

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

June 19, 1987

Eric Kranz, M.D.
1716 Jefferson Blvd.,
Point Pleasant, West Virginia 25550

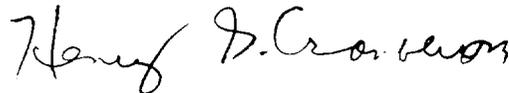
Dear Doctor Kranz:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of Wanita J. Sage, Attorney Hearing Examiner, State Medical Board; a certified copy of the Motions by the State Medical Board, meeting in regular session on June 18, 1987, approving and confirming said Report and Recommendation as the Findings and Order of the State Medical Board.

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.

THE STATE MEDICAL BOARD OF OHIO



Henry G. Cramblett, M.D.
Secretary

HGC:em
Enclosures

CERTIFIED MAIL NO. P 026 072 752
RETURN RECEIPT REQUESTED

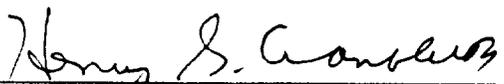
STATE MEDICAL BOARD OF OHIO

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 Wanita J. Sage, Attorney Hearing Examiner, State Medical Board of Ohio, and the attached copy of the Motion by the State Medical Board, meeting in regular session on June 18, 1987, 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 Eric Kranz, M.D., as it appears in the Journal of the State Medical Board of Ohio.

This certification is made by authority of the State Medical Board and in its behalf.

(SEAL)



Henry G. Cramblett, M.D.
Secretary

6/19/87

Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF *
 *
ERIC KRANZ, M.D. *

ENTRY OF ORDER

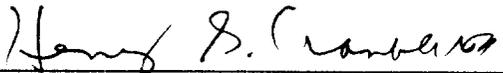
This matter came on for consideration before the State Medical Board of Ohio the 18th day of June, 1987.

Upon the Report and Recommendation of Wanita J. Sage, Attorney Hearing Examiner, Medical Board, 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 18th day of June, 1987.

It is hereby ORDERED:

1. That the application of Eric Kranz, M.D., for licensure to practice medicine and surgery in the State of Ohio shall be and is hereby DENIED.
2. Further, Dr. Eric Kranz shall not at any time in the future be eligible to either apply for or obtain licensure to practice medicine and surgery or its related branches in the State of Ohio.

(SEAL)



Henry G. Cramblett, M.D.
Secretary

6/19/87

Date

STATE OF OHIO
THE STATE MEDICAL BOARD

REPORT AND RECOMMENDATION
IN THE MATTER OF ERIC KRANZ, M.D.

The Matter of Eric Kranz, M.D., came on for hearing before me, Wanita J. Sage, Esq., Hearing Examiner for the State Medical Board of Ohio, on May 11, 1987.

INTRODUCTION AND SUMMARY OF EVIDENCE

I. Mode of Conduct

- A. During the course of this hearing, rules of evidence were relaxed and the State and the Applicant were given great latitude in demonstrating the relevancy and materiality of testimony and exhibits offered, as well as in attempting to discredit testimony and evidence presented by the opposing party.

II. Basis for Hearing

- A. By letter of September 11, 1986 (State's Exhibit #1), the State Medical Board notified Eric Kranz, M.D., that it proposed to deny his application for a certificate to practice medicine or surgery in Ohio for one or more of the following reasons:
 1. In connection with Dr. Kranz' offering for sale, by distribution of a certain form letter signed by him, a compilation of questions and answers from the 1978 FLEX and Medical Council of Canada examinations to persons planning to take the examinations in 1979, Dr. Kranz was alleged to lack the good moral character required under Section 4731.08, Ohio Revised Code, for issuance of a certificate to practice medicine or surgery.

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2. Dr. Kranz was also alleged to lack the good moral character required of applicants under Section 4731.08, Ohio Revised Code, in connection with his answers to Question 1(a), Section 4, and Question 2, Section 5, of his February, 1986, Application for Medical Licensure. His answer to Question 1(a), which indicated that he was a licentiate of the Medical Council of Canada, and his answer to Question 2, which indicated that he had never been denied licensure or application for licensure in any other state for any reason, were alleged to constitute "fraud, misrepresentation, or deception in applying for... any license or certificate issued by the Board," as that clause is used in Section 4731.22(A), Ohio Revised Code.
3. Dr. Kranz was alleged to be ineligible for endorsement of his Vermont medical license to Ohio in that he, as a graduate of a foreign medical school, had neither satisfactorily completed 24 months of approved postgraduate training nor documented that he held a full right to practice all branches of medicine or surgery in a foreign country as required under Sections 4731.29 and 4731.09, Ohio Revised Code.

- B. By letter received by the State Medical Board on September 29, 1986, Dr. Kranz requested a hearing in this matter (State's Exhibit #2).

III. Appearance of Counsel

- A. On behalf of the State of Ohio: Anthony J. Celebrezze, Attorney General, by Christopher M. Culley, Assistant Attorney General.
- B. The Applicant, having been advised of his right to counsel, appeared on his own behalf without counsel.

IV. Testimony Heard

- A. Presented by the State
 1. Eric Kranz, M.D., as on cross-examination
 2. Penny McKenzie, Chief of Licensure, State Medical Board
- B. Presented by the Applicant
 1. Eric Kranz, M.D.

V. Exhibits Examined

In addition to those noted above, the following exhibits were admitted into evidence in this matter:

A. Presented by the State

1. State's Exhibit #1A: Copy of letter signed by Dr. Kranz offering for sale to 1979 exam candidates a compilation of questions and answers from the 1978 FLEX and LMCC examinations. This letter was attached to and made a part of the Board's September 11, 1986, letter of proposed denial (State's Exhibit #1).
2. State's Exhibit #1B: Copy of certified mail receipt for the Board's September 11, 1986, letter of proposed denial.
3. State's Exhibit #3: October 8, 1986, letter to Eric Kranz, M.D., from the State Medical Board advising that the hearing originally scheduled for October 16, 1986, was postponed pursuant to Section 119.09, Ohio Revised Code.
4. State's Exhibit #4: November 17, 1986, letter to Eric Kranz, M.D., from the State Medical Board scheduling a date for hearing of January 26, 1987.
5. State's Exhibit #5: November 24, 1986, letter from Dr. Kranz requesting that the hearing be rescheduled because he planned to be in London, England, during January, 1987.
6. State's Exhibit #6: April 22, 1987, letter to the State Medical Board from Dr. Kranz inquiring as to the status of his application.
7. State's Exhibit #7: April 30, 1987, letter to Dr. Kranz from the State Medical Board advising that the hearing had been rescheduled for May 11, 1987.
8. State's Exhibit #8: Dr. Kranz' February 11, 1986, Application for Medical Licensure.
9. State's Exhibit #9: Copies of the Oklahoma State Medical Board's November 7, 1983, Order and the Oklahoma medical license issued to Dr. Kranz on January 14, 1984. These documents were returned to the State Medical Board of Ohio along with its April 21, 1986, request for information concerning past disciplinary actions.

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10. State's Exhibit #10: August 11, 1986, letter to the State Medical Board from The Medical Council of Canada stating that Dr. Kranz is not a licentiate of the Medical Council of Canada.
11. State's Exhibit #11: May 25, 1983, notice to Eric Kranz, M.D., from the Oklahoma Board of Medical Examiners stating that the Board unanimously passed a motion at its May 20, 1983, meeting to deny his application for Oklahoma licensure.
12. State's Exhibit #12: April 10, 1986, file memo of Penny McKenzie, Acting Chief of Licensure, State Medical Board of Ohio, concerning a telephone conversation with Loretta Frank, Administrative Secretary, Pennsylvania Medical Board, who verified that Dr. Kranz was denied Pennsylvania licensure in 1981 but was granted licensure approximately two years later upon his reapplication.
13. State's Exhibit #13: Excerpt from a 1981 report of the Federation of State Medical Boards showing that Dr. Kranz was denied Pennsylvania licensure on August 19, 1981.

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FINDINGS OF FACT

1. Eric Kranz, M.D., is a United States citizen who received his medical degree from the University of Rome, Italy, in 1977.

These facts are established by State's Exhibit #8.

2. In June, 1978, Dr. Kranz took and passed a full FLEX examination in Saskatchewan, Canada.

This fact is established by State's Exhibit #8.

3. By his own admission, Dr. Kranz has not completed twenty-four months of approved postgraduate training as required of graduates of foreign medical schools under Section 4731.09, Ohio Revised Code, and Rule 4731-3-16, Ohio Administrative Code. Excluding approximately two months of repeats of his rotations at Pasqua Hospital, Saskatchewan, Canada, Dr. Kranz has completed only twenty-one months of approved postgraduate training.

These facts are established by State's Exhibit #8 and by the testimony of Dr. Kranz (Tr. at 38-39).

4. Although Dr. Kranz claims to hold a full right to practice medicine and surgery in Italy, he is unable to produce a licensure certificate or other document which conferred the full right to practice all branches of medicine or surgery in Italy.

These facts are established by State's Exhibit #8 (Question 3, Section 4), and by the testimony of Dr. Kranz (Tr. at 12-14).

5. On the basis of his June 1978 FLEX examination, Dr. Kranz has been licensed to practice medicine and surgery in Vermont, West Virginia, Oklahoma, and Pennsylvania.

These facts are established by State's Exhibits #8, #9, and #12.

6. On his February, 1986, Ohio Application for Medical Licensure, Dr. Kranz answered "Yes" to the question, "Are you are a licentiate of the Medical Council of Canada?" In fact, Dr. Kranz is not a licentiate of the Medical Council of Canada.

These facts are established by State's Exhibits #8 (Question 1(a), Section 4) and #10.

7. On this same application, Dr. Kranz responded "No" to the question, "Have you ever been denied licensure or application for licensure in any other state or territory for any reason?" Although Dr. Kranz has since been granted licenses in these states, he was denied licensure by the State of Pennsylvania on August 19, 1981, and by the State of Oklahoma on May 20, 1983. Dr. Kranz had received notice of these denials prior to submitting his Ohio Application for Medical Licensure.

These facts are established by State's Exhibits #9, #11, #12, and #13, and by the testimony of Dr. Kranz (Tr. at 66-67).

8. By distribution of a form letter signed by Dr. Kranz, a copy of which is identified herein as State's Exhibit #1A, Dr. Kranz offered for sale a compilation of questions and answers from the 1978 FLEX and Medical Council of Canada examinations to persons planning to take these examinations in 1979.

This fact is established by the testimony of Dr. Kranz (Tr. at 17-25).

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CONCLUSIONS

Dr. Kranz was aware that he did not meet the eligibility requirements as set forth in Sections 4731.29 and 4731.09, Ohio Revised Code, for admission to the Ohio FLEX examination or for endorsement of his other state licenses into Ohio. His purposes in requesting a hearing were to clear up the issues with reference to his moral character and to request a finding of equivalency with regard to the twenty-four month approved postgraduate training requirement.

The issues as to Dr. Kranz' moral character arise under Section 4731.08, Ohio Revised Code, which requires each person who desires to practice medicine or surgery in Ohio to furnish satisfactory proof that he is of good moral character. The evidence in this matter substantially supports the Board's allegations that Dr. Kranz has failed to furnish satisfactory proof of his good moral character.

Findings of Fact #6 and #7, above, refer to Dr. Kranz' incorrect answers on his February, 1986, application for Ohio licensure. While it is conceivable that Dr. Kranz sincerely believed that Question 1(a), Section 4, referred to the Council's qualifying exam, rather than to its licentiate status, there can be no valid justification for his answer to Question 2, Section 5, regarding denials of licensure by other states. The question "Have you ever been denied licensure...for any reason?" is unambiguous, and not a matter of semantics or open to interpretation. By his own admission, Dr. Kranz had received notices of denial with regard to both his Oklahoma and his Pennsylvania licenses. Despite the fact that he was later granted licensure in both of these states, the plain language of Question 2, Section 5, requires disclosure of the previous denials.

Accordingly, I find that Dr. Kranz intentionally failed to disclose the Oklahoma and Pennsylvania licensure denials on his February, 1986, application for medical licensure in Ohio, and that this failure constitutes "fraud, misrepresentation, or deception in applying for...any license or certificate issued by the Board," as that clause is used in Section 4731.22(A), Ohio Revised Code. Further, I find that said fraud, misrepresentation, or deception demonstrates that Dr. Kranz lacks the good moral character required under Section 4731.08, Ohio Revised Code, for issuance of a certificate to practice medicine or surgery in Ohio.

Finding of Fact #8, above, refers to Dr. Kranz' participation in the offering for sale a compilation of questions and answers from the 1978 FLEX and Medical Council of Canada examinations to candidates for the 1979 examinations. Dr. Kranz' awareness of examination security is evidenced by the request for confidentiality in his solicitation letter (State's Exhibit #1A), and his actions in compiling and selling current exam questions clearly constitute an attempt to breach this security. Although Dr. Kranz stated that it was not his intention to give underqualified individuals an advantage over qualified individuals, this would appear to be the only logical result of breaching the security of a qualifying

examination. Regardless of his motivations, Dr. Kranz' disregard for examination security demonstrates a lack of good moral character. Further, even though Dr. Kranz' involvement in this distribution scheme occurred approximately nine years ago, his current attempts to justify his actions and to assign them humanitarian merit reflect poorly upon his present moral character. His claim that this selling of exam questions constituted the imparting of information to other medical men as required by the Hippocratic oath is astounding.

Accordingly, I find that Dr. Kranz' acts, conduct, or omissions as set forth in Finding of Fact #8, above, demonstrate a lack of the good moral character required under Section 4731.08, Ohio Revised Code, for a certificate to practice medicine or surgery to be issued to him. These actions are not significantly mitigated by any evidence of maturation or good conduct on the part of Dr. Kranz during the intervening time period.

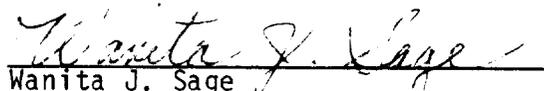
Although the equivalency issue is moot in view of the fact that Dr. Kranz is found to be ineligible for Ohio licensure by virtue of the threshold morality requirement, it should be noted that the evidence presented at hearing was insufficient to support a finding that Dr. Kranz has achieved the equivalent of the 24 month approved post-graduate supervised training requirement pursuant to Section 4731.09, Ohio Revised Code.

PROPOSED ORDER

It is hereby ORDERED that:

1. The application of Eric Kranz, M.D., for licensure to practice medicine and surgery in the State of Ohio shall be and is hereby denied.
2. Further, Dr. Eric Kranz shall not at any time in the future be eligible to either apply for or obtain licensure to practice medicine and surgery or its related branches in the State of Ohio.

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Wanita J. Sage
Attorney Hearing Examiner

EXCERPT FROM THE MINUTES OF JUNE 18, 1987

REPORTS AND RECOMMENDATIONS

Dr. Stephens 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 matters of Kenneth M. Chisholm, Patricia L. Kordis, Eric Kranz, M.D., and Chau Minh Phan. A roll call was taken:

ROLL CALL VOTE:	Dr. Lancione	- aye
	Dr. Barnes	- aye
	Dr. Lovshin	- aye
	Dr. O'Day	- aye
	Ms. Rolfes	- aye
	Dr. Stephens	- aye

REPORT AND RECOMMENDATION IN THE MATTER OF ERIC KRANZ, M.D.

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MS. ROLFES MOVED TO APPROVE MS. SAGE'S FINDINGS OF FACT AND CONCLUSIONS IN THE MATTER OF ERIC KRANZ, M.D. DR. BARNES SECONDED THE MOTION. A roll call vote was taken:

ROLL CALL VOTE:	Dr. Lancione	- aye
	Dr. Barnes	- aye
	Dr. Lovshin	- aye
	Dr. O'Day	- aye
	Ms. Rolfes	- aye
	Dr. Stephens	- aye

The motion carried.

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DR. O'DAY MOVED TO APPROVE MS. SAGE'S PROPOSED ORDER IN THE MATTER OF ERIC KRANZ, M.D. DR. BARNES SECONDED THE MOTION. A roll call vote was taken:

ROLL CALL VOTE:	Dr. Lancione	- aye
	Dr. Barnes	- aye
	Dr. Lovshin	- aye
	Dr. O'Day	- aye
	Ms. Rolfes	- aye
	Dr. Stephens	- aye

The motion carried.

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

September 11, 1986

Eric Kranz, M.D.
1716 Jefferson Blvd.
Point Pleasant, WV 25550

Dear Doctor Kranz:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio proposes to deny your application for a certificate to practice medicine or surgery for one or more of the following reasons:

1. You did offer for sale a compilation of questions and answers from the 1978 FLEX and Medical Council of Canada examinations to persons planning to take the examinations in 1979, by distribution of a form letter signed by you which is attached hereto and fully incorporated herein.

Such acts, conduct or omissions as alleged in Paragraph 1, above, demonstrate that you lack the good moral character required under Section 4731.08 of the Revised Code for a certificate to practice medicine or surgery to be issued.

2. In Section 4, Question 1(a) of your application, you stated that you are a licentiate of the Medical Council of Canada, having achieved that status in 1978. In fact, you are not now, nor have you even been a licentiate of the Medical Council of Canada.
3. In Section 5 of your application, in response to Question 2, "Have you ever been denied licensure or application for licensure in any other state or territory for any reason?" you stated "No." In fact, you were denied licensure in Oklahoma in 1983 and in Pennsylvania in 1981.

The acts or omissions, individually or collectively, as alleged in Paragraphs 2 and 3, above, constitute "fraud, misrepresentation, or deception in applying for ... any license or certificate issued by the board," as that clause is used in Section 4731.22(A) of the Revised Code.

September 11, 1986

Further, such acts or omissions as alleged in Paragraphs 2 and 3, above, demonstrate that you lack the good moral character required under Section 4731.08 of the Revised Code for a certificate to practice medicine or surgery to be issued.

4. As a graduate of a foreign medical school, you are required to have satisfactorily completed at least twenty-four months of approved post-graduate training or to hold a full right to practice all branches of medicine or surgery in a foreign country to be eligible to endorse a license of another state into Ohio, pursuant to Sections 4731.29 and 4731.09 of the Revised Code. You have not satisfactorily completed twenty-four months of approved post-graduate training and you have been unable to document that you hold a full right to practice all branches of medicine or surgery in a foreign country.

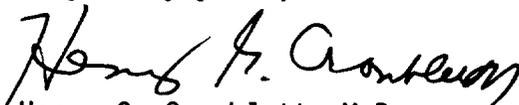
The facts as alleged in Paragraph 4, above, demonstrate that you are ineligible to endorse your Vermont license into Ohio.

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 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.

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, take final action on the proposed denial. Copies of the applicable sections are enclosed for your information.

Very truly yours,


Henry G. Cramblett, M.D.
Secretary

HGC:jmb

Enclosures:

CERTIFIED MAIL #P 569 364 046
RETURN RECEIPT REQUESTED

Those writing the 1979 FLEX or LMCC might be interested in a compilation of questions and answers from the 1978 exams. This is not a "practice exam" but the actual restatement of over questions taken directly from last year's exams. The answers and choices are given in most instances. "The Paper" is meant to give an accurate indication of just what the 1979 exams will entail. Because this paper has been compiled privately, in all senses, not in affiliation with any organization or review course, it is hoped that The Board of Examiners will not realize that such a large number of their choice "pool" questions are in the general circulation and that many therefore will be repeated verbatim on the 1979 exams. Aside from having actual old exam questions, I feel this is the best way to get an accurate preview of the upcoming LMCC and FLEX.

"The Paper" consists of many of the questions from the first part of the LMCC and FLEX, the entire clinical competence section (without the actual photos for obvious reasons) and the entire rub-out section (i.e. the case presentations and diagnoses).

"The Paper" is presently circulating among numerous medical students and physicians who have used it for the Dec. FLEX (claiming great accuracy and repetition), ^{or} who are intending to use it for the up coming LMCC. To insure these people obtain the maximum benefit from their purchase, I would ask that you keep this communication confidential whether you intend to get copies or not. It is presumed that if the Board of Examiners get copies of "The Paper", they will revamp their exams accordingly, striking most of the recorded questions from subsequent exams. So for the benefit of those using the paper please use discretion.

Because of the small numbers printed, the 40 page "paper" is fairly expensive (\$8-10 /copy). However, compared to the cost of writing the LMCC or FLEX this is fairly reasonable. It is hoped that if enough copies are ordered the price can fall into the \$5 range.

If you or your colleagues are interested in obtaining copies of "the Paper" please contact me as soon as possible - giving an estimate of how many copies you might require.

Sincerely,



Eric Kranz

Dr. E. Kranz
Pasqua Hospital
4014 Dewdney Ave.
Regina, Sask.