

MEMORANDUM

TO: Formal Action Mailing List

FROM: Lauren Lubow, Communications Administrator

DATE: July 24, 2003

Please find below a summary of actions taken or initiated by the State Medical Board of Ohio in June 2003.

CITATIONS/PROPOSED DENIALS

CALLION, Raleigh Shipp (MD #35-049458) - Gahanna

Based on alleged impairment of ability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs, as evidenced by positive drug screen. Notice of opportunity for hearing mailed 6/12/03.

FISCHKELTA, Joseph William (PA #50-001459) - Springfield

Based on physician assistant having been found guilty in North Carolina of 7 misdemeanor counts of Common Law Forgery for forging a physician's signature to prescriptions issued to a false name; and his alleged failure to advise Ohio Medical Board of same on application for renewal of P.A. registration. Notice of opportunity for hearing mailed 6/12/03.

GAINEY, Michael Shane (MD #35-048972) - Loveland

Based on doctor's alleged failure to conform to minimal standards of care and violation of code of professional ethics due to his having engaged in oral sex with a patient he had treated in the hospital emergency department. Notice of opportunity for hearing mailed 6/12/03.

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

Based on allegations that doctor failed to provide complete and accurate information pertaining to past drug-related arrests and/or convictions on applications for Ohio and Virginia licensure, an application for D.E.A. registration, and in response to questions from D.E.A. and Ohio Medical Board staff; that he violated Board rules by prescribing controlled substance anorectics to a family member in an improper manner; and that he issued postdated prescriptions to three specified patients. Notice of opportunity for hearing mailed 6/12/03.

KELNER, Paul Evan (MD #35-061460) - Lexington

Based on alleged impairment of ability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs, and alleged violation of conditions of limitation imposed on license by 3/03 consent agreement, as evidenced by positive drug screens. Notice of opportunity for hearing mailed 6/12/03.

LEVY, David Joseph (MD #35-052773) - Erie, PA

Based on alleged impairment of ability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs, for which doctor sought treatment and entered into a monitoring contract through Pennsylvania's medical society; and alleged commission of an act constituting a felony in Ohio, to wit: Deception to Obtain a Dangerous Drug and Illegal Processing of Drug Documents. Notice of opportunity for hearing mailed 6/12/03.

PAAT, Erdulfo Paz (MD #35-034225) - North Olmsted

Based on doctor having been found guilty of one misdemeanor count of Attempted Sexual Imposition, the acts underlying which involved his conduct toward a female patient. Notice of opportunity for hearing mailed 6/12/03.

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

Based on doctor having been convicted of one felony count of Importuning, the conduct underlying which involved his soliciting, via the internet, a law enforcement officer posing as a minor to engage in sexual activity. Notice of opportunity for hearing mailed 6/12/03.

FINAL ORDERS

AHMED, Ashfaq Taj (MD #35-073182) - Springfield

Permanent revocation of medical license stayed subject to indefinite suspension for at least 90 days; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on doctor having

made false, fraudulent, deceptive or misleading statements to his residency program director, the American Board of Internal Medicine, and the Board pertaining to his completion of residency training, rescission of his certificate of completion of residency, and subsequent termination from residency. Order mailed 7/1/03; Order effective 7/1/03.

BAJAJ, Anil K. (MD #35-071601) – Parsippany, NJ

Medical license permanently revoked based on doctor having been found guilty of one felony count of Gross Sexual Imposition and one felony count of Sexual Battery. Order mailed 6/12/03; Order effective 6/12/03.

COHN, Frederick (MD #35-065955) - Albuquerque, NM

Medical license permanently revoked based on doctor's plea of guilty in U.S. District court of the Eastern District of Kentucky to felony counts of Attempt and Conspiracy, Laundering of Monetary Instruments, Health Care Fraud, and Criminal Forfeitures. (Journal Entry - no hearing requested) Order mailed 6/12/03; Order effective 6/12/03.

CRAWFORD, Steven Warren (MD #35-067148) - Portsmouth

Permanent revocation of medical license stayed subject to indefinite suspension for at least eighteen months, such suspension to be retroactive to 8/14/02, the effective date of doctor's Step I consent agreement with the Board; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on doctor having been found eligible for treatment in lieu of conviction for felony counts of Possession of Drugs, Deception to Obtain a Dangerous Drug, and Illegal Processing of Drug Documents; and his provision of false, fraudulent, deceptive or misleading statements in response to interrogatories from the Board. Order mailed 6/12/03; Order effective 6/12/03.

HANSON, Ryan Paul (MD #35-071364) - Columbus

Medical license suspended for thirty days; subsequent probationary terms conditions, and limitations established for at least five years. Based on doctor having been found guilty of one count of Public Indecency, a fourth degree misdemeanor. Order mailed 6/12/03; Order effective 7/13/03.

SPRUCH, Rezso (MD #35-044530) - Danville, IL/Morelia, MEXICO

Medical license permanently revoked based on doctor having pled guilty to and been found guilty in Illinois of two misdemeanor counts of (Attempt) Criminal Sexual Abuse; and prior action against doctor's New York medical license based upon that guilty plea. Order mailed 6/12/03; Order effective 6/12/03.

VINSON, David Jr. (MD #35-058761) - Chicago, IL

Medical license permanently revoked based on failure to conform to minimal standards of care with respect to surgical procedures performed on ten specified patients. Order mailed 6/12/03; Order effective 6/12/03.

FINAL ORDER VACATED

TOBIAS, Jonathan (MD #35-078310) - Cincinnati

Pursuant to Section 4731.22(H), O.R.C., Board's 3/12/03 suspension Order vacated by Order and Entry of the Board on 5/22/03, following court reversal of the conviction upon which that Order had been based. Doctor's certificate reinstated effective 5/22/03.

CONSENT AGREEMENTS

BRIGGS, Jeffrey Allen (MD #35-044176) - Powell

Doctor's 5/03 consent agreement modified by addendum to replace required blood alcohol screenings with random weekly saliva screenings, with a blood alcohol screening to be immediately conducted should any saliva screening yield a positive result. Effective 6/11/03.

BRUENING, Frank Raymond (MD #35-032119) - Toledo

Medical license indefinitely suspended; interim monitoring conditions and conditions for consideration 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 that he has been diagnosed with major depressive disorder, single episode, in partial remission, and generalized anxiety disorder; and that an evaluating psychiatrist has opined that he is currently unable to practice according to acceptable and prevailing standards of care. Effective 6/11/03.

HAREWOOD, Sandra Kay (MD #35-045538) - Kettering

Medical license suspended for at least one year; interim monitoring conditions and conditions for consideration 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 her ability to practice according to acceptable and prevailing standards of care is impaired and that she violated conditions of limitation imposed on her license by a 8/14/02 consent agreement due to a relapse on alcohol. Effective 6/11/03.

LINN, Robert Francis (DO #34-006798) - Tipp City

Probationary terms, conditions and limitations imposed based on doctor's admission that he has been diagnosed with and is receiving treatment for major depression, recurrent, and that his current mental health treatment providers have deemed him capable of practicing according to acceptable and prevailing standards of care, so long as certain treatment and monitoring requirements are in place. Agreement effective 6/11/03; agreement to remain in effect for at least two years prior to any request for termination.

MEJIA, Juan Carlos (MD #35-077484) - Cincinnati

Probationary terms, conditions and limitations imposed based on the emergency suspension and subsequent restoration by Interim Order of doctor's Kentucky medical license; and the suspension of doctor's Indiana license due to Kentucky's emergency suspension order. Agreement effective 6/11/03; agreement to remain in effect until either (1) issuance of a final action by Ohio Board based on a final resolution of the pending Kentucky action; or (2) a determination by Ohio Board, following final resolution of the pending Kentucky action, that no further action by Ohio Board is warranted.

PADHIAR, Ashok Vishram (MD #35-052511) - Circleville

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 requirements are in place. Agreement effective 6/11/03; agreement to remain in effect for at least five years prior to any request for termination.

SNYDER, Charles William (MD #35-071606) - Granville

Doctor reprimanded; subject to mandatory CME audits for three biennial registration periods; \$5000 fine imposed. Based on doctor's admission that he certified on license renewal application that he had completed required CME hours when, in fact, those hours had not been timely completed. (Remaining hours have since been completed.) Effective 6/11/03.

VOLUNTARY SURRENDERS/RETIREMENTS

LAZARO, Benigno Palafox, Jr. (MD #35-069280) - Warren

Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based upon his having engaged in sexual misconduct with two patients. Effective 7/6/03.

MCMANUS, Donald Lee (MT #33-006592) - Toledo

Permanent revocation of massage therapy certificate authorized by massage therapist, effective 5/14/03.

PEREZ, Ernesto L. (MD #35-027916) - Columbus

Doctor's voluntary retirement of medical license accepted in lieu of further evaluation pursuant to §4731.22(B)(19), O.R.C. Doctor ineligible for licensure or reinstatement in the future. Effective 6/26/03.

APPLICATION WITHDRAWN

FINLEY, John McLaughlin Jr. (PA #50-000349) - Columbus

Physician assistant's request to withdraw application for restoration of P.A. registration accepted by Board in lieu of further formal investigation related to possible violations of §4730.25(B)(4). O.R.C., based upon P.A.'s admission that his medical records reflect diagnoses of and a history of treatment for a number of psychiatric conditions. Effective 6/12/03.

PROBATION MODIFIED

DAIBER, Robert Raymond (MD #35-064194) - Toledo

Doctor's request to terminate psychotherapy requirement granted by vote of the Board on 6/11/03.

MCINTOSH, Michael Stephen (MD #35-049922) - Parkersburg, WV

Doctor's requests to reduce required personal appearances to every six months and to reduce required drug screens to twice per month granted by vote of the Board on 6/11/03.

SMITH, Leonard K. (MD #35-036580) - Kenton

Doctor's request to reduce required personal appearances to once annually granted by vote of the Board on 6/11/03.

MODIFICATION OF PROBATION DENIED

DAIBER, Robert Raymond (MD #35-064194) - Toledo

Doctor's request to reduce frequency of required drug screens denied by vote of the Board on 6/11/03.

TURNER, Mark Edward (DO #34-006671) - Amherst

Doctor's request to reduce frequency of required alcohol and drug rehabilitation meetings denied by vote of the Board on 6/11/03.

REINSTATEMENTS

MOCK, Theron Clay (MD #35-045230) - Cleveland

License reinstated effective 3/28/03 pursuant to notice to reinstate/reissue professional license from Portage County Child Support Enforcement Agency.

PROBATION/ORDER TERMINATED

FRIEDMAN, Samuel L. (DO #34-001451) - Willingboro, NJ

Doctor's request for release from terms of 6/13/00 Board Order granted by vote of the Board on 6/11/03.

LAPEYROLERIE, Jeffrey Charles (MD #35-063397) - Cleveland

Following doctor's compliance with all terms of 9/9/98 Board Order, probation terminated effective 6/6/03.

NICKELS, Russell A. (MD #35-030241) - Brookings, OR

Following doctor's submission of CME documentation for three biennial registration periods, doctor released from terms of 4/96 consent agreement.

ROSENBAUM-BLOOM, Laura (MD #35-049951) - Hilton Head, SC

Following doctor's submission of CME documentation for three biennial registration periods, doctor released from terms of 12/97 Board Order.

COURT ACTIONS

EL-MAHDY, Amir Hamid (MD #35-051158) - Warren

By Decision and Entry filed 6/23/03, Franklin County Court of Common Pleas affirmed Board's 12/11/02 indefinite suspension Order.

GUIDI, Claude Bernard (MD #35-064995) - Tampa, FL

Notice of appeal of Board's 5/14/03 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on or about 6/20/03.

HILL, Sam (DO #34-003607) - Hillsboro

Notice of appeal of Board's 5/14/03 suspension Order filed by doctor with Franklin County Court of Common Pleas on or about 6/19/03.

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

Notice of appeal of Board's 5/14/03 suspension Order filed by doctor with Franklin County Court of Common Pleas on or about 6/19/03. By Order and Entry filed 6/24/03, Franklin County Court of Common Pleas granted doctor's motion for a stay of Board's suspension Order during the pendency of this appeal.

ROSSITER, Lawrence J. (DO #34-001933) - Alliance

By Decision filed 5/20/03, Franklin County Court of Common Pleas affirmed Board's 8/14/02 suspension Order. Entry filed 6/3/03.

VINSON, David Jr. (MD #35-058761) - Chicago, IL

Notice of appeal of Board's 6/11/03 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on or about 6/27/03.

WEINER, Ned Elton (MD #35-077474) - University Heights

Notice of appeal of Board's 5/14/03 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on or about 5/29/03.

NON-DISCIPLINARY ADMINISTRATIVE ACTIONS

BOARD ORDERS

BHATTI, Azam M. (MD applicant) - Wauwatosa, WI

Application for medical licensure denied based upon applicant's failure to meet examination requirements. (Journal Entry - no hearing requested) Order mailed 6/12/03; Order effective 6/12/03. (**Non-disciplinary**)

VOLUNTARY SURRENDERS/RETIREMENTS

VAN GUNDY, Arthur Boice (MD #35-013882) - Lancaster

Doctor's voluntary retirement of medical license accepted by Board; doctor ineligible for licensure or reinstatement in the future. Effective 6/26/03. (**Non-disciplinary**)

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 www.state.oh.us/med/ under "Physician Profile and Status." If you have questions or need additional details about specific cases, please contact Annette Jones at (614) 728-3686.