

## MEMORANDUM

TO: Formal Action Mailing List

FROM: Lauren Lubow, Senior Executive Staff Attorney

DATE: May 19, 2004

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Please find below a summary of actions taken or initiated by the State Medical Board of Ohio in May 2004.

### CITATIONS/PROPOSED DENIALS

**FULTZ**, Barry (MT #33-011323) - Bellevue

Based on alleged impairment of ability to practice according to acceptable and prevailing standards of care due to alcohol dependency. Notice of opportunity for hearing mailed 5/13/04.

**LEVITT**, Stephen Barry (MD #35-041936) - Dayton

Based on allegations that doctor engaged in a scheme to hide a portion of a colleague's income in order to protect it from the colleague's ex-spouse, and that he forged the signature of a notary public to a court document when he was aware that the document contained a false statement. Notice of opportunity for hearing mailed 5/13/05.

**OLSEN**, Thomas George (MD #35-046058) - Dayton

Based on allegations that doctor engaged in a scheme with a colleague to hide a portion of his income from his ex-spouse; that he submitted documents that contained what he knew to be understatements of his actual net income to the IRS and to the Hamilton (OH) Domestic Relations Court; and that he failed to advise Medical Board on license renewal application that he had been found guilty in 2/03 of Driving Under the Influence of Alcohol or Drugs. Notice of opportunity for hearing mailed 5/13/04.

## FINAL ORDERS

**GERACI**, Thomas L. (DPM #36-002265) - Columbus

Podiatry license permanently revoked based on doctor's pleas of guilty to ten felony counts, including seven felony counts of Illegal Processing of Drug Documents and three felony counts of Deception to Obtain Dangerous Drugs, for which he was found eligible for intervention in lieu of conviction. (Review and Journal Entry - no hearing requested) Order mailed 5/13/04; Order effective 5/13/04.

**MCSURDY**, Bruce J. (MD #35-065913) - North Platte, NE

Medical license revoked based on prior action against doctor's license by North Dakota's medical board following conclusions of law that doctor had failed to furnish information requested about his compliance with continuing medical education requirements. (Journal Entry - no hearing requested) Order mailed 5/13/04; Order effective 5/13/04.

**SHIN**, Cheung Soo (MD #35-033143) - Middlesboro, KY

Medical license revoked based on prior action against doctor's license by Kentucky's medical board following Agreed Findings relative to doctor's inadequate supervision of a physician assistant. (Journal Entry - no hearing requested) Order mailed 5/13/04; Order effective 5/13/04.

## CONSENT AGREEMENTS

**DOAK**, Scott A. (MD #35-063604) - Xenia

Doctor reprimanded; subject to mandatory CME audits for three biennial registration periods. Based on doctor's admission that, although he certified on his application for renewal that he had completed the requisite hours of Continuing Medical Education, he had failed to maintain documentation of such completion as required by Board rule. Documentation of completion of additional hours has since been provided. Agreement effective 5/12/04.

**ESSA**, Yazeed Mansi (MD #35-072322) - Akron

Medical license reinstated subject to probationary terms, conditions and limitations 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 5/12/04; agreement to remain in effect for at least five years prior to any request for termination.

**FIEDLER**, Benjamin Paul (MD #35-078888) - Columbus

12/00 consent agreement amended to acknowledge that doctor has made numerous substantial, but futile, efforts to obtain required post-graduate training; to recognize that he has demonstrated compliance with all other terms of that agreement and displayed insight concerning identified deficiencies; and to permit the Board's Secretary and Supervising Member to recommend that doctor be released from probation. Addendum to agreement effective 5/12/04. (*See also*: Probation Terminated, *below*)

**HOPKINS**, Jordan Eric (MD training certificate #57-005132) - Columbus

Medical training certificate indefinitely suspended; interim monitoring conditions and conditions for reinstatement, renewal or issuance of any other certificate established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's admission that he has been diagnosed as alcohol dependent and has sought treatment through a Board-approved provider. Agreement effective 5/12/04.

**KANNAPIRAN**, Kandhasamy (MD #35-048702) - Mansfield

2/12/04 summary suspension Order terminated; medical license suspended for at least ninety days; interim monitoring 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 impairment of ability to practice according to acceptable and prevailing standards of care due to alcohol dependence and possible benzodiazepine abuse/dependence. Agreement effective 5/12/04.

**KUNKEL**, John Fitzgerald (MD #35-076546) - Santa Rosa, CA

Probationary terms, conditions and limitations established based on California Medical Board's issuance of a probationary medical license to doctor in view of doctor's history of treatment for major depressive disorder and bipolar disorder, and recommendation by psychiatrist who evaluated doctor on behalf of Ohio medical board that doctor undergo a period of probation with required treatment and monitoring. Agreement effective 5/12/04; agreement to remain in effect for at least five years prior to any request for termination.

**MCALLISTER**, Mark Stephen (MD #35-072741) - North Olmsted

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 impairment of ability to practice according to acceptable and prevailing standards of care due to relapse, violation of conditions of limitation imposed on license by May 2001 consent agreement, and commission of an act

that constitutes a felony in this state, to wit: Theft of Drugs. Agreement effective 5/12/04.

**SOUTHIERE**, George Armand, Jr. (MD #35-070885) - Andover, KS

Medical license restored, subject to probationary terms, conditions and limitations to monitor practice. Based on prior actions against doctor's licenses in Kansas and New York; history of chemical dependency, treatment and relapse; 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 5/12/04; agreement to remain in effect for at least three years prior to any request for termination.

**TIPPIE**, Toby James (PA #50-001990) - Lima

Certificate of registration to practice as a physician assistant suspended for at least 180 days; interim monitoring 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 having pled guilty to two felony counts of Forgery, for which he was found eligible for intervention in lieu of conviction; and impairment of ability to practice according to acceptable and prevailing standards of care due to chemical dependency. Agreement effective 5/12/04.

**WARREN**, Michael Craig (DO #34-008173) - Toledo

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 admissions that his ability to practice according to acceptable and prevailing standards of care is impaired due to chemical dependency, for which he has sought treatment through a Board approved provider; that he committed acts that constitute felonies in this state, to wit: Deception to Obtain a Dangerous Drug, and/or Illegal Processing of Drug Documents; and that he failed to advise the Board on his licensure application that he was engaged in the illegal use of controlled substances. Agreement effective 5/12/04.

**WILLINGHAM**, Tamara Deanne (MT #33-011291) - Perrysburg

Permanent revocation of certificate to practice massage therapy stayed, subject to suspension for ninety days, such period to be calculated from 2/26/04, the effective date of massage therapist's interim agreement not to practice; probationary terms, conditions and limitation for at least five years established. Based on massage therapist's admission that she was found guilty of one felony count of Aggravated Vehicular Assault. Agreement effective 5/12/04; agreement to remain in effect for a minimum of five years prior to any request for termination.

## VOLUNTARY SURRENDERS/RETIREMENTS

**DINTIMAN**, Peter Evans (MD #35-048364) - Alliance

Doctor's voluntary surrender of medical license accepted by Board in lieu of further formal proceedings, based on doctor's admissions to factual allegations set forth in 2/11/04 notice of opportunity for hearing. Doctor ineligible for licensure in the future. Effective 5/11/04.

**DIPIETRO**, John Joseph (MT #33-006449) - East Canton

Permanent revocation of certificate to practice massage therapy authorized by massage therapist in lieu of further formal investigation and/or formal disciplinary proceedings based upon his inability to practice due to various medical conditions, including chronic pain. Effective 5/11/04.

## PROBATION/MONITORING MODIFIED

**ADAS**, Mohammad A. (MD #35-055276) - Maumee

Doctor's request to reduce frequency of required drug screens to twice per month until such time as his license is reinstated, when the more frequent schedule may be reinstated, granted by vote of the Board on 5/13/04.

**BALDWIN**, Mark Denison (DO #34-005880) - Columbus

Doctor's request to reduce required personal appearances to every six months granted by vote of the Board on 5/13/04.

**FORD**, Donald Brooks (MD #35-074884) - Solon

Doctor's request to reduce required alcohol and drug rehabilitation meetings to at least two meetings per week, with a minimum of ten meetings per month, granted by vote of the Board on 5/13/04.

**GEORGE**, Walter Lloyd, Jr. (MD #35-043159) - Beachwood

Doctor's request to eliminate the chart monitoring requirement of his consent agreement granted by vote of the Board on 5/13/04.

**HANES**, David Corey (DO #34-008237) - Holland

Doctor's request to reduce required alcohol and drug rehabilitation meetings to at least two meetings per week, with a minimum of ten meetings per month, granted by vote of the Board on 5/13/04.

**KITCHEN, Anthony W.** (MD #35-069821) - Parkersburg, WV/Cambridge

Doctor's request to reduce required personal appearances to every six months granted by vote of the Board on 5/13/04.

#### REINSTATEMENTS

**JAIN, Vikas Kumar** (MD #35-076297) - Newark

Doctor's request for reinstatement granted by vote of the Board on 5/13/04, subject to probationary terms, conditions and limitations established by 11/12/03 consent agreement.

#### PROBATION TERMINATED

**FIEDLER, Benjamin Paul** (MD #35-078888) - Columbus

Doctor's request for release from terms of 12/12/00 consent agreement granted by vote of the Board on 5/12/04 based on review of doctor's documented CME and his record of compliance with probationary conditions.

**POLITO, Anthony Gerard** (DPM #36-002626) - Medina

Doctor's request for release from terms of 4/14/01 consent agreement granted by vote of the Board on 5/12/04, effective 5/13/04.

Please note that revocation and suspension Orders are not always effective immediately. If you have questions about effective dates or conditions governing a doctor's practice before a Board Order takes effect, please contact the office.

Ohio law permits appeal of a Board Order to the Franklin County Court of Common Pleas. Due to this possibility and the potential for a stay that might delay the imposition of a Board action, you may wish to contact us periodically to verify a given practitioner's licensure status.

Most current citation letters, Board Orders, consent agreements and voluntary surrenders or retirements are available on the Medical Board's website at <http://www.med.ohio.gov/>

under “Physician Profile and Status.” If you have questions or need additional details about specific cases, please contact Annette Jones at (614) 728-3686.