

STATE OF OHIO  
THE STATE MEDICAL BOARD  
Suite 510  
65 South Front Street  
Columbus, Ohio ~~43215~~ 43266-0315

January 23, 1986

Mumata N. Kasal, M.D.  
5809 Endo Trail  
Forth Worth, Texas 76112

Dear Doctor Kasal:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of Lauren Lubow, Esq., Hearing Officer, State Medical Board of Ohio; a certified copy of the Motion by the State Medical Board, meeting in regular session on January 8, 1986, approving and confirming said Report and Recommendation as the Findings and Order of the State Medical Board.

You are hereby notified that you may appeal this Order to the Court of Common Pleas of the county in which your place of business is located, or the county in which you reside. If you are not a resident and have no place of business in this state, you may appeal to the Court of Common Pleas of Franklin County, Ohio.

To appeal as stated above, you must file a notice of appeal with the Board setting forth the Order appealed from, and the grounds of the appeal. You must also file a copy of such notice with the Court. Such notices of appeal shall be filed within fifteen (15) days after the date of mailing of this letter and in accordance with Section 119.12, Revised Code.

THE STATE MEDICAL BOARD OF OHIO

Henry G. Cramblett *g w w*  
Henry G. Cramblett, M.D.  
Secretary

HGC:em

Enclosures

CERTIFIED MAIL NO. P 569 364 739  
RETURN RECEIPT REQUESTED

...  
STATE OF OHIO  
THE STATE MEDICAL BOARD  
Suite 510  
65 South Front Street  
Columbus, Ohio ~~43213~~ 43266-0315

CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; attached copy of the Report and Recommendation of Lauren Lubow, Esq., Hearing Examiner, State Medical Board of Ohio; and the attached copy of the Motion by the State Medical Board, meeting in regular session on January 8, 1986, approving and confirming said Report and Recommendation as the Findings and Order of the State Medical Board, constitutes a true and complete copy of the Findings and Order of the State Medical Board in the matter of Mumata N. Kasal, M.D., as it appears in the Journal of the State Medical Board of Ohio.

(SEAL)

Henry G. Cramblett by WWS  
Henry G. Cramblett, M.D.  
Secretary

January 23, 1986  
Date

STATE OF OHIO  
THE STATE MEDICAL BOARD

IN THE MATTER OF \*  
\*  
MUMATA N. KASEL, M.D. \*

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio the 8th day of January, 1986.

Upon the Report and Recommendation of Lauren Lubow, Esq., Hearing Examiner in this matter designated pursuant to R.C. 119.09, a true copy of which is attached hereto and incorporated herein, which Report and Recommendation was approved and confirmed by vote of the Board on the above date, the following Order is hereby entered on the Journal of the State Medical Board for the 8th day of January, 1986.

It is hereby ORDERED:

That Mumata N. Kasal, M.D., not be eligible for examination for licensure in Ohio.

Further, that Mumata N. Kasal, M.D., not be eligible for licensure by endorsement to Ohio for a period of five (5) years, after which the Board should reevaluate her fitness to practice.

(SEAL)

Henry G. Cramblett by WWS  
Henry G. Cramblett, M.D.  
Secretary

January 23, 1986  
Date

*Original*

STATE OF OHIO  
THE STATE MEDICAL BOARD

REPORT AND RECOMMENDATION  
IN THE MATTER OF MUMATA N. KASAL, M.D.

The matter of Mumata N. Kasal, M.D., came before me, Lauren Lubow, Esq., Hearing Officer for the State Medical Board of Ohio, on July 8, 1985.

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INTRODUCTION AND SUMMARY OF EVIDENCE

1. By letter of November 14, 1984, Dr. Mumata N. Kasal was notified by the State Medical Board of Ohio that it proposed to deny her supplemental application to sit for the December, 1984 FLEX examination for medical licensure, or to otherwise grant her a certificate to practice medicine or surgery in the State of Ohio. (State's Exhibit #1) The Board's proposed denial was based on the allegation that Dr. Kasal had omitted pertinent information from an examination application she had filed with the Ohio Board on March 13, 1984, to take the June, 1984 examination.
  - A. Specifically, the Board charged that in response to Question #1(B) on the March 13, 1984 application requesting that the applicant list all FLEX examinations she had taken, Dr. Kasal had not indicated that she had taken and failed the FLEX examination in Arkansas in December, 1980; June, 1981; December, 1981; and June, 1982. She did indicate that she had taken the December, 1983 FLEX examination in Arkansas, and that she had previously taken the exam in Texas and Connecticut.
2. Dr. Kasal responded to the Board's November 14, 1984 proposal to deny her application by letter received on November 21, 1984. In this correspondence, Dr. Kasal explained that her omission of this information had been an oversight. She further provided the Board with some medical qualifications, an explanation of her repeated failures, and a request for reconsideration of the proposed denial. (State's Exhibit #2)
3. The Medical Board advised Dr. Kasal by letter of December 3, 1984, that a hearing on the proposed denial had been scheduled and postponed pursuant to Section 119.09, Ohio Revised Code. (State's Exhibit #3)
4. On December 17, 1984, the State Medical Board received further correspondence from Dr. Kasal stating that she would be unable to attend the hearing. She explained that her mistake was not deliberate, and that her failure of the above noted examinations was attributable to the fact that she was a radiologist and was weak in the basic sciences, and that she had had health difficulties. Dr. Kasal enclosed documents attesting to her moral character, including several letters of recommendation. (State's Exhibit #4)

5. Dr. Kasal was notified by letter of May 29, 1985, that a hearing had been scheduled in this matter for July 8, 1985. (State's Exhibit #5)
6. Dr. Kasal did not appear personally at the July 8, 1985 hearing and was not represented by counsel. Assistant Attorney General Christopher M. Culley appeared on behalf of the State.
7. State's Exhibits #1 through #5, identified above, were offered by Mr. Culley and admitted to the record. Mr. Culley also identified State's Exhibits #6, #7, and #8, as follows:
  - A. State's Exhibit #6, a photocopy of Dr. Kasal's March 13, 1984 application for medical licensure.
  - B. State's Exhibit #7, Dr. Kasal's supplemental application to sit for the December, 1984 FLEX examination.
  - C. State's Exhibit #8, documentation from the Federation of State Medical Boards verifying that Dr. Kasal had taken and failed the FLEX examination in Arkansas on five occasions.
8. State's Exhibits #6, #7, and #8 were admitted to the record.

#### FINDINGS OF FACT

1. Dr. Mumata N. Kasal submitted an application to take the FLEX examination for medical licensure in Ohio on March 13, 1984.
2. In response to a question on the application requesting that the applicant list all FLEX examinations taken, Dr. Kasal failed to indicate that she had taken and failed the Arkansas FLEX examination in December, 1980; June, 1981; December, 1981; and June, 1982. Dr. Kasal did indicate that she had taken the FLEX examination in Arkansas in December, 1983, in Texas in December, 1980, and in Connecticut in June, 1979.
3. Dr. Kasal submitted a supplemental application to take the December, 1984 FLEX exam in Ohio in September, 1984.

#### CONCLUSIONS

1. Dr. Mumata N. Kasal's omission from her examination application of information about four FLEX examinations which she had previously taken and failed constitutes, "committing fraud, misrepresentation, or deception in applying for or securing any license or certificate issued by the Board," in violation of Section 4731.22(A), Ohio Revised Code.

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OHIO  
MEDICAL BOARD

2. Dr. Kasal's omission from her examination application of information about four FLEX examinations which she had previously taken and failed, and her apparently selective inclusion of information about other prior examinations constitutes a failure to furnish satisfactory proof of good moral character, as required by Section 4731.08, Ohio Revised Code.
3. Dr. Kasal's application to take the December, 1984 FLEX examination has since become moot.

PROPOSED ORDER

It is hereby ORDERED:

1. That Mumata N. Kasal, M.D., not be eligible for examination for licensure in Ohio.
2. Further, that Mumata N. Kasal, M.D., not be eligible for licensure by endorsement to Ohio for a period of five (5) years, after which the Board should reevaluate her fitness to practice.

  
Lauren Lubow, Esq.  
Hearing Officer  
State Medical Board of Ohio

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EXCERPT FROM DRAFT MINUTES OF JANUARY 8, 1986

REPORT AND RECOMMENDATION IN THE MATTER OF MUMATA N. KASAL, M.D.

Dr. Rauch asked if each member of the Board had received, read, and considered the hearing record, the proposed findings and order, and any objections filed to the proposed findings and order in the matter of Mumata Kasal, M.D. A roll call was taken:

ROLL CALL:	Dr. Cramblett	- aye
	Dr. Lancione	- aye
	Dr. O'Day	- aye
	Dr. Buchan	- aye
	Dr. Lovshin	- aye
	Ms. Rolfes	- aye
	Dr. Oxley	- aye
	Dr. Stephens	- aye
	Mr. Johnston	- aye

Ms. Lubow read the conclusions and the proposed order of her report and recommendation, the original of which shall be maintained in the exhibits section of this journal.

DR. BUCHAN MOVED TO APPROVE AND CONFIRM MS. LUBOW'S FINDINGS OF FACT, CONCLUSIONS, AND PROPOSED ORDER IN THE MATTER OF MUMATA KASAL, M.D. DR. STEPHENS SECONDED THE MOTION. A roll call vote was taken:

ROLL CALL VOTE:	Dr. Cramblett	- aye
	Dr. Lancione	- aye
	Dr. O'Day	- aye
	Dr. Buchan	- aye
	Dr. Lovshin	- aye
	Ms. Rolfes	- aye
	Dr. Oxley	- aye
	Dr. Stephens	- aye
	Mr. Johnston	- aye

The motion carried.

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

November 14, 1984

Mumata Nataraj Kasal, M.D.  
5809 Endo-Trail  
Fort Worth, TX 76112

Dear Doctor Kasal:

In accordance with Chapter 119., Ohio Revised Code, and under the authority of Sections 4731.08, 4731.09, and 4731.22, Ohio Revised Code, the State Medical Board hereby proposes to deny your application to sit for the December 1984 licensure examination or otherwise grant you a certificate to practice medicine or surgery in Ohio for one or more of the following reasons:

- 1) On or about March 13, 1984 you filed an application to sit for the June 1984 licensure examination. As a result of failing said examination you filed a re-examination supplement to the original application to sit for the December 1984 FLEX examination on or about September 10, 1984.
- 2) In response to Question 1(b) of Section 4 of the application you indicated that you had taken the FLEX examination in the following states on the following dates:

<u>State</u>	<u>Date</u>
Connecticut	6/8/79
Texas	12/3/80
Arkansas	12/6/83

Question 1(b) of Section 4 states: List all FLEX exams which you have taken. Indicate whether you took all three days or whether you took only part of the exam.

- 3) You have sat for and failed the FLEX examination in Arkansas on the following dates: December of 1980, June of 1981, December of 1981, June of 1982 and December of 1983.

Your acts, conduct and omissions as alleged in paragraphs 1 through 3 constitute a violation of Section 4731.22(A), Ohio Revised Code, to wit: committing fraud, misrepresentation, or deception in applying for or securing any license or certificate issued by the Board.

November 14, 1984

Further your acts, conduct and omissions as alleged herein constitute a violation of Section 4731.22(B)(14), Ohio Revised Code, to wit: The violation of any provision of a code of ethics of a national professional organization as specified in this division. "National professional organization" means the American Medical association, the American Osteopathic association, the American Podiatry association and such other national professional organizations as are determined, by rule, by the State Medical Board.

Further, your acts, conduct and omissions as listed in paragraphs 1 through 3 establish a failure to furnish satisfactory proof of good moral character as required by Section 4731.08, Ohio Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, please be advised that you may request a hearing on this matter. If you wish to request such hearing, that request must be made 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.

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

Very truly yours,

  
Joseph P. Yut, M.D.  
Secretary

JPY:jmb

Enclosure:

CERTIFIED MAIL #P 569 362 244  
RETURN RECEIPT REQUESTED