

## MEMORANDUM

TO: Formal Action Mailing List

FROM: Lauren Lubow, Senior Executive Staff Attorney

DATE: August 24, 2005

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Please find below a summary of actions taken or initiated by the State Medical Board of Ohio in May 2005.

### CITATIONS/PROPOSED DENIALS

**ALLEN**, Jamal (MT applicant) - Cleveland

Proposal to deny application for certificate to practice massage therapy based on applicant having been convicted of felonies in six unrelated cases since 1990; and on his alleged failure to provide complete and accurate information on his application regarding his criminal history. Notice of opportunity for hearing mailed 5/19/05.

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

Based on prior action against doctor's license by Georgia's medical board following findings that doctor's treatment of a specified, deceased patient departed from the minimum standard of acceptable and prevailing medical practice; and on doctor's alleged failure to advise the Ohio Medical Board of Georgia action on his license renewal application. Notice of opportunity for hearing mailed 5/19/05.

**BOSACK**, Douglas Paul (MD #35-048959) - Massillon

Based on doctor's alleged impairment of ability to practice and violation of conditions of limitation imposed on his license by 12/8/99 Board Order due to chemical dependency relapse; and his alleged submission of false, fraudulent, deceptive or misleading compliance statements. Notice of opportunity for hearing mailed 5/19/05. (*See also: Pre-Hearing Suspensions, below*)

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

Based on doctor's alleged violation of conditions of limitation imposed on his license by 11/10/04 Board Order due to his failure to submit quarterly declarations of compliance, results of random urine screenings, and the name and curriculum vitae of a supervising physician. Notice of opportunity for hearing mailed 5/19/05.

**DRAKE**, Miles Edward, Jr. (MD #35-047457) - Columbus

Based on doctor having allegedly issued a prescription for a psychotropic drug, Abilify, while his license was suspended pursuant to a 2/8/05 consent agreement. Notice of opportunity for hearing mailed 5/19/05.

**GELESH**, Gary Charles (DO #34-002731) - Akron

Based on doctor's alleged failure to conform to minimal standards of care with respect to his treatment of a specified patient to whom he administered succinylcholine, which resulted in the death of the patient due to respiratory arrest. Notice of opportunity for hearing mailed 5/19/05.

**RICKEY**, Charles Christian (PA applicant) - Haverhill

Based on applicant having been convicted of Bank Fraud, a felony; and prior action against applicant's physician assistant certificate by Kentucky's medical board based on that conviction. Notice of opportunity for hearing mailed 5/19/05.

**SHAH**, Sonia Shetal (MD applicant) - Broadview Heights

Based on applicant allegedly having made false statements pertaining to her activities while participating in a residency training program at Akron General Medical Center. Notice of opportunity for hearing mailed 5/19/05.

**SHIRIF**, Khalid Mahmoud (MD training certificate applicant) - Cleveland

Based on applicant's alleged failure to provide complete and accurate information on application for Ohio medical training certificate, applications and correspondence to residency training programs, and an application to the Plastic Surgery Central Application Service in Phoenix, AZ. Notice of opportunity for hearing mailed 5/19/05.

**SIMONS**, Mitchell Edward (MD #35-050545) - Ft. Thomas, KY

Based on prior action against doctor's license by Kentucky's medical board in resolution of allegations by two patients of inappropriate conduct/contact by doctor. Notice of opportunity for hearing mailed 5/19/05.

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

Based on doctor having been found guilty of eleven felony counts of Mail Fraud and nine felony counts of Health Care Fraud. Notice of opportunity for hearing mailed 5/19/05.

#### FINAL ORDERS

**HEYD**, Timothy John (MD #35-063863) - Kettering

Permanent revocation of medical license stayed subject to indefinite suspension for at least sixty days; subsequent probationary terms, conditions, and limitations for at least one year established. Based on doctor's failure to conform to minimal standards of care and violation of Code of Professional Ethics due to his having repeatedly engaged in sexual contact with a patient despite the existence of an ongoing physician-patient relationship. Order mailed 6/7/05; Order effective 7/8/05.

**KHAN**, Mohammad Ibrahim (MD #35-036857) - Beverly Hills, CA

Medical license revoked based on prior action against doctor's license by California's medical board following legal conclusions that included that doctor had engaged in gross negligence and repeated negligent acts. (Journal Entry - no hearing requested) Order mailed 5/19/05; Order effective 5/19/05.

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

Medical license suspended for thirty days; all terms and conditions of 2/98 Board Order shall remain in effect. Based on doctor's violation of conditions of limitation imposed on his medical license by the 2/98 Order. Order mailed 6/7/05; Order effective 6/7/05. Suspension effective from 6/7/05 through 7/7/05.

#### PRE-HEARING SUSPENSIONS

**BOSACK**, Douglas Paul (MD #35-048959) - Massillon

Pursuant to §4731.22(G), O.R.C., medical license summarily suspended based on Board's determination that there is clear and convincing evidence that doctor violated conditions of limitation imposed on his license by 12/8/99 Board Order due to chemical dependency relapse; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 5/19/05; suspension effective 5/19/05.

#### CONSENT AGREEMENTS

**ERNST**, David Carl (MD #35-060456) - Sandusky

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 5/19/05; agreement to remain in effect for at least five years prior to any request for termination.

**RUFFIN, Julia (DPM #36-002249) - Cincinnati**

License to practice podiatric medicine 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 5/19/05; agreement to remain in effect for at least five years prior to any request for termination.

**SCHWACHTER, Marc H. (MD #35-080114) - Dayton**

Medical license reinstated subject to requirement that doctor limit his practice to obstetrics and gynecology, to exclude deliveries and major ob-gyn procedures, pending neurological reevaluation of his ulnar neuropathy; and 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, including that doctor continue medication management and psychotherapy. Agreement effective 5/19/05; agreement to remain in effect for at least five years prior to any request for termination.

**SHAW, John Wesley (MD #35-068596) - Defiance**

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 admissions that he sought treatment for chemical dependency through a Board-approved provider after being confronted by representatives of the State Pharmacy Board and State Medical Board for issuing suspicious prescriptions for mood-altering drugs and controlled substances in the name of a family member; that he issued prescriptions for his own use in the names of other family members; and that his drugs of choice are hydrocodone, oxycodone, and tramadol. Agreement effective 5/19/05.

#### VOLUNTARY SURRENDERS/RETIREMENTS

**BAUM, Diane Lynn (LMT #33-011740) - Mansfield**

Massage therapist's voluntary surrender of massage therapy certificate accepted by Board in lieu of continuing compliance with terms of 7/29/02 consent agreement based upon massage therapist's present lack of resources to continue in the required treatment program. Any future application for reinstatement, restoration or issuance of any other certificate contingent upon massage therapist's demonstration to the Board's satisfaction that she can resume practice in compliance with acceptable and prevailing standards of care. Effective 5/19/05. (**Non-disciplinary**)

**BROWN**, Marvin Joseph, Jr. (MD #35-022452) - Mayfield Heights

Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on his having pled to and been found guilty of one felony count of Conspiracy to Distribute and Dispense Controlled Substances. Effective 5/19/05.

**BUFFINGTON**, Stephen N.elson (DO#34-002862) - Dayton

Doctor's permanent voluntary surrender of medical license accepted by Board in lieu of formal proceedings based on his having written prescriptions for a non-controlled medication in the name of a patient, for such patient to fill and return the medication to doctor for his own use. Doctor permanently ineligible for reinstatement or issuance of any other certificate issued by Board. Effective 5/19/05.

**MASTERS**, William Edward (MD #35-023024) - Warren

Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings for the reason that, due to physical illness and cognitive deficits, doctor is no longer able to practice medical and surgery according to acceptable and prevailing standards of care.; and in lieu of further investigation related to matters alleged in a criminal indictment filed against doctor in Trumbull County (Ohio) Court of Common Pleas on or about 3/11/04. Effective 5/19/05.

**SULLIVAN**, Michael W. (MD #35-066178) - Omaha, NE

Doctor's permanent voluntary surrender of medical license accepted by Board in lieu of continued monitoring under the terms, limitations and conditions of 1/12/05 consent agreement; doctor permanently ineligible for reinstatement or issuance of any other certificate issued by Board. Effective 5/19/05. (**Non-disciplinary**)

**VASQUEZ**, Ernesto (MD #35-038924) - Westerville

Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on his admission that he engaged in behaviors involving inappropriate boundary crossings or otherwise unethical conduct in violation of the AMA's Principles of Medical Ethics by engaging in a romantic relationship with a female patient of his psychiatric practice. Effective 5/19/05.

PROBATION MODIFIED

**GOODEN**, Timothy Alwyn (MD #35-048868) - Warrior, AL

Doctor's request to reduce required personal appearances to every six months granted by vote of the Board on 5/18/05.

PROBATION TERMINATED

**GRAY**, James Harold, Jr. (DO #34-003806) - Antwerp

Doctor's request for release from terms of 3/13/02 Board Order granted by vote of the Board on 5/18/05.

**HUNTER**, Thomas A. (PA #50-001417) - Antwerp

Physician Assistant's request for release from terms of 3/13/02 Board Order granted by vote of the Board on 5/18/05.

COURT ACTIONS

**CHECK**, Lynne Ellen Zegiob (MD #35-033827) - Garfield Heights

By Decision filed 5/9/05 and documented by Judgment Entry filed on 5/27/05, Franklin County Court of Common Pleas denied doctor's motion for reconsideration of Court's decision to dismiss her appeal of the Board's 1/12/05 summary suspension Order.

**DAHLQUIST**, Glenda Mae (MD #35-61900) - Dayton

By Opinion filed on 5/4/05 and documented by Judgment Entry filed on 5/10/05, Tenth District Court of Appeals affirmed Franklin County Court of Common Pleas' 7/19/04 decision, which had upheld Board's 1/14/04 permanent revocation Order.

**FIERRA**, Jeffrey James (MD #35-031774) - Cleveland

By Decisions and Entries filed 3/15/05 and 5/25/05, Franklin County Court of Common Pleas granted doctor's motion for a stay of Board's 1/2/05 indefinite suspension Order, conditioned upon doctor not performing any services for which a bill will be submitted, directly or indirectly, to the Ohio Department of Workers Compensation.

**HAJ-HAMED**, Ghassan (MD #35-069745) - Cincinnati

By Decision and Entry filed on 5/25/05, Franklin County Court of Common Pleas denied doctor's motion for stay of Board's 1/12/05 permanent revocation Order.

**HOXIE**, David A. (MD #35-071037) - Waverly

Pursuant to Decision filed on 5/13/05 and Nunc Pro Tunc Entry filed on 5/20/05, Franklin County Court of Common Pleas affirmed Board's 7/14/04 permanent revocation Order. Entry filed 6/3/05.

**SNYDER**, Geoffrey D. (MD #35-068971) - Woodsfield

By Decision and Entry filed on 4/21/05, Franklin County Court of Common Pleas affirmed Board's 1/14/04 permanent revocation Order.

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