENTATION OF CME:** Subsequent to reinstatement or restoration, Dr. Connors shall supply documentation acceptable to the Board of satisfactory completion of the requisite number of CME credit hours for the CME period in effect at the time of his reinstatement, and for two additional CME periods thereafter. This documentation shall be due in the Board's offices within thirty days of the conclusion of each CME period, unless otherwise determined by the Board.
- F. **REQUIRED REPORTING BY LICENSEE TO EMPLOYERS AND HOSPITALS:** Within thirty days of the effective date of this Order, unless otherwise determined by the Board, Dr. Connors shall provide a copy of this Order to all employers or entities with which he is under contract to provide health care services or is receiving training; and the Chief of Staff at each hospital where he has privileges or appointments. Further, Dr. Connors shall provide a copy of this Order 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.
- G. **REQUIRED REPORTING BY LICENSEE TO OTHER STATE LICENSING AUTHORITIES:** Within thirty days of the effective date of this Order, unless otherwise determined by the Board, Dr. Connors 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 he currently holds any professional license. Dr. Connors 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 he applies for any professional license or reinstatement or restoration of any professional license. Further, Dr. Connors shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt, unless otherwise determined by the Board.

- H. **VIOLATION OF ORDER:** If Dr. Connors violates this Order in any respect, the Board, after giving him notice and the opportunity to be heard, may institute whatever disciplinary action it deems appropriate, up to and including the permanent revocation of his certificate.

EFFECTIVE DATE OF ORDER: This Order shall become effective thirty days after the mailing of notification of approval by the Board.



Lance A. Talmage, M.D.
Secretary

(SEAL)

November 10, 2004
Date

STATE MEDICAL BOARD
OF OHIO

2004 SEP 29 P 1:55

**PROPOSED FINDINGS AND PROPOSED ORDER
IN THE MATTER OF GARRETT MICHAEL CONNORS, D.P.M.**

The Matter of Garrett Michael Connors, D.P.M., was reviewed by Sharon W. Murphy, Esq., Hearing Examiner for the State Medical Board of Ohio.

INTRODUCTION

Basis for the Review

1. By letter dated July 14, 2004, the State Medical Board of Ohio [Board] notified Garrett Michael Connors, D.P.M., that it had proposed to take disciplinary action against his certificate to practice podiatric medicine and surgery in Ohio. The Board's proposed action was based on allegations that, in applying for registration of his certificate to practice podiatric medicine and surgery for the 2003 through 2005 registration period, Dr. Connors had certified that he had completed or would complete during the 2001 through 2003 period the requisite credit hours of Continuing Medical Education [CME] as required by Section 4731.281, Ohio Revised Code. The Board further alleged that Dr. Connors had been selected for a random audit of the CME credit hours he had obtained during that period and, although Dr. Connors had responded initially to the audit, he had not listed the requisite number of CME credit hours. In addition, the Board alleged that, subsequently, Dr. Connors had failed to respond to requests from the Board that he submit a log listing the requisite number of CME credit hours. (Exhibit 2).

Accordingly, the Board alleged that Dr. Connors' failure to respond to the random audit notices rebuts the presumption under Rule 4731-10-08(A), Ohio Administrative Code, that he had completed the requisite hours of CME and/or demonstrates that he had failed to keep detailed records of the CME credit hours he had taken. The Board further alleged that Dr. Connors' certifying to the Board he had completed the statutorily required CME credit hours, when he had not, 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 [and] "[m]aking a false, fraudulent, deceptive, or misleading statement," as that clause is used in Section 4731.22(B)(5), Ohio Revised Code."

Finally, the Board alleged that Dr. Connors' failure to respond to the audit notices, to obtain the requisite CME credit hours, and/or to submit documentation as requested, constitutes "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, and Rules 4731-10-03 and 4731-10-08, Ohio Administrative Code, as in effect prior to February 28, 2003.” (Exhibit 2).

Finally, the Board advised Dr. Connors that he was entitled to a hearing if such hearing was requested within thirty days of the mailing of the notice of opportunity for hearing. (Exhibit 2).

2. In accordance with Section 119.07, Ohio Revised Code, the notice of opportunity for hearing was sent via certified mail on July 15, 2004, return receipt required. Dr. Connors signed the certified mail receipt; therefore, proper service of the notice was documented. More than thirty days have elapsed since the mailing of the notice of opportunity for hearing, and Dr. Connors has not submitted a hearing request. (Exhibits 1, 2).

EVIDENCE EXAMINED

1. Exhibit 1: August 18, 2004, Memorandum from Barbara A. Jacobs, Public Services Administrator, to Gregory Porter, Chief Hearing Officer.
2. Exhibit 2: Copy of the notice of opportunity for hearing mailed to Dr. Connors on July 15, 2004, with copies of the certified mail receipt attached.
3. Exhibit 3: Affidavit of Debra L. Jones, Continuing Medical Education and Renewal Officer for the Board.
 - a. Exhibit 3A: Copy of Dr. Connors' April 2003 application for renewal of his certificate to practice podiatric medicine and surgery in Ohio.
 - b. Exhibit 3B: Copy of a September 19, 2003, letter to Dr. Connors from the Board.
 - c. Exhibit 3C: Copy of Dr. Connors' log of Category I Continuing Medical Education credits and verifying documentation submitted to the Board on October 17, 2003.
 - d. Exhibit 3D: Copy of an October 21, 2003, letter to Dr. Connors from the Board.
 - e. Exhibit 3E: Copy of a January 2, 2004, letter to Dr. Connors from the Board.
4. Exhibit 4: Affidavit of Barbara J. Sibla, Paralegal for the Board, with attached copy of a February 23, 2004, letter to Dr. Connors from the Board.

SUMMARY OF THE EVIDENCE

All exhibits, even if not specifically mentioned, were thoroughly reviewed and considered by the Hearing Examiner prior to preparing this Proposed Findings and Proposed Order.

1. In applying for registration of his certificate to practice podiatric medicine and surgery for the April 2, 2003 – April 1, 2005 registration period, Garrett Michael Connors, D.P.M., certified that he had completed or would complete during the 2001 – 2003 period (January 2, 2001 – January 1, 2003) the requisite hours of Continuing Medical Education [CME] credit as required by Section 4731.281, Ohio Revised Code. (Exhibit 3 at 1, 3, 4).
2. By a certified mail letter dated September 19, 2003, the Board informed Dr. Connors that he had been selected for a random CME audit. The Board further advised that Dr. Connors was required to complete and submit a log demonstrating that he had completed at least one hundred hours of combined Category I and Category II CME credits during the 2001 – 2003 period. In addition, the Board advised that Dr. Connors must provide documentation demonstrating that he had completed at least forty hours of Category I CME credits. Dr. Connors signed the certified mail receipt on September 22, 2003. (Exhibit 3 at 4, 5).
3. On October 17, 2003, the Board received documentation from Dr. Connors verifying that he had completed sixty-two credit hours of Category I CME. Other than the documentation of the sixty-two credit hours of Category I CME, Dr. Connors did not include a log or documentation of any additional CME to total the requisite 100 credit hours. (Exhibit 3 at 6-10).
4. By certified mail letter mailed on October 21, 2003, the Board notified Dr. Connors that, in order to complete his CME requirement, he needed to complete and return the log listing thirty-eight additional credit hours of Category II CME for the 2001 – 2003 period. Proper service was documented, but Dr. Connors did not respond to the Board's letter. (Exhibit 3 at 1-2, 11-13).

By certified mail letter mailed on January 2, 2004, the Board again notified Dr. Connors that he was required to complete and return the log listing thirty-eight additional credit hours of Category II CME for the 2001 – 2003 period. Proper service was documented, but, again, Dr. Connors did not respond to the Board's letter. (Exhibit 3 at 2, 14-16).

By first class mail letter dated February 23, 2004, the Board sent Dr. Connors a final notification to inform him that, if he did not complete and return the log listing thirty-eight additional credit hours of Category II CME for the 2001 – 2003 period, the Board would initiate formal disciplinary action. Dr. Connors failed to respond to this notice. (Exhibit-4).

PROPOSED FINDINGS

1. In applying for registration of his certificate to practice podiatric medicine and surgery for the April 2, 2003 – April 1, 2005 registration period, Garrett Michael Connors, D.P.M., certified that he had completed or would complete during the 2001 – 2003 period (January 2, 2001 – January 1, 2003) the requisite hours of Continuing Medical Education [CME] credits as required by Section 4731.281, Ohio Revised Code.
2. By a certified mail letter dated September 19, 2003, the Board informed Dr. Connors that he was required to complete and submit a log demonstrating that he had completed at least one hundred hours of CME during the 2001 – 2003 period and to provide documentation that he had actually completed at least forty hours of Category I CME credits.

On or about October 17, 2003, Dr. Connors submitted documentation verifying that he had completed sixty-two credit hours of Category I CME.

3. By certified mail letter mailed on October 21, 2003, the Board notified Dr. Connors that, in order to complete his CME requirement, he needed to complete and return the log listing thirty-eight credit hours of Category II CME for the 2001 – 2003 period. Dr. Connors failed to respond to this notice.

By certified mail letter mailed on January 2, 2004, the Board again notified Dr. Connors that he was required to complete and return the log listing thirty-eight credit hours of Category II CME for the 2001 – 2003 period. Dr. Connors failed to respond to this notice.

By first class mail letter dated February 23, 2004, the Board sent Dr. Connors a final notification to inform him that if he did not complete and return the log listing thirty-eight credit hours of Category II CME for the 2001 – 2003 period, the Board would initiate formal disciplinary action. Dr. Connors failed to respond to this notice.

4. Dr. Connors' lack of response to the notices, as detailed in Findings of Fact 3, rebuts the presumption under Rule 4731-10-08(A), Ohio Administrative Code, that he completed the requisite hours of CME, and/or demonstrates that Dr. Connors failed to keep detailed records of CME taken.
5. The conduct of Dr. Connors in certifying to the Board that he had completed the statutorily required CME credit hours when he had not done so, 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.

Section 4731.22(A), Ohio Revised Code, provides that,

The state medical board, by an affirmative vote of not fewer than six members, may revoke or may refuse to grant a certificate to a person found by the board to have * * * committed fraud, misrepresentation, or deception in applying for or securing any certificate to practice or certificate of registration issued by the Board.

R.C. 4731.22(A)

In a recent decision¹ by the Franklin County Court of Common Pleas interpreting this statute, the court held that, when the Board finds a violation of this provision, the Board may only “revoke or * * * refuse to grant a certificate of registration.” The range of penalties available to the Board does not include a fine, probation, suspension, or stayed revocation. Accordingly, unless the Board decides to revoke Dr. Connors’ certificate, the Board shall take no further action based on the violation of Section 4731.22(A), Ohio Revised Code.

6. The conduct of Dr. Connors in certifying to the Board that he had completed the statutorily required CME credit hours when he had not done so, as set forth in Findings of Fact 1, constitutes “[m]aking a false, fraudulent, deceptive, or misleading statement,” as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.
7. The conduct of Dr. Connors in failing to respond to the audit notices, to obtain the requisite CME credit hours, and/or to submit documentation as requested, as set forth in Findings of Fact 2 and 3, constitutes “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, and Rules 4731-10-03 and 4731-10-08, Ohio Administrative Code, as in effect prior to February 23, 2003.

PROPOSED ORDER

It is hereby ORDERED that:

- A. **REPRIMAND:** Garrett Michael Connors, D.P.M., is REPRIMANDED.

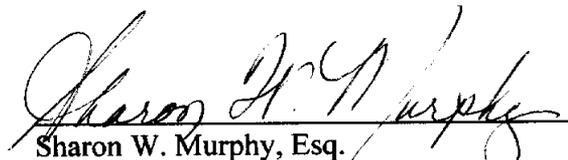
¹ *Faye F. Istanboly, M.D., v. State Medical Board of Ohio* (Dec. 4, 2003), Franklin C.P. No. 03CVF-02-2334, unreported.

- B. **FINE:** Dr. Connors shall pay a FINE of \$5,000.00 to the State Medical Board of Ohio. This fine shall be paid no later than thirty days after the effective date of this Order.
- C. **SUSPENSION OF CERTIFICATE:** The certificate of Dr. Connors to practice podiatric medicine and surgery in the State of Ohio shall be **SUSPENDED** for an indefinite term.
- D. **CONDITIONS FOR REINSTATEMENT OR RESTORATION:** The Board shall not consider reinstatement or restoration of Dr. Connors' certificate to practice until all of the following minimum requirements are met:
1. Dr. Connors shall submit an application for reinstatement or restoration, accompanied by appropriate fees.
 2. Dr. Connors shall pay the fine set forth in Paragraph B, above.
 3. Dr. Connors shall provide documentation acceptable to the Board of his satisfactory completion of one hundred hours of Continuing Medical Education [CME] credits for the period of January 2, 2001 – January 1, 2003. It shall be the responsibility of Dr. Connors to work with appropriate Board staff to ascertain what will be considered as satisfactory documentation and to obtain the same.
 4. Dr. Connors shall supply documentation acceptable to the Board of satisfactory completion of one hundred hours of approved CME, at least forty hours of which shall be in Category I, for each CME period, if any, during which his certificate remains suspended.
 5. In the event that Dr. Connors has not been engaged in the active practice of podiatric medicine for a period of more than two years prior to his application for reinstatement, Dr. Connors shall submit to and pass a written examination or any other evaluation of competency which the Board may deem appropriate to assess his clinical competency.
- E. **DOCUMENTATION OF CME:** Subsequent to reinstatement or restoration, Dr. Connors shall supply documentation acceptable to the Board of satisfactory completion of the requisite number of CME credit hours for the CME period in effect at the time of his reinstatement, and for two additional CME periods thereafter. This documentation shall be due in the Board's offices within thirty days of the conclusion of each CME period, unless otherwise determined by the Board.
- F. **REQUIRED REPORTING BY LICENSEE TO EMPLOYERS AND HOSPITALS:** Within thirty days of the effective date of this Order, unless otherwise determined by the Board, Dr. Connors shall provide a copy of this Order to all employers or entities with which he is under contract to provide health care services or is receiving training; and the Chief of Staff at each hospital where he has privileges or appointments. Further,

Dr. Connors shall provide a copy of this Order 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.

- G. REQUIRED REPORTING BY LICENSEE TO OTHER STATE LICENSING AUTHORITIES:** Within thirty days of the effective date of this Order, unless otherwise determined by the Board, Dr. Connors 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 he currently holds any professional license. Dr. Connors 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 he applies for any professional license or reinstatement or restoration of any professional license. Further, Dr. Connors shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt, unless otherwise determined by the Board.
- H. VIOLATION OF ORDER:** If Dr. Connors violates this Order in any respect, the Board, after giving him notice and the opportunity to be heard, may institute whatever disciplinary action it deems appropriate, up to and including the permanent revocation of his certificate.

EFFECTIVE DATE OF ORDER: This Order shall become effective thirty days after the mailing of notification of approval by the Board.


Sharon W. Murphy, Esq.
Hearing Examiner



State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: www.med.ohio.gov

July 14, 2004

Garrett Michael Connors, DPM
4282 Lake Road
Youngstown, OH 44511

Dear Doctor Connors:

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

- (1) In applying for registration of your certificate to practice podiatric medicine and surgery for the April 2, 2003 – April 1, 2005 period, you certified that you had completed or would complete during the 2001 – 2003 period (January 2, 2001 – January 1, 2003) the requisite hours of Continuing Medical Education [CME] as required by Section 4731.281, Ohio Revised Code.
- (2) By a certified mail letter mailed on or about September 19, 2003, 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 2001 – 2003 period and to provide documentation that you had actually completed at least forty hours of Category I CME credits. On or about October 17, 2003, you submitted documentation verifying that you had completed 62 credit hours of Category I CME.

By certified mail letter mailed on or about October 21, 2003, the Board notified you that in order to complete your CME requirement, you needed to complete and return the log listing 38 credit hours of Category II CME or otherwise document 38 additional hours of CME for the 2001 – 2003 period. By certified mail letter mailed on or about January 2, 2004, the Board again notified you that you were required to complete and return the log listing 38 credit hours of Category II CME or otherwise document 38 additional hours of CME for the 2001 – 2003 period. By first class mail letter mailed on or about February 23, 2004, the Board sent you a final notification to inform you that if you did not complete and return the log listing 38 credit hours of Category II CME or otherwise document 38 additional hours of CME for the 2001 – 2003 period, the

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Board would initiate formal disciplinary action. You failed to respond to any of these notices.

- (3) Your lack of response to the notices as detailed in the above paragraph (2) rebuts the presumption under Rule 4731-10-08(A), Ohio Administrative Code, that you did complete the requisite hours of CME, and/or demonstrates that you failed to keep detailed records of CME taken.

Your acts, conduct and/or omissions in certifying to the Board that you had completed the statutorily required CME, as set forth in the above paragraph (1), when you had not, in fact, done so, 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 in certifying to the Board that you had completed the statutorily required CME, as set forth in the above paragraph (1), when you had not, in fact, done so, constitute "[m]aking a false, fraudulent, deceptive, or misleading statement," as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.

Further, your failure to respond to the audit notices, to obtain the requisite CME, and/or to submit documentation of same, as alleged in the above paragraphs (2) and (3) constitutes "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, and Rules 4731-10-03 and 4731-10-08, Ohio Administrative Code, as in effect prior to February 28, 2003.

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.

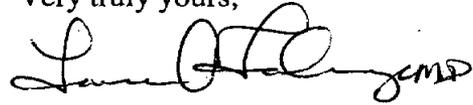
You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at 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 fine, 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,

A handwritten signature in black ink, appearing to read "Lance A. Talmage, M.D.", with a stylized flourish at the end.

Lance A. Talmage, M.D.
Secretary

Enclosures

CERTIFIED MAIL #7000 0600 0024 5140 2313
RETURN RECEIPT REQUESTED