



Annual Report

July 2006 through June 2007



State Medical Board of Ohio

Protecting the public through effective medical regulation

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Message from Executive Director

I am pleased to submit this Annual Report for Fiscal Year 2007. The report outlines progress in furthering our mission to protect and enhance the health and safety of the public through effective medical regulation.

In FY07, we continued to pursue this mission and our agency goals by building upon the foundation of our Strategic Plan for 2011. We targeted seven items including:

- building a high performance workplace;
- using technology to improve operations;
- reducing the time from receipt of complaint to completion of case;
- bolstering efforts to monitor at-risk licensees;
- streamlining the administrative hearing process;
- identifying opportunities to collaborate and communicate with stakeholders;
- completing the relocation of our offices.

I can report that good progress was made toward our strategic plan during FY07. Some of the significant accomplishments in that regard are set forth below and are more fully addressed in the body of this report:

- launch of a redesigned website;
- implementation of on-line renewal for all licensees;
- implementation of on-line initial licensure applications for MD/DO group;
- creation of the Standards Review & Intervention Unit;
- establishment of basic metrics to measure productivity.

In the midst of these accomplishments, we worked to implement the state's new Ohio Administrative Knowledge System (OAKS) created to integrate all state business functions into one computer system. We also obtained approval of the Board's budget for FY08-FY09 and moved our offices to the Rhodes State Office Tower with minimal disruption to day-to-day activities.

In FY07, we maintained good standing as measured against other state medical boards in terms of the number of serious disciplinary actions taken annually as reported by Public Citizen's Health Research Group. We again ranked #1 among boards with over 15,000 in-state licensees. Only New York and California surpassed us in total number of actions taken. And, we ranked 7th in Public Citizen's national ranking of serious disciplinary actions taken per 1,000 physicians.

We have worked closely with the Strickland Administration and are encouraged by their support of our plan to improve the cost, quality, and availability of healthcare through a rethinking of the regulatory structure of state government as it relates to the practice of medicine. We believe our goals are consistent with the governor's own plan to improve the regulatory climate in Ohio.

In short, we are making good progress toward a Quality of Healthcare agenda as expressed in our strategic plan. But, we realize there is much more to be done. We will continue to build on this plan in FY08. This vision involves:

- initiating discussion regarding competency-based licensure;
- exploring the concept of providing physician portfolios on our public website;
- enhancing efforts toward the remediation and rehabilitation of licensees;
- improving the timeliness of our work product.

Additionally, in FY08 we will launch an education initiative we call "Partners in Professionalism." The initiative is a collaborative effort with the Ohio University College of Osteopathic Medicine. It will specifically address issues of ethics and professionalism with medical students early in the course of their medical education to instill values we have identified as key to avoiding adverse patient outcomes that can lead to potential disciplinary action. If successful, it may serve as a model for programs with other medical schools.

In conclusion, I must note the passing of our friend and colleague, Lori Swank Gilbert. She passed away in March and is greatly missed. An outstanding attorney, she devoted her professional career to public service through the State Medical Board of Ohio. She rose through the ranks to become Assistant Executive Director of Investigations, Compliance, and Enforcement. She will be remembered for her intelligence, good humor, and commitment to furthering the mission of this board. Her efforts were an integral part of the success set forth in this report.

Richard A. Whitehouse, Esq.
Executive Director

Agency Mission & Goals

Under the authority of the Medical Practices Act and related law, the Medical Board licenses and oversees the practice of medicine and its branches within the state. The Board has jurisdiction over allopathic physicians (M.D.s), osteopathic physicians (D.O.s), podiatric physicians (D.P.M.s), physician assistants (P.A.s), anesthesiologist assistants (A.A.s), and acupuncturists (R.A.C.s), as well as for practitioners of the limited branches of medicine such as massage therapists (L.M.T.s) and cosmetic therapists (C.T.s). Additionally, the Medical Board continues to regulate mechanotherapists (D.M.s) and naprapaths licensed before March 1992.

The Medical Board's regulatory responsibilities include investigating complaints against applicants and licensees, and taking disciplinary action against those who violate the public health and safety standards set by the General Assembly and the Medical Board.

AGENCY MISSION

To protect and enhance the health and safety of the public through effective medical regulation.

AGENCY GOALS

- Ensure that persons practicing medicine meet sufficient standards of education, training, competence and ethics
- Define and advocate for standards of safe medical practice
- Rehabilitate, when possible, persons who are impaired or who practice medicine unethically or below minimal standards of care, and prohibit persons who have not been rehabilitated from practicing medicine
- Prohibit persons from practicing medicine whose violations are so egregious as to forfeit the privilege or who otherwise lack the legal authority
- Provide information about the licensees of the Medical Board, the Board's functions and operations, and the laws governing the practice of medicine
- Achieve and maintain the highest possible levels of organizational efficacy

Strategic Plan for 2011— Quality of Healthcare Regulation

The Strategic Plan for 2011, adopted by the Medical Board at its December 15, 2005 meeting, outlines three key strategies to further the agency’s mission of public protection through effective medical regulation. Those strategies include:

STRATEGY ONE

Culture – Create an Ethics Driven/High Performance Workplace

We must reshape our workforce and address underinvestment in our organizational capacity — specifically, staffing, training, and technology. We will exhibit greater professionalism and adopt a “customer service” approach to dealing with stakeholders and each other. Finally, we must periodically reevaluate systems and processes to challenge longtime assumptions that permit “satisfactory underperformance” focusing specifically on the interval between receipt and disposition of complaints. To do so, we will develop metrics, performance measures, and goals that promote accountability, increase efficiency, and establish our board as a model for others.

STRATEGY TWO

Competency – Develop a Holistic Approach to “Effective Medical Regulation” that Helps Maintain the Competency of Licensees & Prevents Adverse Outcomes

We will be pro-active in dealing with at-risk licensees in order to protect the public and preserve our stakeholder’s interests in maintaining or restoring a licensee’s ability to practice. Such efforts include revamping current quality intervention efforts, developing tools to deal more effectively with minimal standards cases, and analyzing the need for specific areas of remediation. We will ensure that consent agreements between the Board and licensees are clear, consistent, and creative; and that efforts to rehabilitate or remediate are effective as evidenced by performance measures. We will provide stakeholders with information that clearly reflects Board expectations regarding policies and rules involving professional conduct, minimal standards, best practices, and scope of practice.

STRATEGY THREE

Collaboration – Engage in Partnerships with Stakeholders and Others in Order to Leverage Available Resources and Improve Healthcare in Ohio

We can protect the public by “building a better licensee” through public and private sector partnerships with the legislature, professional schools, associations, media, state agencies, and other stakeholders. Our efforts will be designed to instill a unique sense of ethics and professionalism in licensees that puts them on notice regarding the Board’s expectations as a regulatory body. We can also develop, analyze, and share data documenting trends impacting the cost, quality, or availability of healthcare in Ohio with stakeholders through a communications plan designed to promote the Board’s mission of protecting the public.

Leadership

The Medical Board is comprised of twelve members: nine physicians and three non-physician public members. All of the Board members are appointed by the Governor and serve five-year terms. Appointees' terms are staggered to provide continuity. Board members may be reappointed. Two members serve as the Board's Secretary and Supervising Member who oversee the Board's investigatory process. The Secretary is a physician member and the Supervising Member may be any other member of the Board. A consumer member of the Board has served as Supervising Member since July 1993.

During FY07, the Medical Board met 11 times in the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio. Meeting agendas and minutes are available on the Board's website: www.med.ohio.gov. The February 2007 meeting was cancelled due to weather conditions throughout the state.

2006 BOARD MEMBERS:

Andrew F. Robbins, Jr., MD, President
Deepak Kumar, MD, Vice President
Lance A. Talmage, MD, Secretary
Raymond J. Albert, Supervising Member
R. Gregory Browning, PhD
David S. Buchan, DPM
Patricia J. Davidson, MD
Carol L. Egner, MD
Dalsukh A. Madia, MD (as of 5/06)
Kamela Saxena, MD (term expired 3/06)
Anquetette Sloan
Anita M. Steinbergh, DO
Nandlal Varyani, MD

2007 BOARD MEMBERS:

Deepak Kumar, MD, President
Nandlal Varyani, MD, Vice President
Lance A. Talmage, MD, Secretary
Raymond J. Albert, Supervising Member
Jack Amato, MD (as of 4/07)
R. Gregory Browning, PhD
David S. Buchan, DPM
Patricia J. Davidson, MD (term expired 3/07)
Carol L. Egner, MD
Dalsukh A. Madia, MD
Andrew F. Robbins, Jr., MD
Anquetette Sloan
Anita M. Steinbergh, DO

APPOINTMENT TO BOARD

Governor Strickland appointed Jack Amato, MD, a gynecologist from Irondale, to the Board in April 2007. He replaced Dr. Patricia J. Davidson whose term ended. Dr. Amato's appointment continues until March 18, 2012.

BOARD MEMBERS HONORED

In May 2007, Lance Talmage, MD, was elected to serve on the Editorial Board of the Federation of State Medical Boards. In this capacity, he will advise the Editor on editorial policy related to the *Journal of Medical Licensure and Discipline* published by the Federation.

Anita M. Steinbergh, DO, was presented the "Family Physician of the Year" Award by the American College of Osteopathic Family Physicians, Ohio Chapter, on June 23, 2007.

Board Committees

The Medical Board addresses a vast array of policy issues through its standing committees. Committees formulate recommendations that are forwarded to the full Board for action.

The committee structure includes two committee groups composed of six board members each. The Executive Director and members of the Executive staff conduct research and provide support to the committees. Committee meetings are held prior to the monthly Board meetings. Agendas for committee meetings are posted on the Medical Board's website. Committee actions are included in the Board meeting minutes which may also be viewed on the website. The Standing Committees and their responsibilities include:

Executive Committee: The committee is composed of the President, Vice President, Secretary, Supervising Member and the Immediate Past President. The committee addresses agency budget preparation; long range planning; agency operations and personnel issues.

COMMITTEE GROUP 1 – 2006 and 2007

The following Board members served on the committees listed below as Committee Group 1:

| | |
|---|---|
| Raymond J. Albert | Carol L. Egner, MD |
| Jack Amato, MD as of April 2007 | Dalsukh A. Madia, MD as of January 2007 |
| R. Gregory Browning, PhD | Andrew F. Robbins, Jr., MD |
| Patricia J. Davidson, MD until March 2007 | Nandlal Varyani, MD until January 2007 |

Education, Public Relations & Risk Management Committee - focuses on oversight of newsletter and Board publications; Board member orientation; oversight of content of agency website; and coordination of educational initiatives.

Impairment Committee - reviews applications for approved treatment providers; reviews applicable statutes and rules; and interacts with the professional treatment community.

Legislative Liaison and Rules Committee - reviews state and federal legislation, administrative law and court decisions affecting the Board's operation and mission; reviews agency rules and recommends revisions as applicable.

Licensure Committee - reviews licensure application issues; related statutes and rules; licensure processing components and timeframes.

Prescribing & Pain Management Committee - reviews issues related to physician prescribing and dispensing practices; pain management; related statutes and rules; related physician and patient education.

Quality Assurance Committee - reviews the outcome of the Board's complaint management processes.

Board Committees

COMMITTEE GROUP 2 — 2006 and 2007

The following Board members served on the committees listed below as Committee Group 2:

| | |
|---|-------------------------|
| David S. Buchan, DPM | Anquetette Sloan |
| Deepak Kumar, MD | Anita M. Steinbergh, DO |
| Dalsukh A. Madia, MD until January 2007 | Lance A. Talmage, MD |
| Nandlal Varyani, MD as of January 2007 | |

Consent Agreement Committee - focuses on content of consent agreements and the development of standardized terms in consent agreements.

Disciplinary Policy & Guidelines Committee - focuses on review and revision of a comprehensive disciplinary policy and review and update of the disciplinary guidelines.

Limited Branch and Alternative Medicine Committee - oversees limited branches of medicine; approves limited branch schools; serves as liaison between the Board and the Massage Therapy Advisory Committee and the Cosmetic Therapy Advisory Committee; reviews alternative medicine issues.

Minimal Standards Committee - reviews practices by licensees that may present competency issues or which may fail to meet minimal standards of care; recommends methods of intervention to protect the public from practices below minimal standards.

Physician Assistant Committee - reviews PA licensure, training and supervision issues; reviews recommendations submitted by the Physician Assistant Policy Committee.

Scope of Practice Committee - reviews medical related practices of individuals who are not licensed by the Medical Board that may present issues concerning the unlicensed practice of medicine or the inappropriate delegation of medical tasks.

PHYSICIAN ASSISTANT POLICY COMMITTEE (PAPC)

The Physician Assistant Policy Committee (PAPC) is the only statutorily required committee of the Medical Board. In compliance with Section 4730.05, Ohio Revised Code, the PAPC meets at least four times per year to review education and licensure requirements for physician assistants; review existing and proposed rules pertaining to the practice of physician assistants; the supervisory relationship between physician assistants and supervising physicians; application forms and procedures; and physician-delegated prescriptive authority for physician assistants in accordance with Section 4370.38, Ohio Revised Code. Recommendations made by the PAPC are forwarded to the Board's Physician Assistant Committee for further review and recommendation to the full Board.

The Medical Board's website – www.med.ohio.gov – includes a link that enables users to quickly locate information about physician assistant licensure and the activities of the Physician Assistant Policy Committee.

Committees & Advisory Committees

PHYSICIAN ASSISTANT POLICY COMMITTEE *continued*

During FY07, the Physician Assistant Policy Committee focused on revising application forms and drafting rules to implement the provisions of Substitute Senate Bill 154, effective May 17, 2006. This legislation increased educational requirements for PA licensure, addressed scope of practice issues and required the Medical Board to adopt rules defining prescriptive authority for PAs. The rules and formulary will be finalized in FY08.

Those listed below served on the Physician Assistant Policy Committee during FY07 :

| | |
|----------------------------|-----------------------|
| Robert Zaayer, PA-C, Chair | Kevin Mitchell, RPh |
| Michael Bowen, PA-C | Debra Parker, Pharm.D |
| David Ballinger | Anquetette Sloan |
| Eugene Imbogno, MD | Lance A. Talmage, MD |
| John M. Jonesco, DO | |

LIMITED BRANCH ADVISORY COMMITTEES

In 2003, The Medical Board formed the **Massage Therapy Advisory Committee (MTAC)** and the **Cosmetic Therapy Advisory Committee (CTAC)** to identify and address issues specific to these professions. These advisory committees meet on an as-needed basis and concentrate on matters related to continuing education, curriculum and licensure examination and forward their recommendations to the Board's Limited Branch Committee. The advisory committees are composed of licensed practitioners who help give their professions a more active role in regulatory matters. The public and the profession benefit from the knowledge and viewpoints offered to the Board through the advice of these committees.

MASSAGE THERAPY ADVISORY COMMITTEE

The Massage Therapy Advisory Committee (MTAC) met twice during FY07. The Committee discussed education, testing, and registration requirements for LMT's, as well as issues related to the scope of practice of massage therapy. The following professionals served on the Massage Therapy Advisory Committee in FY07:

| | |
|----------------------------|----------------------------------|
| Dennis J. Gibbons, LMT | Mark W. Melecki, LMT, PT, CFT |
| Richard A. Greely, BA, LMT | Jeanne deMontagnac-Hall, BS, LMT |
| Richard M. Phillips, LMT | |

COSMETIC THERAPY ADVISORY COMMITTEE

The Cosmetic Therapy Advisory Committee (CTAC) met two times during FY 07 to discuss licensure and practice issues related to cosmetic therapy. The following professionals served on the Cosmetic Therapy Advisory Committee in FY07:

| | |
|----------------------------|---------------------------|
| Mary Pat Gallagher, RN, CT | Mary Solanics, CT |
| Freda James-Forkapa, CT | Jeanne T. Sweeney, BS, CT |
| Vickie L. Mickey, CT | |

Board Operations

The Executive Director oversees day-to-day operations. The agency supports 87 full time staff. Medical Board operations are funded exclusively through licensing-related fees that are non-general revenue fund sources.

In April 2006, the Controlling Board approved the Medical Board’s request for increased spending authority to support the addition of five new enforcement related positions in FY07. Past underinvestment in human resources coupled with an increase in caseload triggered this request as the Board realized that the agency could no longer continue to fulfill its mission and carry out the strategic plan without additional staffing. The new positions bolster the Investigations, Compliance, & Enforcement section to improve efficiency and streamline operations. These positions enhance the agency’s capacity to address complex cases more expeditiously.

MEDICAL BOARD ORGANIZATIONAL DIVISIONS

| <u>Division:</u> | <u>Number of Employees</u> |
|---|----------------------------|
| Executive Director | 1 |
| Director’s Office | 2 |
| Executive Staff Division | 4 |
| Fiscal/Human Resources/Information Technology Division | 8 |
| Administrative Hearing Unit | 4 |
| Licensure & Public Services: | |
| Assistant Director, Licensure & Public Services | 1 |
| Licensure, Continuing Medical Education & Renewal | 12 |
| Public Services | 9 |
| Investigation, Enforcement & Compliance: | |
| Assistant Director, Investigation, Enforcement & Compliance | 1 |
| Investigation, Enforcement & Compliance support | 4 |
| Enforcement Unit | 11 |
| Compliance Unit | 3 |
| Standards Review & Quality Intervention Unit | 6 |
| Investigation Unit | 21 |

FISCAL REPORT

The State Medical Board of Ohio has established a history of fiscal responsibility and is consistently recognized for its high level of performance. Board operations are funded exclusively through licensing fees that are separate from the state’s general revenue sources. Agency revenues totaled \$6,962,904 in FY07.

The agency spent \$7,620,131 of the \$7,728,145 funds appropriated to the Board for FY07. Payroll expenses account for 81% of the agency allotments. Operational expenses for office rent, computer services, medical expert contracts, equipment and other support services account for the remaining 19% of the agency budget.

A new paperless payroll system was implemented by the State of Ohio on December 18, 2006 as the first phase of the Ohio Administrative Knowledge System (OAKS). This system replaced many computer systems that had been used by the state for 30 or more years.

Licensure Activities

The licensure responsibilities of the Medical Board ensure that those practicing medicine and its limited branches meet sufficient standards of education, training, competency and ethics. The training, education and other requirements for licensure established through Ohio law are available for quick reference on the Medical Board's website.

The following chart illustrates the number and types of licensees regulated by the Medical Board:

| License Type | Total active licensees 12-30-06 | Total active licensees 6-30-07 |
|-------------------------------------|------------------------------------|-----------------------------------|
| Cosmetic Therapist - CT | 203 | 202 |
| Massage Therapist - MT | 9,451 | 9,930 |
| Doctor Of Osteopathy - DO | 4,567 | 4,630 |
| Medical Doctor - MD | 34,832 | 35,226 |
| Doctor Of Podiatric Medicine - DPM | 959 | 954 |
| Mechanotherapist - DM | 34 | 34 |
| Naprapath - NAP | 1 | 1 |
| Physician Assistant - PA | 1,709 | 1,766 |
| Restricted Cosmetic Therapist - RCT | 36 | 34 |
| MD Training Certificate | 4,120 | 3,993 |
| DO Training Certificate | 787 | 715 |
| DPM Training Certificate | 73 | 65 |
| Acupuncturist - A | 113 | 121 |
| Anesthesiologist Assistant - AA | 117 | 117 |
| GRAND TOTAL: | 57,072 | 57,788 |

The following table illustrates the number and types of initial medical and limited branch licenses and Physician Assistant certificates to practice issued by the Medical Board:

| Type of License | Number of new licenses issued in calendar year 2006 | Number of new licenses issued Jan.—June 2007 |
|----------------------------|--|---|
| MD | 1,812 | 951 |
| DO | 227 | 143 |
| DPM | 21 | 13 |
| Physician Assistants | 174 | 51 |
| Anesthesiologist Assistant | 18 | 0 |
| Massage Therapy | 779 | 479 |
| Cosmetic Therapy | 2 | 0 |
| Acupuncturist | 19 | 8 |
| TOTAL | 3,052 | 1,645 |

Licensure Activities

TRAINING CERTIFICATES & OTHER SPECIAL LICENSES

Training Certificates: Section 4731.291, Ohio Revised Code, requires those participating in a medical residency or fellowship training program to obtain a training certificate or a full license. In 2006, 1,986 training certificates were issued to physicians in residency or fellowship training in this state, and 374 training certificates were issued between January 1 and June 30, 2007.

Telemedicine Certificates: The “practice of telemedicine” means the practice of medicine in this state through the use of any communication, including oral, written, or electronic communication, by a physician located outside of this state.” In accordance with Section 4731.296, Ohio Revised Code, the Board issues telemedicine certificates to those practitioners who wish to practice telemedicine in Ohio. The number of telemedicine certificates has significantly increased — from 29 in 2005 to 104 in 2006. Between January 1 and June 30, 2007, the Board issued 59 telemedicine certificates.

Special Activity Certificates: Per Section 4731.294, Ohio Revised Code, the Board may issue special activity certificates to those practitioners licensed in another state who will be practicing in this state in conjunction with a special activity, program or event taking place in Ohio. Special activity certificates are valid for 30 days or the duration of the event, whichever is shorter. The Medical Board issued 104 special activity certificates in 2006, and 59 special activity certificates were issued through June 30, 2007.

Visiting Faculty Certificates: The Medical Board may issue visiting faculty certificates to those with a medical license in another state who have accepted an academic appointment at a training institution in Ohio. The faculty certificate is valid for one year or the duration of the appointment, whichever is shorter. Three visiting faculty certificates were issued in 2006, and two visiting faculty certificates were issued through June 30, 2007.

OHIO PARTICIPATES IN NATIONAL PILOT PROJECT PROMOTING ON-LINE LICENSURE APPLICATIONS FOR PHYSICIANS

On December 14, 2006, the State Medical Board of Ohio became the first medical regulatory Board in the country to implement the new on-line application process for medical and osteopathic physicians called the “Common License Application Form” or “CLAF.” The CLAF benefits physicians by reducing redundancy in filling out multiple applications when applying for licensure in multiple states, thus increasing portability. This new and exciting program is a major innovation in the medical licensing system.

Since 1996, Ohio has required MD and DO applicants to apply to the Federation Credentials Verification Service (FCVS), a program sponsored by the Federation of State Medical Boards, for prime source verification of their core credentials as part of the application process for Ohio licensure. This requirement resulted in the applicant having to provide some of the same information to both the FCVS and the Ohio Board on separate applications. Through the use of CLAF, the information previously provided to the FCVS will automatically be incorporated into the Common License Application Forms used by the Ohio Board, making completion of the Ohio Application faster and easier.

Licensure Activities

ON-LINE PILOT PROJECT (continued)

As other state medical boards join the on-line application system, physicians will be able to apply to multiple states by filling the application out once on the CLAF, then directing it to additional states. Each time, the information previously provided through the CLAF will be incorporated into the Common License Application Forms used by each state, leaving only the state-specific portion of the application to be completed. Kentucky joined the CLAF in June 2007, to be followed by New Hampshire.

The Common License Application Form was developed by a workgroup of state medical board representatives, with support from the Federation of State Medical Boards. The development and implementation of the CLAF is the first phase of the Trusted Agent pilot program, which is exploring the feasibility of building a web-based system that will allow physicians to fill out and submit state licensing applications on-line, as well as obtain confidential credentialing data from primary sources in a secure environment. The Trusted Agent program is a joint effort between the Federation of State Medical Boards and the National Board of Medical Examiners.

LICENSURE EXAMINATIONS

Licensure examinations for allopathic physicians (M.D.s), osteopathic physicians (D.O.s), and podiatric physicians (D.P.M.s) are administered by national examining boards and are offered throughout the year in a computerized format. In June and December of each year, the Medical Board administers examinations to candidates for licensure in Massage Therapy and Cosmetic Therapy. The Board administered 1,930 Massage Therapy examinations, six written and three practical Cosmetic Therapy examinations in FY07.

LIMITED BRANCH SCHOOLS APPROVED IN FY07

In FY07, the Medical Board granted Certificates of Good Standing to 20 schools to offer courses in massage therapy, thus allowing their students to sit for the Ohio massage therapy licensing examination in accordance with the requirements of Section 4731.19, Ohio Revised Code. The schools approved by the Board in FY07 include:

| School | Location | School | Location |
|--|----------------------|--|-------------------|
| Academy of Massage Therapy | Hackensack, NJ | Miami-Jacobs Career College | Dayton, OH |
| Academy of Natural Healing | San Clemente, CA | New York Institute of Massage | Williamsville, NY |
| American Certified Massage School | Crown Point, NJ | Oakes School of Massage Therapy | Massillon, OH |
| Ann Arbor Institute of Massage Therapy | Ann Arbor, MI | Phoenix College | Phoenix, AZ |
| Career Training Academy | Pittsburgh, PA | Pittsburgh School of Massage Therapy | Pittsburgh, PA |
| Collins Career Center | Chesapeake, OH | Raphael's School of Beauty Culture | Niles, OH |
| Colorado Institute of Massage Therapy | Colorado Springs, CO | Southwestern College | Cincinnati, OH |
| Cortiva Institute – Muscular Therapy Institute | Watertown, MA | Southwestern College | Dayton, OH |
| Great Lakes Institute of Technology | Erie, PA | Universal College of Healing Arts | Omaha, NE |
| Keiser College | Port St. Lucie, FL | Western Institute of Neuromuscular Therapy | Laguna Hills, CA |

FY 07 Legislative Update

A summary of legislation passed in FY07 that impacted the Medical Board is listed below:

House Bill 235: Coroner's Law – Revisions *Effective 8/17/06* The legislation requires the State Medical Board to adopt administrative rules allowing a coroner's investigator who is not a physician to recite facts permitting a physician to pronounce a person dead without a personal examination (ORC 4731.053).

House Bill 694: Public Contracts – Limit Intra-Family Political Contributions

Effective 4/4/07 The legislation requires agencies to use model contracts, developed by the Attorney General, in any contract the agency enters into, and permits the agency to modify, alter, or add to the model contracts as the agency considers appropriate (ORC 109.96). The act also prohibits the agency from awarding a contract to an individual or organization that has made one or more contributions in violation of the applicable contribution limit. If an individual or organization has been awarded a contract by a board, the individual or organization will be subject to the contribution limit from the award of the contract until one year following the conclusion of that contract (ORC 3517.13(K) and (M)(1)).

Senate Bill 33: Chiropractors – Practice Acupuncture *Effective Date 8/22/07* This act includes many changes to the Acupuncture statutes in Section 4762, Ohio Revised Code, which are regulated by the Medical Board. Key changes include:

- The act allows an acupuncturist to treat a patient who has received a written referral or prescription for acupuncture from either a physician or a chiropractor. It also permits an acupuncturist to practice under the supervision of a chiropractor or a physician (ORC 4762.10). Under the act, an acupuncturist is subject to specific conditions when practicing under the supervision of a chiropractor:
- The law permits an acupuncturist to consult with any physician, rather than just a supervising physician. The physician consultation requirement also applies to patients being treated under a chiropractor's referral or prescription (ORC 4762.10(E)).
- In the case of chiropractors who supervise acupuncturists, the act extends the same duties that apply to physicians who supervise acupuncturists.
- To conform to the act's establishment of certificates to practice acupuncture by chiropractors, the act makes changes in other statutes governing acupuncturists who are regulated by the State Medical Board. These changes include the addition of a provision specifying that acupuncturists are regulated in the performance of acupuncture procedures on the *human* body (ORC 4762.01, 4762.02, and 4762.09).

Contract for Hearing Examiner: SB 33 contains a provision allowing the State Medical Board, subject to Controlling Board approval, to enter into a personal service contract with one or more attorneys admitted to the practice of law in Ohio to serve on a temporary basis as hearing examiners (ORC 4731.23).

Legislative Update

House Bill 119: Operating Budget – Fiscal Year 2008-2009 *Appropriations portion effective 6/30/07; all other provisions effective 9/29/07* This legislation included many provisions impacting Medical Board operations, including:

- **Spending authority for FY08 and FY09:** The State Medical Board was granted spending authority for agency operations in the amounts of \$7,883,146 for FY 2008 and \$8,225,945 for FY 2009.
- **Spoken English Proficiency Examination:** The Board was authorized to adopt rules specifying an acceptable examination and establishing the minimum score on the examination that demonstrates proficiency in spoken English for foreign medical graduates wishing to receive a certificate to practice medicine and surgery or osteopathic medicine and surgery in Ohio (ORC 4731.143).
- **Change in Summary Suspension Processing Timeframe:** The bill increased the time in which the State Medical Board must issue a final adjudicative order regarding a summary suspension from 60 to 75 days after the completion of its hearing (ORC 4731.22).
- **Changes in the Administrative Procedures Act related to delivery and receipt of notices sent to licensees/applicants from regulatory agency.** The act distinguishes a "refusal of delivery" from a "failure of delivery" and affords different procedural requirements for providing notice by a secondary means. The act provides a less costly means of serving notice after a primary notice sent by registered mail is returned because the party fails to claim the notice (i.e. "refusal of delivery"). Under the act, in the case of a refusal of delivery a secondary notice must be sent by ordinary mail to the party at the party's last known address and the administrative agency sending the notice must obtain a certificate of mailing. Service by ordinary mail is complete when the certificate of mailing is obtained unless the notice is returned showing failure of delivery. If any notice sent by registered or ordinary mail is returned showing failure of delivery, the agency must accomplish service of notice under the continuing requirement of either personal service or newspaper publication. When personal service is used, an employee or agent of the agency may make personal service on the party. If newspaper publication is used, only a summary of the substantive provisions of the notice must be published once a week for three consecutive weeks in a newspaper of general circulation in the county where the last known address of the party is located. And, when notice is given by publication, a proof of publication affidavit, with the first publication of the notice set forth in the affidavit, must be mailed by ordinary mail to the party at the party's last known address; and, as under continuing law, the notice is deemed received as of the date of the last publication.
- **Authorizes personal delivery:** The act authorizes an employee or agent of an agency to make personal delivery of a notice upon a party at any time.
- **Clarifies failure of delivery:** Refusal of delivery by personal service or by mail is not failure of delivery and service is considered to be complete. A failure of delivery occurs only when a mailed notice is returned by the postal authorities marked undeliverable, address or addressee unknown, or forwarding address unknown or expired. A party's last known address is the mailing address of the party appearing in the records of the agency (ORC 119.07).

Rules Update

OHIO ADMINISTRATIVE CODE RULES

Medical Board rules are found in Chapter 4731, Ohio Administrative Code (OAC). Links on the Medical Board's website provide quick access to current rules as well as any proposed draft rules under consideration by the Board. The Medical Board adopted the following rules during FY07:

OAC Chapter 4731-11: Controlled Substances Rules *effective 8-31-06*

Rule 4731-11-09 Prescribing to persons not seen by the physician This rule was amended to allow a physician who is a medical director or a hospice physician of a hospice program licensed pursuant to Chapter 3712 of the Revised Code to provide controlled substances or dangerous drugs to a patient enrolled in that hospice program without having first seen the patient.

OAC Chapter 4731-14-01: Pronouncement of Death *effective 6-30-07*

The rule was revised to include a "coroner's investigator" as a competent observer who may recite the facts regarding the deceased person's medical condition to the physician. This change was required in HB 235, the Coroner's Law, which revised Section 4731.053, Ohio Revised Code.

OAC Chapter 4731-16: Impaired Practitioners *effective 6-30-07*

The rules were updated as part of the Board's periodic review of rules. Two key changes in the rules include:

Rule 4731-16-10 Aftercare Contracts The rule requires the practitioner to enter an aftercare contract with an approved treatment provider within one week after treatment.

Rule 4731-16-16 Practice Prohibition The rule prohibits a licensee from practicing while receiving a controlled substance for the treatment of opioid dependence.

OAC Chapter 4731-22: Emeritus Rules *effective 8-31-06*

Rule 4731-22-01 Definitions Two new terms were added to the definitions section (1) "active" which means an individual may perform acts that would constitute the practice of medicine; and (2) "retired" which means an individual has no active license in another state, or agrees in the emeritus application that he or she will not apply for renewal or reinstatement of any license held in another state.

Rule 4731-22-02 Application This rule includes technical changes in relation to the application for an emeritus registration.

Rules Update

OAC Chapter 4731-22: Emeritus Rules continued

Rule 4731-22-05 Documentation of status This rule was rescinded because the Board does not charge for emeritus registration.

Rule 4731-22-07 Change to active status Language was added to this rule to 1) clarify that if a physician changes from emeritus to active practice the physician has to pay any applicable monetary penalties and to 2) specify that the Board may require an applicant to demonstrate fitness to resume practice if the physician is returning to active practice later than two years from the effective date of emeritus certification.

Rule 4731-22-08 Cancellation of or refusal to issue an emeritus registration This rule was changed to allow the Board's Secretary and Supervising Member, rather than the whole Board, to refuse to issue or cancel an emeritus registration for acts or conduct deemed to be a violation of Chapter 4731, Ohio Revised Code.

OAC Chapter 4731-26: Sexual Misconduct by Physicians, Physician Assistants, and Anesthesiology Assistants effective 11-30-36

The Board codified in Chapter 4731-26, Ohio Administrative Code, the "best practices" to prevent exploitation of the practitioner's intimate specialized knowledge of patients.

Rule 4731-26-01 defines sexual misconduct.

Rule 4731-26-02 prohibits sexual misconduct with a patient, a former patient, or an individual, such as a spouse, parent, guardian, or sibling, who is closely involved in the patient's medical decision-making.

Rule 4731-26-03 provides that sexual misconduct subjects the licensee to discipline, at a minimum, as a violation of the minimal standards of care.

OAC Rule 4731-27-01: Termination of the Physician-Patient Relationship effective 9-30-06

The Board codified in Rule 4731-27-01, Ohio Administrative Code, the "best practices" for termination of the physician-patient relationship. The rule

- Requires written notice of termination sent to the patient from the physician
- Specifies exceptions to the notice requirement
- Defines when the physician-patient relationship is formally ended

OAC Chapter 4731-28: Mental & Physical Impairment effective 6-30-07

The rule defines Mental and Physical Impairment. This rule had previously been included as 4731-16-03, in the general impairment chapter.

Quality Intervention Program

The Ohio Medical Board's Quality Intervention Program (QIP) is designed to address quality of care complaints that do not warrant formal disciplinary action. An educational intervention may be all that is needed to correct the identified practice deficiency. Through the Quality Intervention Program, the Medical Board, in furtherance of its stated mission and goals, continues to protect the public without adversely impacting the availability of care.

Courses related to improving medical record keeping practices and prescribing controlled substances were the most frequent referrals suggested by the QIP panels. Section 4731.22(O), Ohio Revised Code, requires licensees participating in an individual education program recommended by the QIP to pay any costs related to that educational program.

A key component of the program is the use of Quality Intervention Panels, two groups comprised of physicians and consumer members who are responsible for assessing the practice of the licensee referred to the program and making recommendations to the Board's Secretary and Supervising Member based upon their peer assessment. Their time and commitment to this model program is invaluable. The following persons served on the QIP panels between July 2006 and June 2007:

Quality Intervention Panel 1:

Carla S. O'Day, MD, Chair
Emergency Medicine
Rocky River

Michael L. Amalfitano, DO
Internal Medicine & Cardiology
Mansfield

Gregory Cerilli, MD
General Surgery
Toledo

Regina Hill, MD
Obstetrics/Gynecology
Cleveland

Ranjit Rath, MD
Cardiothoracic Surgery
Cincinnati

Elvena Stranahan
Consumer Representative
Delaware

Randall K. Wexler, MD
Family Practice
Columbus

Quality Intervention Panel 2:

Harold Slemons, DO, Chair
Family Practice
Hubbard

Prabir Chaudhuri, MD
Surgery - Surgical Oncology
Maumee

Sharon Culver
Consumer Representative
Columbus

J. Patrick Flanagan, MD
Orthopedic Surgery
Akron

Karen Kirkham, MD
Internal Medicine
Dayton

Christopher Rizzo, MD
Pediatrics
Cleveland

William Somers, MD
Urology
Columbus

John C. Stephens, DPM
Podiatric Medicine & Surgery
Hilliard

Quality Intervention Program

QUALITY INTERVENTION PROGRAM ACTIVITY REPORT

Each Quality Intervention Panel meets six times per calendar year. The following table illustrates the recommendations made by the Quality Intervention Panels to the Board's Secretary and Supervising Member regarding the 116 cases reviewed during calendar year 2006:

| 2006 | DISPOSITION OF CASES FOLLOWING QIP PANEL REVIEW |
|----------|--|
| 64 cases | Case closed. No quality of care concerns identified by QIP panel; no further action needed by Board. |
| 26 cases | Physician referred for remedial education. The panel identified remediable practice deficiencies; doctor is notified of outcome of panel review and directed to appropriate educational program. |
| 7 cases | Referred to the Medical Board's Secretary & Supervising Member for further action. The panel found practice deficiencies that did not appear to be remediable through the Quality Intervention process. |
| 19 cases | Caution letter sent to licensee. Licensee advised of practice concerns but remedial education not applicable and no other action needed by the Board. |

Policy Statements

Statement on Electromyography: Originally adopted by the Board in 1990, the “Statement on Electromyography” was updated in March 2007 to address needle EMG testing and nerve conduction studies, clarify statutory references, and to replace “oscilloscope” references with “computer digitized display.” The policy reaffirms the Board’s position that: 1) electromyography is the practice of medicine under Section 4731.34, Ohio Revised Code and 2) the delegation of electromyography to a non-physician is and always has been a departure from, or failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances as provided in Section 4731.22(B)(6), Ohio Revised Code, and assisting in or abetting the practice of medicine without a certificate as provided in Section 4731.22(B)(20), Ohio Revised Code, and, as applicable, Sections 4731.41, 4731.43, or 4731.60, Ohio Revised Code.

Ethics Policy Statement: Amendments to the Medical Board’s 2003 Ethics Policy Statement were approved by the Board on June 13, 2007. The amendments were made to conform with recent revisions to the model policy for state agencies published by the Ohio Ethics Commission. The policy statement applies to Board members and agency staff.

Agency Statement Regarding Awarding of Unbid Contracts: The Medical Board’s “Statement Regarding Awarding of Unbid Contracts” was approved June 1, 2007. This policy statement was prepared in compliance with Governor Strickland’s Executive Order requiring an explanation as to why a state agency may award an unbid contract.

Educational Outreach Efforts

Your Report—The Medical Board’s Newsletter: Two issues of *Your Report* were published in FY 07. Updates regarding changes in laws and rules impacting Board licensees, along with summary reports of disciplinary actions imposed since the last publication are provided in each issue of the newsletter. The newsletter is posted on the Board’s website and is mailed to all Medical Board licensees, as well as other interested parties.

Speaking Engagements: The following table illustrates the number of presentations provided by Medical Board members and executive staff to state and national audiences between January 2006 and June 30, 2007. Popular topics include the role of the Medical Board; defining professionalism in medical practice; understanding the medical licensure process; and legal aspects of controlled substance prescribing.

| | Total Presentations | Given by Board Members | Given by Board Staff |
|-------------------|----------------------------|-------------------------------|-----------------------------|
| 2006 | 56 | 18 | 38 |
| Through June 2007 | 27 | 11 | 16 |

The Medical Board’s website—www.med.ohio.gov: The Medical Board’s website underwent an extreme makeover and the redesigned site was launched in November 2006. A strong educational tool for the agency, website content is frequently updated to provide the most current information to users about the Medical Board and its services.

Disciplinary Activities

NATIONAL RECOGNITION FOR DISCIPLINARY ACTIVITY

Ohio maintained its place among the top physician licensing boards in the country for disciplinary activity. In April 2007 the *Annual Report of Medical Board Actions* published by the Federation of State Medical Boards listed the State Medical Board of Ohio among the top five boards with a minimum of 15,000 in-state physician licensees based upon disciplinary sanctions imposed the previous calendar year.

Public Citizen Health Research Group, a national consumer advocacy organization, compares medical licensing boards in terms of “serious” disciplinary actions — defined as revocations, suspensions, surrenders, and probations/restrictions — imposed. In its 2007 press release, Public Citizen listed Ohio first among the states responsible for regulating large physician populations. The State Medical Board of Ohio has ranked in Public Citizen’s top 10 since 1995.

DISCIPLINARY SANCTIONS IMPOSED

The following table illustrates the number and types of disciplinary sanctions imposed by the Medical Board:

| | Calendar Year 2006 | January through June 2007 |
|---|-------------------------------|--------------------------------------|
| Total Sanctions | 183 | 74 |
| Revocations | 41 | 12 |
| Indefinite Suspensions | 44 | 21 |
| Definite Suspensions | 4 | 1 |
| Probations | 42 | 23 |
| Reprimands | 11 | 8 |
| Practice Limitations | 5 | 0 |
| Surrenders/Retirements | 11 | 3 |
| Licensure/Reinstatement Denials or Withdrawals | 14 | 3 |
| Summary Suspensions | 5 | 1 |
| Automatic Suspensions | 1 | 1 |
| Immediate Suspensions | 3 | 1 |
| No penalty imposed | 2 | 0 |
| Application conditionally approved | 0 | 0 |

Disciplinary Sanction Definitions

PERMANENT REVOCATION

The permanent loss of a certificate to practice in Ohio and the inability, at any time, to reapply for or hold any certificate to practice in Ohio. An individual whose certificate has been permanently revoked shall forever thereafter be ineligible to hold any certificate to practice, and the board shall not accept from that individual an application for reinstatement or restoration of the certificate or for issuance of a new certificate. (Chapter 4731-13-36 (A), Ohio Administrative Code)

REVOCATION

The loss of a certificate to practice in Ohio. An individual whose certificate has been revoked shall be eligible to submit an application for a new certificate. All disciplinary action taken by the board against the revoked certificate shall be made a part of the board's records for any new certificate granted under this rule. (Chapter 4731-13-36 (B), Ohio Administrative Code)

SUSPENSION

The temporary loss of a certificate to practice in Ohio. A suspension shall be imposed for either a definite or an indefinite period of time. (Chapter 4731-13-36 (C), Ohio Administrative Code)

LIMITATION

Precludes the certificate holder from engaging in a particular conduct or activity, to impose conditions on the manner in which that conduct or activity may be performed, or to require the certificate holder to abide by specific conditions in order to continue practicing medicine. A limitation shall be either temporary or permanent. (Chapter 4731-13-36 (D), Ohio Administrative Code)

PROBATION

A situation whereby the certificate holder shall continue to practice only under conditions specified by the board. Failure of the certificate holder to comply with the conditions of probation may result in further disciplinary action being imposed by the board. The probation period shall be for either a definite or indefinite term. If probation is for an indefinite term, the board shall establish a minimum probation period and the board shall release the certificate holder from the conditions of probation upon completion of the minimum probation period and upon the board's determination that the purpose of probation has been fulfilled. (Chapter 4731-13-36 (E) Ohio Administrative Code)

PERMANENT DENIAL

The permanent denial of an application for a certificate to practice in Ohio. An individual whose application for a certificate has been permanently denied shall forever thereafter be ineligible to apply to the board for any certificate to practice, and the board shall not

accept from that individual an application for issuance of a certificate. (Chapter 4731-13-36 (J), Ohio Administrative Code)

DENIAL

The denial of an application for a certificate to practice in Ohio. An individual whose application for a certificate has been denied shall be eligible to submit a new application for a certificate. In determining whether to grant a new application, the board may consider any statutory violations that were committed by the individual before or after the denial of the individual's previous application, including those that formed the basis for the denial. (Chapter 4731-13-36 (K), Ohio Administrative Code)

REPRIMAND

The certificate holder is formally and publicly reprimanded in writing. (Chapter 4731-13-36 (F), Ohio Administrative Code)

CONSENT AGREEMENT

Conditions and limitations placed on licensee's practice by mutual agreement with the Medical Board.

VOLUNTARY SURRENDER

Practitioner surrenders license to practice in lieu of further disciplinary proceedings; may authorize the Board to revoke the practitioner's license without further legal proceedings.

DISMISSAL

The board finds that no violation has occurred. (Chapter 4731-13-36 (H), Ohio Administrative Code)

Pre-hearing Suspensions include:

SUMMARY SUSPENSION

License to practice is suspended prior to a hearing based on clear and convincing evidence that continued practice by the licensee poses a danger of immediate and serious harm to the public. (Section 4731.22 (G), Ohio Revised Code)

AUTOMATIC SUSPENSION

License to practice is suspended prior to a hearing when a licensee pleads guilty to, is found by a judge or jury to be guilty of, or is found eligible for treatment in lieu of conviction of specified crimes of violence. (Section 4731.22 (I), Ohio Revised Code)

IMMEDIATE SUSPENSION

License to practice is suspended prior to a hearing pursuant to Section 3719.121, Ohio Revised Code, when a licensee pleads guilty to, is found by a judge or jury to be guilty of, or is found eligible for intervention in lieu of conviction of a felony drug abuse offense.

Disciplinary Action Report

Disciplinary actions taken by the Medical Board between July 1, 2006 and June 30, 2007 are listed below. Licensure status updates, including any court appeal actions related to Medical Board Orders are posted on the Board's website — med.ohio.gov — using the *Licensee Profile and Status* link.

ACKERMAN, Andrew Paul Lincoln (Massage Therapy applicant) Columbus, OH

Board Order: Application for massage therapy license denied. Based on applicant's felony conviction for receiving stolen property. Order effective 3/14/07.

ADAMS, Michael Todd (MD #35-088444) Cleveland, OH

Consent Agreement: Medical license granted subject to probationary terms, conditions, and limitations imposed, including work hour limitations, to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 8/9/06; agreement to remain in effect for at least five years prior to any request for termination.

ADKINS, Paula Clark (MD #35-072775) Pinehurst, NC

Board Order: Reinstatement of medical license granted, with doctor reprimanded, and probationary terms, conditions, and limitations imposed to monitor doctor's practice for a period of at least four years. Based on doctor's impairment and failure to provide full information to an evaluating physician and in response to Board interrogatories, and in recognition that doctor, who resides in North Carolina, is monitored pursuant to an order of the North Carolina medical board. Order effective 3/16/07.

ANSAR, Azber Azher (MD #35-078745) Minneapolis, MN

Board Order: Medical license suspended for six months. Based on doctor's guilty plea and Minnesota conviction for Falsely Reporting a Crime, the underlying basis of the conviction being that doctor stabbed self with knife, placed knife in spouse's car, and reported to police that spouse had stabbed doctor. Order effective 2/6/07. **Court Action:** Notice of Appeal of Board's 1/10/07 Order filed by doctor with the Franklin County Court of Common Pleas on 2/14/07. **Court Action:** Motion for Stay of Board's 1/10/07 Order filed by doctor with the Franklin County Court of Common Pleas on or about 2/20/07.

APPLEGATE, Gerald Brian (MD #35-065717) Miami, FL

Court Action: By Decision and Entry filed 1/16/07, the Franklin County Court of Common Pleas affirmed the Board's 6/14/06 Order, which Order suspended doctor's license for one year and established reinstatement conditions and subsequent probationary terms based on doctor's failure to provide complete and accurate information on Ohio licensure applications and prior actions against doctor's medical licenses by the Pennsylvania and New York medical boards. **Court Action:** Notice of Appeal of the 1/16/07 Judgment Entry of the Franklin County Court of Common Pleas, which had affirmed the Board's 6/14/06 Order, filed with the 10th District Court of Appeals on or about 1/26/07.

ASHWATH, Ravi Chandra (MD #35-084551) Cleveland, OH

Board Order: Doctor reprimanded based on prior action by Georgia's board, which prior action was based on doctor's departure from the minimum standard in regards to care rendered to one patient. Order effective 12/15/06.

AVNER, Ellis David (MD #35-068850) Cleveland, OH

Voluntary Surrender: By Order effective on 11/8/06, Board permanently revoked doctor's medical license as authorized by doctor in lieu of formal disciplinary proceedings and doctor's admission of having written prescriptions for controlled substances for a co-worker without maintaining accurate medical records reflecting the examination and treatment and the utilization of controlled substances in treatment. Doctor's permanent surrender of medical license effective 11/9/06.

AXELSON, David Brian (MD #35-064318) Chillicothe, OH

Consent Agreement: Medical license suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admitted relapse on alcohol, for which doctor has sought treatment through a Board-approved provider. Agreement effective 8/9/06. **Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 4/11/07; agreement to remain in effect for at least five years prior to any request for termination.

BACLAWSKI, Scott Joseph (LMT #33-011761) North Royalton, OH

Voluntary Surrender: Permanent surrender of massage therapy license accepted by Board in lieu of formal investigation by the Board related to alleged violation of the code of ethics. Effective 10/12/06.

Disciplinary Action Report

BLOCKER, David C. (MD #35-061188)
Centerville, OH

Consent Agreement: Medical license placed on probation; monitoring conditions and practice limitations and restrictions imposed. Based on prior action by the U.S. Department of the Air Force to suspend and/or restrict doctor's clinical privileges. Agreement effective 9/13/06; agreement to remain in effect for at least five years.

BOSACK, Douglas Paul (MD 35-048959)
Canton, OH

Board Order: Medical license permanently revoked. Based on doctor's violation of conditions of limitation imposed on medical license by 10/14/06 consent agreement and impairment of ability to practice according to acceptable and prevailing standards of care due to relapse on alcohol. Order effective 8/8/06.

BOWERS, Kevin Wayne (DO #34-007885)
Grove City, OH

Consent Agreement: Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 5/9/07; agreement to remain in effect for at least five years prior to any request for termination.

BRIDGES, Mercer Truett, Jr. (MD #35-080900)
Atlanta, GA

Board Order: Medical license revoked based on prior actions by Georgia's medical board, which had placed doctor on probation related to doctor's chemical dependency and, in 2005, had accepted doctor's voluntary surrender of Georgia medical license. Order effective 11/8/06.

BRINDLE, Fred Andrew (MD #35-052438)
Sandusky, OH

Voluntary Retirement: Doctor's permanent voluntary retirement and permanent surrender of medical license accepted by Board in lieu of completion of formal disciplinary proceedings pending as a result of the 5/18/05 citation and on doctor's admission of violation of the conditions of limitation imposed on doctor's medical license by the 11/10/04 Board Order. Effective 4/11/07.

BROWN, Erica R. (MD Training Certificate #57-012531) Columbus, OH

Consent Agreement: Doctor reprimanded and probationary terms, conditions, and limitations established for at least one year. Based on doctor's prior actions in a domestic dispute for which criminal charges against the doctor were dismissed following doctor's successful completion of a deferred prosecution program. Agreement effective 6/13/07.

BROWNLEE, John David (MD #35-074364)
East Cleveland, OH

Consent Agreement: Medical license suspended for at least 270 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admitted relapse on Percocet, for which doctor has sought treatment through a Board-approved provider, and of inability to practice according to acceptable and prevailing standards of care due to habitual and excessive use or abuse of drugs. Agreement effective 10/12/06.

CARRAN, Todd S. (MD #35-070896)
Crestview Hills, KY

Consent Agreement: Medical license indefinitely suspended, in any event at least until pending felony criminal charges are resolved or until doctor cooperates in the Board's investigation of doctor's alleged criminal conduct; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's diagnoses of major depression and opiate dependence, for which doctor has sought treatment through a Board-approved provider, and doctor's admission of inability to practice medicine and surgery according to acceptable and prevailing standards of care due to habitual or excessive use of or abuse of drugs. Agreement effective 9/13/06.

Consent Agreement: Medical license suspended for at least 18 months from 9/13/06; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's disclosure of conduct resulting in doctor's criminal indictment in 2006 on felony counts of Aggravated Possession of Drugs, to which doctor has entered a plea of guilty, and Carrying Concealed Weapons, which charge was dismissed. Agreement effective 6/13/07.

CARVER, Joseph Claude (MD #35-062026)
Norwalk, OH

Consent Agreement: Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor's substantial compliance with reinstatement terms and conditions of doctor's October 12, 2005 consent agreement. Agreement effective 1/10/07; agreement to remain in effect for at least three years prior to any request for termination.

CHEN, Jing Xuan (MD #35-081375) Westerville, OH

Consent Agreement: Doctor reprimanded, fined \$5,000, and required to submit documentation of compliance with required CME for specified CME acquisition

Disciplinary Action Report

periods. Based on doctor's admission of having certified on license renewal application that requisite CME had been completed, when, in fact, it was not completed. Agreement effective 4/11/07.

CHUGHTAI, Sajid Q. (MD #35-036689) Canton, OH
Voluntary Surrender: Board Order permanently revoking doctor's medical license entered as authorized by doctor in lieu of formal disciplinary proceedings based on doctor's care rendered to two specified patients. Effective 10/11/06.

CIMO, Jessica Lynne (Massage Therapy applicant) Sharon, PA
Application Withdrawn: Request for withdrawal of application for massage therapy licensure accepted by Board in lieu of further investigation and/or formal disciplinary action related to applicant's having been convicted of two misdemeanor drug-related offenses. Withdrawal effective 4/11/07.

CLAASSEN, Paul (DO #34-002889) Fairborn, OH
Consent Agreement: Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 7/12/06; agreement to remain in effect for at least five years prior to any request for termination.

COLEMAN, Robert Stanley, Jr. (MD #35-075738) Chardon, OH
Court Action: Notice of Appeal of the 12/18/06 Judgment Entry of the Franklin County Court of Common Pleas, which had affirmed the Board's 1/11/06 Order suspending doctor's license, filed with the 10th District Court of Appeals on 12/29/06.

COLLA, Ralph William (MD #35-036088) Lake Havasu City, AZ
Board Order: Medical license revoked. Based on prior action of Arizona's medical board in censuring doctor and restricting doctor's practice, the underlying basis for the Arizona action being doctor's falling below the minimal standard of care with respect to treatment of specified patients. Order effective 1/10/07.

COLTON, Danny Maurice (MD applicant) Newtown, OH
Court Action: By Agreed Judgment Entry filed 2/16/07, the Franklin County Court of Common Pleas vacated the Board's 2/13/02 Notice of Opportunity for Hearing and 9/10/03 Order, and directed that the Board deem the doctor's 9/7/00 application for licensure as abandoned.

CONDOLEON, Harry Michael (DO #34-008159) Atlantic, IA
Board Order: Doctor reprimanded; Medical license placed on probationary terms, conditions, and limita-

tions for a period of at least three years based on prior action by Iowa's medical board, the underlying basis being the Iowa board's determination that the doctor failed to conform to minimal standards in relation to care rendered to several patients. Order effective 1/8/07.

CONIGLIO, Gerald Anthony (MD #35-0047981) Mt. Morris, NY
Board Order: Doctor's license permanently limited and restricted to require that doctor receive Board's approval prior to commencement of practice in Ohio, which upon approval will be subject to probationary terms, conditions, and limitations imposed to monitor doctor's practice for at least three years. Based on prior action of Nevada medical board denying doctor's application for licensure due to an excessive number of malpractice claims settled on behalf of the doctor and doctor's continued pattern of receiving adverse reports related, in part, to concerns about interpersonal relationship and/or standard of care issues. Order effective 10/11/06.
Court Action: Notice of appeal of the Board's 9/12/06 Order, which permanently limited and restricted doctor's license, filed by doctor with the Franklin County Court of Common Pleas on 10/25/06. **Court Action:** By decision filed 3/5/07 and Judgment Entry filed 3/13/07, the Franklin County Court of Common Pleas affirmed the Board's 9/12/06 Order. **Court Action:** Notice of Appeal of the 3/13/07 Entry and 3/05/07 Decision of the Franklin County Court of Common Pleas filed with the 10th District Court of Appeals on 4/11/07.

CREPS, Philip L. (DO #34-005726) Saginaw, MI
Board Order: Doctor reprimanded, reporting requirements established, and all terms and conditions of the 2/8/06 Board Order to remain in effect. Based on prior action by Missouri medical board, which reprimanded doctor's Missouri license. Order effective 4/11/07.

DAVIS, Mark Allen (LMT #33-004464) Mansfield, OH
Board Order: Massage therapy license permanently revoked. Based on massage therapist having been found guilty of one felony count of Practice of Medicine or Surgery without a Certificate, one felony count of Engaging in a Pattern of Corrupt Activity, two felony counts of Forgery, and one felony count of Theft by Deception. Order effective 3/16/07.

DAY, Richard Graham (MD #35-061831) Cambridge, OH
Consent Agreement: Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 3/14/07; agreement to remain in effect for at least five years prior to any request for termination.

Disciplinary Action Report

DEFRANCO, Richard Joseph (MD Training Certificate #57-011103) Cleveland, OH

Consent Agreement: Probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Based on doctor's admission of a history of opioid and alcohol dependence; 1999 plea of guilty in New York to Criminal Trespass; 2000 placement into the Probation Without Verdict Program in Pennsylvania, the underlying basis being doctor's obtaining Vicodin for self-use by prescribing such in a family member's name; prior actions by Pennsylvania's medical board based on doctor's hydrocodone dependence, relapse, and failure to provide complete and accurate information concerning New York criminal conviction; and prior action of New York's medical board based on doctor's professional misconduct, the underlying basis being doctor's habitual use of alcohol and/or other drugs of abuse. Agreement effective 12/13/06; agreement to remain in effect for at least five years prior to any request for termination.

DENNISON, Patrick Robert (DO #34-003779) Cleveland, OH

Consent Agreement: Revocation of medical license stayed, with license suspended for at least one year; conditions for reinstatement established. Based on doctor's admission of making false, fraudulent, deceptive, or misleading statements to a Board investigator; engaging in sexual contact with two specified patients; departing from the minimal standards of care with respect to treatment rendered to two specified patients; and violating the American Osteopathic Association Code of Ethics. Agreement effective 10/12/06; agreement to remain in effect for at least one year prior to any request for termination.

DERAKHSHAN, Iraj (MD #35-037499) Charleston, WV

Court Action: By Decision and Entry filed 3/9/07, the Franklin County Court of Common Pleas dismissed doctor's appeal of the Board's 1/11/06 Order. **Court Action:** Notice of Appeal of the 3/9/07 Entry and Decision of the Franklin County Court of Common Pleas filed by doctor with the 10th District Court of Appeals on 4/2/07.

DILDAY, James Curtis (MD training certificate #57-010949) Cincinnati, OH

Board Order: Training certificate permanently revoked. Based on prior action of Arkansas medical board revoking doctor's Arkansas medical license due to doctor's prescriptive practices and doctor's persistent and flagrant overcharging for medical services. Order effective 10/12/06.

DOMER, Carol A. (CT #53-005942) Louisville, OH
Reinstatement: Cosmetic Therapist's license reinstated, subject to probationary terms and conditions

established in 7/13/05 consent agreement. Reinstatement effective 7/13/06.

DONAHUE, Michael Erin (Massage Therapy applicant) Amelia, OH

Consent Agreement: Massage therapy license granted with probationary terms, conditions, and limitations based on applicant's conviction for Trafficking in Drugs by Possession of LSD and diagnosis of alcohol and cannabis dependence, for which applicant has sought treatment, and on applicant having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 7/12/06; agreement to remain in effect for at least five years prior to any request for termination.

DOOLEY, Dixie A. (DPM #36-001778) Centerville, OH

Consent Agreement: Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 9/13/06; agreement to remain in effect for at least five years prior to any request for termination.

DORIOTT, Elizabeth Anne (DO #34-006593) Springboro, OH

Court Action: Notice of Appeal of the 12/19/06 Entry of the Franklin County Court of Common Pleas, which had remanded the matter to the Board with orders to issue doctor a notice of opportunity for hearing on the allegations for which the Board's 2/9/05 Order indefinitely suspended doctor's license, filed with the 10th District Court of Appeals on 1/17/07.

DOUGLAS, Janice Electa Green a.k.a. Janice Douglas Baltimore (MD #35-039559) Bratenahl, OH

Board Order: Permanent revocation of medical license stayed subject to suspension for at least three years; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on doctor having pled guilty to and being found guilty of two felony counts of Mail Fraud. Order effective 7/6/06. **Court Action:** Notice of Appeal of Board's 6/14/06 Order suspending medical license for at least three years filed by doctor with the Franklin County Court of Common Pleas on 7/19/06. **Court Action:** By Decision and Entry filed on 5/31/07, the Franklin County Court of Common Pleas affirmed Board's 6/14/06 Order.

DUNCAN, Paul E. (MD #35-073208) Dayton, OH

Consent Agreement: Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable standards of care so long as certain treatment and

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monitoring conditions are in place. Agreement effective 5/9/07; agreement to remain in effect for at least five years prior to any request for termination.

EATON, Lynne Antoinette (MD #35-060149)
Columbus, OH

Consent Agreement: Consent Agreement dated 10/15/04 terminated. Medical license suspended for at least 90 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admitted non-compliance with terms of the 10/15/04 Consent Agreement and relapse on Percocet, for which doctor has sought treatment through a Board-approved provider. Agreement effective 3/14/07.

EBNER, Gregory Lee (DO #34-003080)
Cincinnati, OH

Pre-Hearing Suspension: Pursuant to Section 3719.121(C), O.R.C., doctor's medical license immediately suspended based on doctor's plea of guilty in U.S. District Court, Southern District of Ohio, to one felony count of Money Laundering and one felony count of Structuring Monetary Transactions, arising from activities involving illicit concealing of monies obtained as a result of the illegal distribution of Schedule III and IV controlled substances. Suspension effective 3/14/07.

EL-ASFOURI, Souhail (MD #35-074262) Austin, TX
Board Order: Allegations set forth in the 11/9/05 notice of opportunity for hearing dismissed following Board's determination that doctor presented sufficient evidence in mitigation of prior action by New Hampshire's medical board. Order effective 10/11/06.

ESCOBAR, Martin (MD #35-079291)
Lake Milton, OH

Consent Agreement: Doctor reprimanded, fined \$750, and required to submit documentation of compliance with required CME for specified CME acquisition periods. Based on doctor's admission of having certified on license renewal application that requisite CME had been completed, when, in fact, it was not completed. Agreement effective 4/11/07.

FINKS, Robert James (Massage Therapy applicant)
Newark, OH

Board Order: Application for massage therapy license denied. Based on applicant having been convicted of two felony counts of receiving stolen property. Order effective 3/14/07.

FORD, Justin Gregor (MD Training Certificate #57-012537) Kettering, OH

Pre-Hearing Suspension: Pursuant to Section 4731.22(G), O.R.C., medical license summarily suspended based on Board's determination that there is clear and convincing evidence that doctor is impaired in the ability to practice due to use and/or abuse of drugs and alcohol, for which impairment doctor has not

entered treatment, and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 6/13/07.

FRANKOWSKI, Deborah Lynne (MD #35-071191)
Loveland, OH

Consent Agreement: Medical license suspended for an indefinite period of time, at least until doctor cooperates fully in providing to the Board requested information relative to doctor's obtaining controlled substances for self-use; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admitted impairment of ability to practice medicine according to acceptable and prevailing standards of care due to the habitual or excessive use or abuse of drugs, with the doctor's drug of choice being hydrocodone, for which doctor has sought treatment through a Board-approved treatment provider. Agreement effective 6/13/07.

FURICCHIA, James Vincent (MD #35-065087)
Toledo, OH

Consent Agreement: Medical license suspended for an indefinite period of time; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's diagnosis, pursuant to a Board-ordered evaluation, of chemical dependence, with the drug of choice being alcohol, and determination of doctor's inability to practice according to acceptable and prevailing standards due to habitual or excessive use or abuse of alcohol, for which doctor has sought treatment through a Board-approved provider. Agreement effective 5/9/07.

GAMERO, Donna M. (PA #50-000737)
Cleveland, OH

Voluntary Surrender: Board Order permanently revoking physician assistant's license as authorized by physician assistant in lieu of formal disciplinary proceedings related to the physician assistant's admitted relapse on Xanax and writing of prescriptions for Xanax, using the name of a physician, when the Xanax was for the physician assistant's own use. Effective 12/13/06.

GANZHORN, Dann William (MD #35-048491)
Cleveland, OH

Consent Agreement: Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 10/12/06; agreement to remain in effect for at least five years prior to any request for termination.

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GEMMER, Thomas Leon (PA #50-000511)
Port Clinton, OH

Board Order: Physician assistant certificate to practice revoked based on prior action by Indiana's medical board revoking Indiana license due, in part, to physician assistant writing and signing more than 200 prescriptions using an invalid DEA number and writing and signing over 300 prescriptions for controlled substances despite the lack of prescriptive authority for Indiana physician assistants. Order effective 3/16/07.

GOLDEN, Eileen Choi (MD #35-075052) Akron, OH

Board Order: Doctor reprimanded, based on prior action by New Hampshire medical board reprimanding doctor and requiring doctor's participation in an accredited review program. Order effective 5/7/07.

GONZALEZ, Christopher Lewis (MD applicant)
Carmel, CA

Consent Agreement: Medical license granted, subject to terms, conditions, and limitations. Based on doctor's vision limitations. Agreement effective 9/13/06; agreement to remain in effect for at least two years.

GOTHAM, David, Jr. (DO #34-007559)
Sacramento, CA

Consent Agreement: Revocation of medical license stayed, with medical license suspended for at least one year; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations established based on doctor's admission that prior action by California's medical board imposed limitations on doctor's license in that state, and that doctor made false, fraudulent, deceptive, or misleading statements to the Ohio Board. Agreement effective 1/10/07; agreement to remain in effect for at least one year prior to any request for termination.

GRAY, Anthony (MD Training Certificate #57-009128) Cleveland, OH

Consent Agreement: Medical license suspended for at least 270 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admitted chemical dependence and relapse on Ketamine and Propofol, for which doctor has sought treatment through a Board-approved treatment provider, and which doctor obtained from deception and theft of hospital stock. Agreement effective 9/13/06.

GREER, Steven Franklin (MD Training Certificate #57-007242) Cleveland, OH

Summary Suspension: Pursuant to Section 4731.22 (G), O.R.C., medical license summarily suspended based on Board's determination that there is clear and convincing evidence that (1) doctor's ability to practice is impaired due to use and/or abuse of drugs, alcohol, or other substances; (2) doctor violated conditions of limitation imposed on doctor's license by 1/12/05 Board Order and 3/8/06 consent agreement; and (3) doctor's

continued practice presents a danger of immediate and serious harm to the public. Suspension effective 11/8/06. **Board Order:** Permanent revocation of training certificate stayed, with training certificate suspended for at least three years; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on doctor's violation of conditions of limitation imposed on training certificate by 1/12/05 Board Order and 3/8/06 consent agreement; making false, fraudulent, deceptive, or misleading statements in documents submitted to the Board; and impaired ability to practice due to use and/or abuse of drugs, alcohol, or other substances. Order effective 6/26/07.

GROSS, Carey Kathleen (DO Training Certificate #58-002297) Cincinnati, OH

Consent Agreement: Probationary terms, conditions, and limitation established. Based on doctor's admitted history of alcohol dependence, for which doctor has sought treatment through a Board-approved provider, and diagnosis of atypical depression and doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 3/14/07; agreement to remain in effect for at least five years prior to any request for termination.

GUSTILO-ASHBY, Arlan Marcus (MD #35-084685)
Cleveland, OH

Consent Agreement: Medical license suspended for at least 180 days, interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions and limitations established. Based on doctor's admission of conduct that violated the AMA Code of Medical Ethics and departed from or failed to conform to the minimal standards of care, the underlying basis being an inappropriate relationship with a patient, and on doctor's diagnoses of Sexual Disorder NOS, Psychosexual Disorder NOS, and Adjustment Disorder with depressed mood. Agreement effective 12/13/06.

HAIMES, Jonathan L. (MD #35-066575)
Wilmington, OH

Consent Agreement: Permanent revocation of medical license stayed, subject to suspension of at least 21 months; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admitted chemical dependency, for which doctor has sought treatment through a Board-approved provider; doctor's admission of inability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs; doctor's admission of inappropriately obtaining controlled substances (Fentanyl patches, oxycodone, and hydrocodone) for self use; and doctor's admitted prescribing of controlled substances to a family

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member for whom an accurate patient chart was not maintained. Agreement effective 4/11/07.

HAJ-HAMED, GHASSAN (MD #35-069745)

Cincinnati, OH

Court Action: By opinion filed on 5/24/07 and Entry filed on 5/25/07, the 10th District Court of Appeals affirmed the judgment of the Franklin County Court of Common Pleas, which had affirmed the Board's 1/12/05 permanent revocation Order.

HALL, Adam Patrick (DO #34-008707)

Greenwood, MO

Consent Agreement: Medical license indefinitely suspended; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's diagnoses of substance abuse and Bipolar Disorder with Mixed Anxiety, for which doctor has sought treatment through a Board-approved provider, and on doctor's admission of inability to practice medicine and surgery according to acceptable and prevailing standards of care due to substance abuse and physical condition. Agreement effective 9/13/06. **Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 3/14/07; agreement to remain in effect for at least five years prior to any request for termination.

HAMED, Husam Eddin (MD #35-079659)

Florence, KY

Consent Agreement: Medical license subject to probationary terms, conditions and limitations based on doctor's admission of prior action by Kentucky medical board that placed doctor's Kentucky license under probationary terms and conditions concerning doctor's ability to prescribe, dispense, or otherwise utilize controlled substances. Agreement effective 10/12/06; agreement to remain in effect for at least five years prior to any request for termination.

**HARITATOS, Suzanne A. (DPM #36-002190) –
Richmond, IN**

Board Order: Podiatric medical license permanently revoked based on doctor's having been found guilty of one misdemeanor count of Theft, the underlying basis being doctor's participation in a medical practice scheme to defraud the U.S. Veteran's Administration, and prior actions against doctor's license to practice podiatry by Indiana and New York medical boards. Order effective 9/15/06.

HARLAN, William Clark (DO #34-004345)

Dayton, OH

Consent Agreement: Medical license suspended for at least 180 days; interim monitoring conditions and

conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admitted Ritalin addiction for which doctor will seek treatment through a Board-approved provider, and doctor's admission of inability to practice according to acceptable and prevailing standards of care due to use or abuse of drugs. Agreement effective 5/9/07.

HARRIS, Lawrence Jeffrey (DPM #36-002422)

Shaker Heights, OH

Board Order: Podiatric medical license permanently revoked based on doctor's having been found guilty in US District Court of one felony count of Conspiracy to Defraud the U.S., nine felony counts of Health Care Fraud, and two felony counts of False Statements. (Journal Entry - no hearing requested) Order effective 11/8/06.

HARRISON, Joy G. (MD #35-073650)

Oyster Bay, NY

Consent Agreement: Doctor reprimanded and required to comply with terms, conditions, and limitations for up to two years, based on doctor's admission that Massachusetts medical board imposed a reprimand and other discipline on doctor's Massachusetts license based on doctor's prescribing controlled substances without performing a physical examination, without making entries into the medical record, and without indicating that no refills were permitted, and doctor's admission that North Carolina and New York medical boards imposed disciplinary action based on Massachusetts action. Agreement effective 11/9/06.

HENSON, Mark Owen (MD #35-076766)

Greenfield, OH

Consent Agreement: Medical license suspended for at least 90 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admission of relapse on alcohol and impairment in ability to practice medicine according to acceptable and prevailing standards of care due to the habitual or excessive use or abuse of alcohol. Agreement effective 12/13/06. **Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 6/13/07; agreement to remain in effect for at least five years prior to any request for termination.

HETMAN, Ronald Carl (DPM #36-001421)

Centerville, OH

Consent Agreement: Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having

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fulfilled reinstatement conditions as established in 2/8/06 Consent Agreement. Agreement effective 3/14/07; agreement to remain in effect for at least five years prior to any request for termination.

HOPPEs, William L. (MD #35-028452) Canton, OH
Consent Agreement: Medical license suspended for at least one year; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admission of relapse on alcohol and failure to comply with conditions of limitation imposed by 5/10/06 Consent Agreement. Agreement effective 9/13/06; agreement replaces 5/10/06 Consent Agreement.

HUBLEY, Robert L. (DO Training Certificate #58-001014) Warrensville Heights, OH
Consent Agreement: Medical license indefinitely suspended; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admitted history of chemical dependency and determination by a Board-approved treatment provider that doctor is impaired in the practice of medicine and surgery due to opiate dependence, for which doctor has sought treatment through a Board-approved provider. Agreement effective 9/13/06.

HUNNICUTT, Christopher Thomas (MD Training Certificate #57-008656) Cincinnati, OH
Voluntary Surrender: Board Order permanently revoking doctor's medical training certificate as authorized by doctor in lieu of formal disciplinary proceedings and doctor's admission that he is impaired in the ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. Doctor's permanent surrender of training certificate effective 11/9/06.

ISAAC, Gregory Lee (MD #35-048764) Cincinnati, OH
Voluntary Surrender: Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of further investigation and/or formal disciplinary proceedings pursuant to Section 4731.22(B)(26), O.R.C. Effective 3/14/07.

JAWADI, M. Husain (MD #35-073824) Springfield, OH
Consent Agreement: Doctor reprimanded and terms and conditions imposed. Based on doctor's admission that he provided inaccurate information to the Ohio Department of Health concerning the status and operation of regulated medical equipment. Agreement effective 9/13/06.

KALENCKI, Wanda Beth (DO #34-004465) Kohler, WI
Consent Agreement: Medical license restored subject to terms, conditions, and limitations, including that doctor's practice of medicine in Ohio shall be limited to participation in a post-graduate training program. Based on doctor's admission of not having practiced medicine since 1987. Agreement effective 12/13/06; agreement to remain in effect until such time as doctor is able to demonstrate capability to independently practice medicine and surgery according to acceptable and prevailing standards of care.

KARASIK, Gregory (MD #35-068821) Bellevue, OH
Consent Agreement: Medical license suspended for at least 90 days; conditions for reinstatement established; and probationary terms, conditions and limitations established, effective upon reinstatement of license. Based on doctor's admission of failing to conform to minimal standards of care and violation of professional code of ethics due to having engaged in an inappropriate relationship with one patient. Agreement effective 10/12/06; agreement to remain in effect for at least one year prior to any request for termination. **Reinstatement:** Doctor's medical license reinstated subject to probationary terms and conditions established in the 11/16/06 Consent Agreement. Reinstatement effective 3/15/07.

KATA, Martin H. (MD #35-038796) Augusta, GA
Board Order: Medical license permanently revoked. Based on doctor's plea of guilty in Georgia to one felony count of Possession of a Synthetic Narcotic with Intent to Distribute, one felony count of Possession of Cocaine, and one felony count of Possession of Oxycodone and failure to cooperate in an Ohio medical board investigation. Order effective 1/10/07.

KAVOKLIS, Nicholas (DO #34-002457) Youngstown, OH
Voluntary Retirement: Doctor's permanent retirement from the practice of medicine accepted by Board in lieu of further investigation related to possible violation of Section 4731.22(B)(19), O.R.C. Effective 3/14/07.

KAZI, Shaji Jaffrey (MD #35-082122) Scottsdale, AZ
Board Order: No further action taken by the Board in relation to the allegations in the 4/12/06 Notice of Opportunity for Hearing, the underlying basis for the allegations having been prior disciplinary action by the Illinois medical board. Order effective 12/15/06.

KELNER, Paul Evan (MD #35-061460) Lexington, OH
Board Order: Medical license permanently revoked. Based on doctor's failure to conform to minimal standards of care with respect to treatment of one specified patient. Order effective 4/12/07.

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KENNEN, James Michael (DO #34-009065)
Lakewood, OH

Consent Agreement: Medical license granted, then suspended for at least two years; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admission of inability to practice according to acceptable and prevailing standards of care due to relapse on alcohol. Agreement effective 6/13/07.

KING, John Anderson, N.K.A. Christopher Wallace Martin (DO #34-004277) Orlando, FL

Voluntary Surrender: Doctor's permanent surrender of medical license accepted by Board in lieu of further formal proceedings based on doctor's admission to failure to provide full and accurate information on application for licensure in Ohio and to prior disciplinary action by Alabama, Michigan, Virginia and Texas medical boards. Effective 8/9/06.

KOVALIK, Simon G. (MD #35-046207)
Ft. Meade, SD

Consent Agreement: Doctor reprimanded; probationary terms, conditions, and limitations established based on doctor's self-report of providing medical services to an individual with whom the doctor had an intimate relationship, a violation of Principle II of the AMA Code of Ethics. Agreement effective 1/10/07; agreement to remain in effect for at least two years prior to any request for termination.

LAMET, Mark (MD #35-048422) Hollywood, FL

Consent Agreement: Probationary terms, conditions, and limitations imposed on doctor's medical license in lieu of further formal proceedings based on doctor's admission of prior action by Florida's medical board imposing a \$10,000 fine and requiring completion of community service and certain coursework. Agreement effective 8/9/06; certain conditions to remain in effect for at least four years.

LANCE, Darold R., Jr. (DO #34-004630)
Jackson, OH

Consent Agreement: Medical license suspended for at least 90 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's diagnosis of alcohol and cannabis abuse. Agreement effective 9/13/06.

LEE, Kimberly Ann (LMT #33-006677)
Cleveland, OH

Board Order: Massage therapy license permanently revoked based on massage therapist having been found guilty of one felony count of aiding and abetting bank robbery. Order effective 11/9/06.

LEN, Michael John (MD Training Certificate applicant) Rochester Hills, MI

Application Withdrawn: Request for withdrawal of application for training certificate accepted by Board in lieu of formal disciplinary proceedings based on doctor's stipulation to prior action by Michigan's medical board to summarily suspend applicant's Michigan medical license, then reinstate such license with probationary terms and conditions, the underlying basis being doctor's guilty plea to Unlawful Distribution of Hydrocodone. Effective 8/9/06.

LEUVOY, Randall Don (DO #34-004367)
Lancaster, OH

Board Order: Medical license revoked based on doctor's failure to conform to minimal standards of care, the underlying basis being doctor's signing of not fewer than 38 blank prescription forms for use by office staff in issuing controlled substance prescriptions while doctor was incarcerated and doctor's failure to perform proper work-ups and prescribe controlled substances in an appropriate manner with respect to the treatment of 12 specified patients. Order effective 9/15/06. **Court Action:** Notice of Appeal of Board's 9/13/06 revocation Order filed by doctor with the Franklin County Court of Common Pleas on 9/25/06. By Journal Entry filed 10/10/06, the Franklin County Court of Common Pleas denied doctor's motion to stay the Board's 9/13/06 Order revoking doctor's medical license. **Court Action:** By Final Judgment filed 1/8/07, Franklin County Court of Common Pleas dismissed doctor's appeal of Board's 9/13/06 revocation Order.

LIPSCOMB, James W. (MD #35-042471)
Columbus, OH

Voluntary Surrender: Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of further investigation and/or disciplinary proceedings, based on doctor's admission of no longer being able to practice medicine and surgery according to acceptable and prevailing standards of care due to hearing loss. Doctor's permanent surrender of medical license effective 11/9/06.

LONERGAN, John Michael (MD #35-041091)
Parma, OH

Court Action: By opinion filed 12/21/06, the Tenth District Court of Appeals affirmed the Franklin County Court of Common Pleas decision, which had affirmed the Board's 12/14/05 Order permanently revoking doctor's medical license.

MANN, Donald C. (MD #35-071870) Oak Park, IL

Consent Agreement: Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 4/11/07; agreement to remain in effect for at least five years prior to any request for termination.

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MANNO, Salvatore Angelo (PA applicant)
Petoskey, MI

Application Withdrawn: Request for withdrawal of application for physician assistant certificate to practice accepted by the Board in lieu of further investigation related to applicant's history of depressive episodes and being subject to a monitoring agreement with Michigan's medical board. Effective 12/13/06.

MARAZON, Daniel Jon (DO #34-002544)
Athens, OH

Voluntary Surrender: Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of formal disciplinary proceedings based on allegations related to doctor's management and prescribing of controlled substances to multiple patients. Doctor's permanent surrender of medical license effective 11/9/06.

MARTIN, Tera Jean (LMT #33-014290)
Clarksville, OH

Board Order: Allegations that the massage therapist is impaired in the ability to practice massage therapy, set forth in the 5/10/06 Notice of Opportunity for Hearing were dismissed upon the Board's determination that there is insufficient evidence to support a finding of impairment. Order effective 1/08/07.

MARTINEZ, Jorge Arturo (MD #35-050822)
Boardman, OH

Board Order: Medical license permanently revoked. Based on doctor's conviction in U.S. District Court of eight felony counts of distribution of a controlled substance, 10 felony counts of wire fraud, 15 felony counts of mail fraud, 23 felony counts of health care fraud, and two felony counts of health care fraud resulting in death. Order effective 8/11/06. **Court Action:** Notice of Appeal of Board's 8/9/06 permanent revocation Order filed by doctor with the Franklin County Court of Common Pleas on or about 9/18/06.

MCKAKEN, David Allen (MD #35-060233)
Columbus, OH

Board Order: Doctor reprimanded and fined \$5,000, with CME, reporting, and audit requirements established. Based on doctor's false report on renewal application of having obtained requisite CME during the 2002 – 2004 and failure to timely obtain requisite CME for the 2004 – 2006 CME periods. Order effective 1/12/07. Order mailed 1/12/07.

MCKAMARA, Ladd Ryan (MD #35-081069)
Oceanside, CA

Voluntary Surrender: Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of formal disciplinary proceedings related to doctor's surrender of Georgia medical license. Effective 5/9/07.

MENON, Venu Gopal (MD #35-054426) – Troy, OH

Board Order: Medical license permanently revoked. Based on doctor's violation of conditions of limitation placed on medical license by the Board's 5/14/03 Order

due to doctor's failure to submit required reports and notifications, and on prior action by Nebraska's medical board in accepting doctor's surrender of licensure in that state for at least two years. Order effective 6/15/07.

METZ, Joseph Michael (MD #35-082844)
Urbana, OH

Consent Agreement: Doctor reprimanded, fined \$3,000, and required to submit documentation of compliance with required CME for specified CME acquisition periods. Based on doctor's admission of having certified on license renewal application that requisite CME had been completed, when, in fact, it was not completed. Agreement effective 4/11/07.

MEYER, Jeffrey Vaughn (MD #35-088466)
Columbus, OH

Consent Agreement: Medical licensed granted subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 8/9/06; agreement to remain in effect for at least five years prior to any request for termination. **Summary Suspension:** Pursuant to Section 4731.22(G), O.R.C., medical license summarily suspended based on Board's determination that there is clear and convincing evidence that (1) doctor's ability to practice is impaired due to use or abuse of drugs, alcohol, or other substances; (2) doctor violated conditions of limitation imposed on doctor's license by 8/9/06 consent agreement; and (3) doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 11/8/06. **Board Order:** Revocation of medical license stayed, with medical license suspended for at least 90 days from date of summary suspension on 11/8/06; interim monitoring conditions and conditions for reinstatement or restoration imposed; subsequent probationary terms, conditions, and limitations for at least five years established. Based on doctor's impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances and violation of conditions of limitation imposed on doctor's license by 8/9/06 Consent Agreement. Order effective 3/16/07.

MIKHLI, Alla (DPM #36-002690) Cleveland Hts, OH

Board Order: Permanent revocation of podiatric medical license stayed, with license suspended for at least one year; conditions for reinstatement or restoration established; and subsequent probationary terms, conditions, and limitations for at least three years established. Based on doctor having been found guilty of one felony count of Health Care Fraud. Order effective 5/7/07.

MOMAH, Charles M. (MD #35-064306) – Massena, NY

Board Order: Medical license permanently revoked based on doctor's having been found guilty in Washington of one felony count of Rape in the second degree,

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one felony count of Rape in the third degree, and two felony counts of Indecent Liberties. Order effective 11/9/06.

MOORE, John Pease, III (MD #35-069259)

Dayton, OH

Court Action: By decision filed 3/9/07 the Franklin County Court of Common Pleas affirmed the Board's 5/14/03 Order which indefinitely suspended his medical license and imposed conditions for reinstatement.

MOSHIRI, Bahram Tafreshi (MD applicant)

Vienna, VA

Application Withdrawn: Request for permanent withdrawal of application for medical licensure accepted by Board in lieu of formal disciplinary proceedings based on applicant's alleged violation of Sections 4731.22(B)(5), 4731.29, and 4731.08, Ohio Revised Code. Withdrawal effective 7/12/06.

MOSS, Fred Robert (MD #35-059484)

Cincinnati, OH

Consent Agreement: Medical license subject to probationary terms, conditions, and limitations imposed to monitor practice based on prior action by Indiana's board, which issued doctor a probationary license, and on doctor's admission of diagnosis of alcohol dependence, in remission since at least 2002, and cannabis abuse, in remission since at least 2000. Agreement effective 11/9/06; agreement to remain in effect for at least two years prior to any request for termination.

NASSIF, Anthony Constantin (MD #35-029158)

Cleveland, OH

Voluntary Retirement: Doctor's permanent voluntary retirement of medical license accepted by Board in lieu of further investigation and/or formal disciplinary proceedings related to doctor's physical disability. Effective 5/9/07.

NGUYEN, Thomas Anh (MD #35-077860)

New Cumberland, PA

Reinstatement: Medical license reinstated, subject to probationary terms and conditions established by 9/10/03 Board Order. Reinstatement effective 9/13/06.

NORTH, Phillip Thiele (MD #35-057152)

Columbus, OH

Consent Agreement: Medical license suspended for at least 60 days, commencing 11/1/06; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admission of failure to comply with conditions of limitation imposed by 6/9/05 Consent Agreement. Agreement effective 10/12/06. **Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having met the conditions for reinstatement specified in the 10/12/06 Consent Agreement. Agreement effective 3/14/07; agree-

ment to remain in effect for at least five years prior to any request for termination.

O'BRIEN, Michael J. (DO #34-006651)

Shadyside, OH

Restoration: Medical license restored subject to probationary terms and conditions established by 9/11/02 Board Order. Restoration effective 3/15/07.

O'NEILL, James A. (MD #35-023297) Clarkston, MI

Consent Agreement: Doctor reprimanded based upon prior action by Michigan's medical board imposing a reprimand and monetary fine due to doctor's failure to exercise due care in treatment rendered to one patient. Agreement effective 7/12/06.

OKORO, Chijioke Victor A.K.A. Victor Okoro; A.K.A. Chiji V. Okoro (MD #35-047675) Houston, TX

Board Order: Medical license permanently revoked. Based on doctor's conviction of 15 felony counts of mail fraud, three felony county of filing false income tax returns, and seven felony counts of health care fraud; prior action by the Texas medical board revoking doctor's Texas medical license due to felony convictions; and action by U.S. Department of Health & Human Services excluding doctor from participating in federal health care programs for at least 25 years based on doctor's obtaining money by fraudulent misrepresentation in the course of practice. Order effective 8/11/06.

ONINKU, Seth A. (MD #35-060246) Trotwood, OH

Board Order: Medical license permanently revoked based on doctor's having been found guilty of one felony count of Sale of Dangerous Drugs and one felony count of Possession for Sale of Dangerous Drugs. (Order effective 9/13/06.

PARKS, Alan Joseph (MD #35-054686)

Columbus, OH

Board Order: Medical license suspended for 180 days, with suspension stayed subject to probationary terms, conditions, and limitations imposed to monitor doctor's practice for at least three years. Based on doctor's failure to conform to minimal standards of care with respect to treatment of three specified patients. Order effective 3/16/07. **Court Action:** Notice of appeal of Board's 3/14/07 Order filed by doctor with the Franklin County Court of Common Pleas on or about 3/30/07.

PATTON, John E. (PA #50-000437) –

West Mansfield, OH

Consent Agreement: Revocation of physician assistant's certificate stayed, with certificate suspended for at least one year; interim monitoring conditions for reinstatement established; probationary terms, conditions, and limitations upon reinstatement established. Based on physician assistant's admission of providing, on two renewal applications, false, fraudulent, deceptive, or misleading statements concerning NCCPA certification status. Agreement effective 9/13/06; agreement to remain in effect for at least one year prior to any request for termination.

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PENNEY, Nathan Thomas (DPM training certificate #59-000166) Columbus, OH

Consent Agreement: Podiatric medicine training certificate reinstated contingent upon doctor's compliance with conditions, including appointment to residency program, subject to probationary terms, conditions, and limitations imposed to monitor practice. Based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 10/12/06; agreement to remain in effect for at least five years prior to any request for termination.

PHEN, Lovsho (MD #35-055007) Portola, CA

Board Order: Permanent revocation of medical license stayed, with license suspended for at least one year; conditions for reinstatement and subsequent probationary terms, conditions, and limitations for at least three years established. Based on doctor's guilty plea to six first degree misdemeanor counts of Attempted Illegal Processing of Drug Documents pertaining to false or forged prescriptions for a Schedule IV controlled substance. Order effective 4/11/07.

PLOUFFE, Joseph Frances (MD #35-040743) Sarasota, FL

Voluntary Agreement: Doctor's permanent voluntary retirement of medical license accepted by Board in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(26), Ohio Revised Code. Effective 9/13/06.

POLITI, Barry Joseph (MD applicant) Jackson, MS

Court Action: By opinion rendered on 5/10/07, 10th District Court of Appeals affirmed the judgment of the Franklin County Court of Common Pleas, which had affirmed the Board's 11/9/05 Order permanently denying his license application.

PORTER, Stephen Randall (MD #35-069802) Harrison, OH

Court Action: By Amended Judgment Entry filed 4/16/07, the Franklin County Court of Common Pleas ordered the Board to vacate the 4/13/05 Order, which had revoked doctor's medical license. Accordingly, the terms, conditions, and limitations established in the 9/10/03 Consent Agreement remain in effect.

PRADA, German Virgilio (MD #35-039814) Dayton, OH

Board Order: (1) Application for reinstatement of medical license denied and (2) permanent revocation of medical license stayed, with medical licensed suspended for at least one year; conditions for reinstatement established; and subsequent probationary terms, conditions, and limitations for practice for at least three years established. Based on doctor's violation of limitations imposed by Board Order issued 3/10/04 and effective 3/31/04, practice of medicine during license suspension, and failure to conform to minimal standards of care with respect to the treatment of one specified patient. Order supersedes the terms and conditions set forth in

the Board Order issued 3/10/04 and effective 3/31/04. Order effective 11/7/06.

PRASAD, Kolli Mohan (MD #35-041939) Boardman, OH

Board Order: Permanent revocation of medical license stayed, with license suspended for 30 days; probationary terms, conditions and limitations established for at least two years. Based on doctor's violation of conditions of limitation imposed on doctor's license by 2/11/98 Board Order due to doctor's failure to timely submit required reports. Order effective 12/11/06.

PROCTER, David H. a.k.a. David H. Proctor (MD #35-041745) South Shore, KY

Board Order: Medical license permanently revoked. Based on doctor's being found guilty of one felony count of Conspiracy to Distribute and Possession with Intent to Distribute Schedule II, III, and IV Controlled Substances, two felony counts of Distribution of Schedule III and IV Controlled Substances, and one felony count of Conspiracy to Commit Offense Against the U.S., and doctor's exclusion from federal health programs. Order effective 4/12/07.

QUINTANA, Jose Raul (MD applicant) Lake City, FL

Board Order: Application for medical license granted, with doctor reprimanded based on prior action by Florida's medical board imposing a fine and other discipline upon doctor's Florida medical license. Order effective 8/11/06.

RANGA, Puttagunta (MD #35-045040) New Bremen, OH

Consent Agreement: Medical license placed on probation in lieu of formal proceedings, with probationary terms, conditions and limitations established for at least two years based upon psychiatric diagnosis and opinion from psychiatrist that doctor is capable of practicing subject to certain conditions. Agreement effective 7/12/06; agreement to remain in effect for at least two years prior to any request for termination.

RIDGEWAY, Joseph Aloysius, IV (MD #35-062021) Columbus, OH

Summary Suspension: Pursuant to Section 4731.22 (G), O.R.C., medical license summarily suspended based on Board's determination that there is clear and convincing evidence that (1) doctor violated conditions of limitation imposed on medical license by 2/8/06 Board Order and (2) doctor's ability to practice according to acceptable and prevailing standards of care is impaired due to relapse on cocaine, and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 7/20/06. **Board Order:** Medical license suspended for at least one year; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's ad-

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mission of inability to practice according to acceptable and prevailing standards of care due to relapse on cocaine and of failure to comply with conditions of limitation imposed by 2/8/06 Board Order. Agreement effective 10/12/06. **Court Action:** By Decision and Entry filed on 11/1/06, Franklin County Court of Common Pleas granted Board's motion to dismiss doctor's 10/19/05 Complaint for Declaratory Judgment and Injunctive Relief and 11/16/05 appeal of the Board's 11/9/05 Summary Suspension Order. Notice of appeal of the 11/1/06 Decision and Entry of the Franklin County Court of Common Pleas, which dismissed doctor's 10/19/05 Complaint for Declaratory Judgment and Injunctive Relief and 11/16/05 appeal of the Board's 11/9/05 Summary Suspension Order, filed with the 10th District Court of Appeals on 11/28/06. **Court Action:** By Decision filed on 4/13/07 and Entry filed on 4/27/07, the Franklin County Court of Common Pleas affirmed Board's 2/8/06 Order. **Court Action:** Notice of Appeal of the 4/27/07 Entry of the Franklin County Court of Common Pleas, which affirmed the Board's 2/8/06 Order, filed with the 10th District Court of Appeals on 5/30/07.

RIMLAWI, Bassem Mehrim (MD #35-051705)
Sidney, NY

Board Order: Doctor reprimanded; conditions for restoration of expired license established; subsequent probationary terms, conditions, and limitations established for a period of at least three years. Based on prior action by New York's medical board, which had permanently restricted doctor's practice in that state, the underlying basis being doctor's care rendered to seven patients. Order effective 5/30/07.

RISE, Leroy P. (MD #35-088474) Baltimore, OH
Consent Agreement: Consent Agreement dated 12/14/05 terminated. Revocation of medical license stayed, and suspended for at least 90 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admitted relapse on alcohol, for which doctor sought evaluation and treatment recommendations from a Board-approved provider. Agreement effective 3/14/07.

ROHIRA, Lalsingh P. (MD #35-042898)
Strongsville, OH
Board Order: Doctor's license permanently revoked based on doctor's plea of guilty in U.S. District Court to one felony count of Conspiracy, three felony counts of Aiding and Abetting Wire Fraud, and one felony count of Aiding and Abetting Health Care Fraud. Order effective 12/15/06.

ROSENBERG, Mark Robert (MD #35-065727)
Elisville, MO
Board Order: Permanent revocation of medical license stayed, with license suspended for at least one year; conditions for reinstatement and subsequent probation-

ary terms, conditions, and limitations for at least five years established. Based on doctor's having been found guilty of two federal misdemeanor counts of knowingly receiving stolen property (money) with the intent to convert the money to his own use. Order effective 12/1/06. **Court Action:** Notice of Appeal of Board's 11/8/06 Order filed by doctor with the Franklin County Court of Common Pleas on 12/13/06. **Court Action:** By Decision and Entry filed 1/11/07, the Franklin County Court of Common Pleas denied doctor's request for a stay of the Board's 12/1/06 Order.

RUSSELL, John Michael (MD #35-065141)
Palm Coast, FL

Consent Agreement: Doctor reprimanded based upon doctor's admission of prior action by Florida's medical board imposing a fine and other discipline, including issuance of a Letter of Concern, the underlying basis being the allegation that doctor performed a surgical procedure on the wrong site. Agreement effective 7/12/06.

RYAN, Jon Patrick (DO #34-008006) – Dayton, OH
Consent Agreement: Medical license suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admitted addiction to Tramadol, for which doctor has sought treatment through a Board-approved provider. Agreement effective 7/12/06. **Consent Agreement:** Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 1/10/07; agreement to remain in effect for at least five years prior to any request for termination.

SANDHU, Gurpal Singh (MD #35-086710) –
Oakland, CA

Board Order: Medical license revoked based on doctor's failure to cooperate in Board's investigation of prior action taken by Idaho's medical board. Order effective 5/9/07.

SAVAGE, Terri Lynne (MD #35-075415)
Dayton, OH
Interim Agreement: By Interim Agreement effective 8/10/06, doctor agreed that doctor's medical license shall remain summarily suspended until the Board issues an Order in resolution of the charges contained in the 5/24/06 Notice of Summary Suspension and Opportunity for Hearing, and that doctor will not practice medicine and surgery in Ohio in any form during the pendency of the interim agreement. **Board Order:** Medical license revoked based on doctor's impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, and doctor's acts constituting felonies,

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to wit: violations of Section 2925.22, O.R.C., Deception to Obtain a Dangerous Drug, and/or Section 2925.23, O.R.C., Illegal Processing of Drug Documents. Order effective 9/15/06. **Voluntary Surrender:** Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of formal disciplinary proceedings based upon, and as an essential part of, a negotiated plea agreement related to criminal charges pending against doctor for conduct relative to doctor's use and/or abuse of drugs. Effective 6/13/07.

SCHLOTTERER, William L. (DO #34-003224)
Sandusky, OH

Consent Agreement: Medical license suspended for at least 90 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on diagnosis of alcohol dependence, for which doctor has sought treatment through a Board-approved provider, and doctor's inability to practice according to acceptable and prevailing standards of care due to use or abuse of alcohol. Agreement effective 3/14/07.

SCHRAMM, Arthur Richard (MD #35-031253)
Dayton, OH

Board Order: Medical license permanently revoked. Based on doctor's violation of AMA Principles of Medical Ethics, failure to maintain minimum standards of care, and failure to maintain medical records to accurately reflect controlled substance prescriptions in the care of three specified patients. Order effective 3/16/07.

SHAW, Christopher S. (MD Training Certificate #57-006421)
Akron, OH

Consent Agreement: Training certificate reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 6/13/07; agreement to remain in effect for at least five years prior to any request for termination.

SHIRIF, Khalid Mahmoud (MD training certificate applicant)
Buffalo, NY

Board Order: Medical training certificate granted, subject to conditions, and suspended for not less than one year; conditions for reinstatement or restoration, and subsequent probationary terms, conditions, and limitations for at least two years established. Based on doctor's failure to provide complete and accurate information on application for Ohio medical training certificate, applications and correspondence to residency training programs, and application to the Plastic Surgery Central Application Service. Order effective 7/6/06.

SHORT, Jody Lee Nelson (DO training certificate #58-001948)
Dayton, OH

Consent Agreement: Medical license reinstated subject to probationary terms, conditions, and limitations

imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 11/9/06; agreement to remain in effect for at least five years prior to any request for termination.

SHORT, Robert Franklin (MD training certificate #57-010592)
Columbus, OH

Board Order: Probationary, terms, conditions, and limitations established for a period of at least five years, with additional terms, conditions, or limitations to be imposed should doctor be granted a subsequent Ohio training certificate or commence practice in Ohio. Order effective 12/15/06.

SHOUP, Donald Eugene (DO #34-001352)
Wellsville, MO

Voluntary Surrender: Doctor's permanent surrender of medical license accepted by Board vote on 11/8/06 in lieu of formal disciplinary proceedings related to prior action against doctor's Missouri license by Missouri's medical board. Surrender of medical license effective 11/9/06.

SIMONE, Joseph Cooper (DO #34-002296)
Columbus, OH

Consent Agreement: Medical license suspended for an indefinite period of time; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admitted impairment in ability to practice medicine and surgery according to acceptable and prevailing standards of care due to the habitual or excessive use or abuse of controlled substances. Agreement effective 12/13/06.

SIMONS, Mitchell Edward (MD #35-050545)
Cincinnati, OH

Board Order: Medical license permanently limited and restricted with practice requirements imposed, including that doctor have a chaperone present throughout any personal contact with female patients, and that doctor obtain approval from the Board prior to Ohio practice. Based on prior action against doctor's license by Kentucky's medical board, the underlying basis being allegations by two patients of inappropriate conduct/contact by the doctor. Order effective 8/8/06. **Court Action:** Notice of Appeal of Board's 7/12/06 Order permanently restricting and limiting doctor's medical license filed with the Franklin County Court of Common Pleas on 8/18/06. By Decision and Entry filed 9/18/06, the Franklin County Court of Common Pleas denied doctor's request for a stay of the Board's 7/12/06 Order permanently restricting and limiting doctor's medical license. Notice of Appeal of the 9/18/06 Decision and Entry of the Franklin County Court of Common Pleas, which denied doctor's request for a stay of the Board's 7/12/06 Order permanently restricting and limiting doctor's medical license,

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filed with the 10th District Court of Appeals on or about 10/4/06. By Journal Entry filed 10/19/06, the 10th District Court of Appeals denied doctor's motion for stay of the Board's 7/12/06 Order, which permanently restricts and limits doctor's medical license. **Court Action:** By notice filed in Franklin County Court of Common Pleas on 12/28/06, doctor dismissed appeal of Board's 7/12/06 Order, which had permanently limited and restricted doctor's practice. **Court Action:** By Journal Entry filed 1/8/07, the 10th District Court of Appeals dismissed doctor's administrative appeal.

SMITH, Albert W., III (MD #35-031140)
Bowling Green, OH

Board Order: Permanent revocation of medical license stayed, with license suspended for at least two years; conditions for reinstatement or restoration established; subsequent probationary terms, conditions, and limitations for at least three years established. Based on doctor's failure to use reasonable care discrimination in the administration of drugs, or failure to employ acceptable scientific methods in the selection of drugs or other modalities of treatment; failure to maintain minimal standards of care applicable to selection or administration of drugs; failure to conform to minimal standards of care; and failure to complete and maintain accurate medical records reflecting utilization of controlled substances with respect to treatment rendered to one specified patient. Order effective 4/11/07.

SNYDER, Matthew Allan (LMT #33-014161)
Luckey, OH

Consent Agreement: Massage therapy license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on massage therapist having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 12/13/06; agreement to remain in effect for at least five years prior to any request for termination.

SPIESS, Patricia Ann (MD #35-049816)
Wooster, OH

Consent Agreement: Medical license restored subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 3/14/07; agreement to remain in effect for at least two years prior to any request for termination.

STEIN, Sarah Ann (LMT #33-015532)
Upper Arlington, OH

Consent Agreement: Massage therapy license granted and immediately suspended for 90 days; interim terms and conditions established; probationary terms established, effective upon reinstatement of license. Based on massage therapist's admission of failing to provide full and accurate information to the Board on licensure application. Agreement effective 10/12/06;

agreement to remain in effect for at least five years prior to any request for termination.

STEPHENS, Gretel Case (MD #35-086714)
Alexandria, KY

Board Order: No further action taken by the Board in relation to allegations in the 4/12/06 Notice of Opportunity for Hearing, the underlying basis for the allegations having been prior disciplinary action by Tennessee's medical board. Order effective 12/15/06.

STERNS, Jordan Ben (MD #35-063665)
Cleveland Heights, OH

Voluntary Surrender: Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(15) and 4731.22(B)(26), Ohio Revised Code. Effective 9/13/06.

STRASEK, Frank Murray (DPM #36-001720)
Rocky River, OH

Board Order: Permanent revocation of medical license stayed subject to suspension for at least 6 months; conditions for reinstatement and subsequent probationary terms, conditions, and limitations for at least three years established. Based on doctor having been found guilty of eleven felony counts of Mail Fraud and nine felony counts of Health Care Fraud. Order effective 8/8/06.

STRAYER, Michael Gregory (Massage therapy applicant)
South Euclid, OH

Board Order: Massage therapy license granted, subject to probationary terms, conditions, and limitations for at least two years. Based on applicant having been convicted of a felony for one count of possession of drugs. Order effective 5/10/07.

STRICKLAND, Susan Kay (MD #35-065274)
Chagrin Falls, OH

Consent Agreement: Doctor reprimanded, fined \$500, and required to submit documentation of compliance with required CME for specified CME acquisition periods. Based on doctor's admission of having certified on license renewal application that requisite CME had been completed, when, in fact, it was not completed. Agreement effective 4/11/07.

SWEDA, Susan Gail (MD #35-058466)
Margate, FL

Consent Agreement: Medical license suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admission of addiction to alcohol and use of Fentanyl, Versed, and Benadryl, for which doctor has sought treatment through a Board-approved provider. Agreement effective 10/12/06.

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THOMAS, Gregory Michael (MD #35-048215)
Toledo, OH

Consent Agreement: Permanent revocation of medical license stayed, with medical license suspended for at least two years; conditions for reinstatement and subsequent probationary terms, conditions, and limitations for at least five years established. Based on doctor's admission of improper prescribing and failure to conform to minimal standards of care in the course of treatment of 16 specified patients. Consent agreement effective 4/28/07; agreement remains in effect for at least five years following reinstatement or restoration of medical license, prior to any request for termination.

TOWARD, Brett Edward (MD #35-075173)
Mansfield, OH

Consent Agreement: Revocation of medical license stayed, with medical license suspended for at least one year, beginning 1/11/07; conditions for reinstatement established; and subsequent probationary terms, conditions, and limitations established based on doctor's admission of failing to provide complete and accurate information on licensure, insurance, and credentialing applications and failing to arrange on-call coverage for doctor's private practice during the time doctor was working in hospital emergency departments. Agreement effective 1/11/07; agreement to remain in effect for at least one year after licensure reinstatement prior to request for modification of probationary terms, limitations, and conditions.

TURNER, Ross Putnam (DO Training Certificate #58-001438) Columbus, OH

Consent Agreement: Osteopathic training certificate suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admitted inability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs, for which doctor has sought treatment through a Board-approved provider. Agreement effective 3/14/07.

VAN WAGONER, Kerrie (PA #50-001795)
Centerville, OH

Consent Agreement: Physician assistant certificate to practice suspended for an indefinite period of time, at least until physician assistant cooperates fully in providing the Board with requested information relative to obtaining controlled substances for self-use; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on physician assistant's admission of having been diagnosed with depression and opiate dependence, with the drug of choice being Vicoprofen, for which physician assistant has sought treatment by a Board-approved treatment provider, and of having been determined to be impaired in ability to practice medicine

according to acceptable and prevailing standards of care due to the habitual or excessive use or abuse of drugs. Agreement effective 6/13/07.

VJECHA, Michael Joseph (MD #35-049553)
Washington, DC

Consent Agreement: Medical license suspended for at least one year; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's admission of inability to practice according to acceptable and prevailing standard of care due to relapse on crack cocaine and marijuana, and failure to comply with conditions of limitation imposed by 5/15/03 Consent Agreement. Agreement effective 9/13/06.

VOLKMAN, Paul H. (MD #35-070722)
Chillicothe, OH

Interim Agreement: By Interim Agreement effective 5/25/06, doctor agreed not to practice medicine and surgery in Ohio in any form until allegations set forth in the 3/8/06 notice of opportunity for hearing have been fully resolved.

WAGMAN, Philip Gary (MD #35-074129)
New Castle, PA

Board Order: Medical license permanently revoked. Based on doctor having been found guilty in Court of Common Pleas of Lawrence County, PA, of 19 felony counts of violation of the Controlled Substance, Drug, Device and Cosmetic Act, one felony count of Conspiracy to Violate the Controlled Substance, Drug, Device, and Cosmetic Act, and one felony county of Flight to Avoid Apprehension, and on prior action by Pennsylvania's medical board to automatically suspend doctor's license due to the felony convictions. Order effective 10/11/06.

WASSIL, John George, III (MD #35-077968)
Sharon, PA

Child Support Default Non-Renewal: Pursuant to determination of the Trumbull County Child Support Enforcement Agency that doctor is in default under a child support order, doctor's lapsed medical license can not be renewed or reinstated until such time as the Board receives notice from the Trumbull County Child Support Enforcement Agency that doctor is no longer determined to be in default. Non-renewal effective 6/6/07.

WERNER, Joseph Gregory (MD Training Certificate #57-008700) Columbus, OH

Consent Agreement: Medical training certificate suspended for at least 90 days; interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on doctor's diagnoses of cannabis abuse and alcohol abuse, determination that doctor is impaired in the

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ability to practice according to acceptable and prevailing standards of care, and on doctor's failure to provide complete and accurate information on an application submitted to the Board. Agreement effective 9/13/06.

Consent Agreement: Medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 1/10/07; agreement remains in effect for at least five years prior to any request for termination.

WHALEN, John Kevin (MD #35-073148)
Covington, KY

Consent Agreement: Medical license restored subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practice according to acceptable and prevailing standards of care, so long as certain treatment and monitoring conditions are in place. Agreement effective 3/14/07; agreement remains in effect for at least two years prior to any request for termination.

WHITLOCK, Randall Gregory, Jr. (PA #50-001262)
Cincinnati, OH

Consent Agreement: Physician assistant certificate to practice suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that physician assistant enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on physician assistant's admitted history of chemical dependency (alcohol, cocaine, and crack cocaine), for which physician assistant has sought treatment through a Board-approved provider, and physician assistant's admission of inability to practice according to acceptable and prevailing standards of care. Agreement effective 3/14/07.

YUN, Mary Mei-Ling (MD #35-072128) Carlsbad, CA

Board Order: Medical license revoked based on doctor's violation of conditions of limitations imposed on doctor's license by 10/13/04 Board Order. Order effective 11/9/06.

YUNKER, Maria Lynn (LMT #33-012301)
Cincinnati, OH

Voluntary Surrender: Board Order permanently revoking massage therapy license as authorized by massage therapist in lieu of formal disciplinary proceedings based on determination of impairment following Board-ordered evaluation and history of pleading guilty to two drug-related misdemeanors. Effective 8/9/06.

ZAK, John F. III (MD #35-073277)
Middleburg Heights, OH

Voluntary Retirement: Doctor's retirement from medical practice accepted by Board in lieu of doctor's continued compliance with the terms of the 9/1/04 Consent Agreement. Effective 10/12/06.

ZAMBRANO, Severino Perez (MD #35-032403)
Toledo, OH

Board Order: Medical license permanently revoked based on doctor's dispensing controlled substances to self and a family member in violation of Board rules, failing to maintain patient records to document dispensing of controlled substances, failing to cooperate in a Board investigation, and committing acts that constitute a felony, to wit: Perjury under Section 2921.11, O.R.C. Order effective 9/14/06.

ZIMMERMAN, James F. (DPM #36-002579)
Barberton, OH

Consent Agreement: Podiatric medical license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on doctor having been deemed capable of practicing according to acceptable standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 10/12/06 and remains in effect for at least five years prior to any request for termination.



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