STATE MEDICAL BOARD OF OHIO
77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

October 8, 1997

Douglas A. Pellicer, C.T.
315 Pierce Street
Dayton, OH 45410

Dear Mr. Pellicer:

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 October 8, 1997.

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 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,

Thomas E. Gretter, M.D.
Secretary

TEG:jam
Enclosures

CERTIFIED MAIL RECEIPT NO. Z 395 587 658
RETURN RECEIPT REQUESTED

Mailed 10/7/97

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 October 8, 1997, constitute a true and complete copy of the Findings, Order and Journal Entry in the Matter of Douglas A. Pellicer, C.T., 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.

(SEAL)

Thomas E. Gretter, M.D.
Secretary

10/9/97
Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF *

*

DOUGLAS A. PELLICER, C.T. *

FINDINGS, ORDER AND JOURNAL ENTRY

By letter dated August 13, 1997, notice was given to Douglas A. Pellicer, C.T., that the State Medical Board intended to consider disciplinary action against his certificate to practice cosmetic therapy in Ohio, and that he was entitled to a hearing if such hearing was requested within thirty (30) days of the mailing of said notice. In accordance with Section 119.07, Ohio Revised Code, said notice was sent on August 25, 1997, via certified mail, return receipt requested, to the address of record of Douglas A. Pellicer, C.T., that being 315 Pierce Street, Dayton, Ohio, 45410.

No hearing request has been received from Douglas A. Pellicer, C.T., and more than thirty (30) days have now elapsed since the mailing of the aforesaid notice.

WHEREFORE, for the reasons outlined in the August 13, 1997 letter of notice, which is attached hereto and incorporated herein, it is hereby ORDERED:

1. That the certificate of Douglas A. Pellicer, C.T., to practice cosmetic therapy in the State of Ohio shall be SUSPENDED for an indefinite term, which shall last a minimum of thirty (30) days.

2. Further, that the State Medical Board of Ohio shall not consider reinstatement of Mr. Pellicer's certificate unless and until all of the following minimum requirements are met:

   A. Douglas A. Pellicer, C.T., shall submit an application for reinstatement, accompanied by appropriate fees.

   B. Douglas A. Pellicer, C.T., shall provide documentation acceptable to the Board of his satisfactory completion of 25 hours of Continuing Cosmetic Therapy Education to be credited toward the June 1, 1993 - May 31, 1995 biennial Continuing Cosmetic Therapy Education acquisition period, and 25 hours of Continuing Cosmetic Therapy Education to be credited toward the June 1, 1995 - May 31, 1997 biennial Continuing Cosmetic Therapy Education acquisition period. It shall be the responsibility of Douglas A. Pellicer, C.T., to work with appropriate Board staff to ascertain what will be considered as satisfactory documentation and to obtain same.

   C. If the certificate of Douglas A. Pellicer, C.T., remains suspended after May 31, 1999, he shall provide acceptable documentation of his satisfactory completion of 25 hours of Continuing Cosmetic Therapy Education credits for the June 1, 1997 - May 31,

1999 biennial Continuing Cosmetic Therapy Education acquisition period. Further, Douglas A. Pellicer, C.T., shall supply documentation acceptable to the Board of satisfactory completion of 25 hours of approved Continuing Cosmetic Therapy Education for each complete biennial Continuing Cosmetic Therapy Education acquisition period, if any, during which his certificate remains suspended after the 1997 - 1999 biennium.

D. In the event that Douglas A. Pellicer, C.T., has not been engaged in the active practice of cosmetic therapy for a period of more than two (2) years prior to his application for reinstatement, Douglas A. Pellicer, C.T., shall take and pass the practical portion of the cosmetic therapy licensing examination or any similar examination which the Board may deem appropriate to assess his clinical competency.

3. Subsequent to reinstatement of his certificate, Douglas A. Pellicer, C.T., shall remain on probation for three (3) additional biennial registration periods and shall submit documentation acceptable to the Board of satisfactory completion of the requisite hours of Continuing Cosmetic Therapy Education for each biennium. Such documentation shall be due in the Board's offices within thirty (30) days following the completion of each biennial Continuing Cosmetic Therapy Education acquisition period.

4. Upon successful completion of probation, the certificate of Douglas A. Pellicer, C.T., will be fully restored.

This ORDER shall become effective immediately upon mailing of notification of approval by the State Medical Board of Ohio.

This ORDER is hereby entered upon the Journal of the State Medical Board of Ohio for the 8th day of October, 1997, and the original thereof shall be kept with said Journal.

Thomas E. Gretter, M.D.
Secretary

(SEAL)

10/9/97
Date

AFFIDAVIT

I, Debra Jones, being duly cautioned and sworn, do hereby depose and say:

1) That I am employed by the State Medical Board of Ohio (hereinafter, "The Board")

2) That I serve the Board in the position of Chief, Continuing Medical Education, Records, and Renewal;

3) That in such position I am the responsible custodian of all public licensee records maintained by the Board pertaining to individuals who have received certificates issued pursuant to Chapter 4731., Ohio Revised Code;

4) That I have this day carefully examined the records of the Board pertaining to Douglas A. Pellicer, C.T. ;

5) That based on such examination, I have found the last known address of record of Douglas A. Pellicer, C.T.: to be:

315 Pierce St.
Dayton, OH 45410

6) Further, Affiant Sayeth Naught.

Debra L. Jones, Chief
Continuing Medical Education, Records and Renewal

Sworn to and signed before me, _____, Notary Public, this 25th day of September, 1997.

Notary Public

LAUREN LUDROW, Attorney At Law
My commission has no expiration date
Section 147.03 R.C.

JAM

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "*Return Receipt Requested*" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

DOUGLAS A. PELLICER, C.T.
315 PIERCE ST.
DAYTON, OHIO 45410

4a. Article Number

P152 984 801

4b. Service Type

☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

8-26-97

5. Received By: *(Print Name)*

Doug Pellicer

6. Signature: *(Addressee or Agent)*

X [signature]

8. Addressee's Address *(Only if requested and fee is paid)*

Cite

PS Form **3811**, December 1994

Domestic Return Receipt

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.

STATE MEDICAL BOARD OF OHIO
77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

August 13, 1997

Douglas A. Pellicer, C.T.
315 Pierce Street
Dayton, OH 45410

Dear Mr. Pellicer:

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, revoke, suspend, refuse to register or reinstate your certificate to practice cosmetic therapy, or to reprimand or place you on probation for one or more of the following reasons:

(1) In applying for registration of your certificate to practice cosmetic therapy for the current registration period, you certified that you had completed during the last registration period (June 1, 1993 - May 31, 1995), the requisite hours of continuing cosmetic therapy education (CCTE) as required by Section 4731.155, Ohio Revised Code.

(2) By a certified mail letter dated May 2, 1996, which you admitted receiving, the State Medical Board of Ohio informed you that you were required to complete a log listing your CCTE for the June 1, 1993 - May 31, 1995 period, and to provide documentation that you had actually completed at least twenty-five (25) hours of CCTE. By a certified mail letter dated November, 18, 1996, which was returned to the State Medical Board of Ohio unclaimed, the State Medical Board attempted to again notify you that you were required to submit documentation that you had actually completed the requisite CCTE. In a telephone conversation on June 29, 1997, with Investigator Robert Gibbs of the State Medical Board, you stated that there was no need for Investigator Gibbs to hand-deliver the audit materials to you, as you had not completed your CCTE.

(3) Your inability to document at least twenty-five (25) hours of CCTE as detailed in the above paragraph (2) rebuts the presumption under Rule 4731-1-12 (G), Ohio Administrative Code, that you did complete the requisite hours of CCTE and/or demonstrates that you failed to keep detailed records of CCTE taken.

Mailed 8/25/97

Your acts, conduct, and/or omissions in certifying to the State Medical Board that you had completed the statutorily required CCTE, 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 license or certificate 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 State Medical Board that you had completed the statutorily required CCTE, as set forth in the above paragraph (1), when you had not, in fact, done so, constitute "publishing 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 obtain the requisite CCTE, 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 4731.155, Ohio Revised Code, and Rule 4731-1-12.

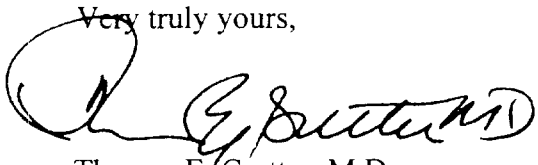
Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, the request must be made in writing and must be received in the offices of the State Medical Board within thirty (30) days of the time of mailing this notice.

You are further advised that 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, suspend, refuse to register or reinstate your certificate to practice cosmetic therapy or to reprimand or place you on probation.

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Thomas E. Gretter, M.D.
Secretary

TEG/caf

Enclosures

CERTIFIED MAIL #P152 984 801
RETURN RECEIPT REQUESTED