

MEMORANDUM

TO: Formal Action Mailing List

FROM: Lauren Lubow, Senior Executive Staff Attorney

DATE: September 24, 2003

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

CITATIONS/PROPOSED DENIALS

KOHER, Grant Franklin (DO #34-006892) - Chapel Hill, NC

Based on prior action against doctor's license by North Carolina's medical board, following findings by that board that doctor provided medical services through a corporation via the internet, and that he prescribed Propecia and Viagra to patients without a physical examination and without any prior physician-patient relationship. Notice of opportunity for hearing mailed 8/14/03.

MORRELL, Roger M. (MD applicant) - Lathrup Village, MI

Proposal to deny application for medical licensure based on applicant having been found guilty of 33 felony counts, to wit: Racketeering, Conspiracy to Unlawfully Distribute Schedule III and Schedule IV Controlled Substances, Aiding and Abetting Distribution of Schedule III and IV Controlled Substances, Conspiracy to Commit Mail Fraud, Aiding and Abetting Mail Fraud, and Medicaid Fraud; and on prior action against applicant's license by Michigan's medical board due to the above criminal convictions. Notice of opportunity for hearing mailed 8/14/03.

SHETH, Neel N. (MD applicant) - Saline, MI

Proposal to deny application for medical licensure based on applicant's alleged provision of false, fraudulent, misleading or deceptive information on applications for residency

training, employment and professional licensure; applicant's alleged forgery by alteration of an Ohio Medical Board wallet identification card; and prior action against educational limited license by Michigan's medical board due in part to fraud in application for that license. Notice of opportunity for hearing mailed 8/14/03.

SPRICH, William W. (MD #35-044332) - Belleville, IL

Based on prior action against doctor's license by Illinois' medical board following doctor's stipulation that he had failed to notice a mechanical malfunction in a piece of equipment during surgery, and that the patient had suffered non-fatal injuries as a result. Notice of opportunity for hearing mailed 8/14/03.

STEFANICH, William John (DO #34-000862) - Newark

Based on doctor's alleged failure to conform to minimal standards of care with respect to treatment of two specified patients. Notice of opportunity for hearing mailed 8/14/03.

TRUSNOVIC, William Daniel (MD #35-066000) - Steubenville

Based on doctor's plea of guilty to 16 felony counts each of Illegal Processing of Drug Documents, Possession of Drugs, and Permitting Drug Abuse, for which he was found eligible for intervention in lieu of conviction, the facts underlying which involved doctor having knowingly prescribed schedule II and III controlled substances to a patient despite his knowledge that the patient was receiving controlled substance prescriptions from other physicians, prescribing schedule II and III controlled substances to the patient's spouse knowing that the drugs were for the patient's use, and taking a portion of the drugs prescribed for the patient for his own use. Notice of opportunity for hearing mailed 8/14/03. (*See also*, Pre-hearing Suspensions, *below*)

FINAL ORDERS

BAROFF, David Miles (MD #35-052149) - Girard

Medical license permanently revoked based on doctor having engaged in sexual conduct with four specified patients. (Journal Entry – no hearing requested) Order mailed 8/14/03; Order effective 8/14/03.

BRIDGES, Michael Howard (MD #35-068312) - High Point, NC

Noting that doctor's Ohio license had been in a lapsed status due to non-payment of fees for more than two years, Board dismissed matter following its determination that doctor had fully cooperated and complied with prior actions against his North Carolina medical license relating to his having been diagnosed with and treated for Bipolar I Disorder. Order mailed 9/2/03; Order effective 9/2/03.

CHANDRASEKHAR, Subramaniyam (MD #35-079201) - Parkersburg, WV

Permanent revocation of medical license stayed, subject to indefinite suspension for at least twelve months; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on impairment of ability to practice according to acceptable and prevailing standards of care, and violation of conditions of limitation imposed on medical license by 8/02 consent agreement due to alcohol relapse. Order mailed 8/25/03; Order effective 8/25/03.

COVERDALE, David Bradley (MD training certificate #57-005824) - Parma Heights

Board shall not consider renewing or reinstating training certificate and shall not consider an application for a new training certificate or for full licensure to practice medicine for at least three years; conditions established for granting such renewal, reinstatement, or application, including a requirement that doctor enter into a written consent agreement with the Board incorporating probationary terms, conditions, and limitations to monitor practice. Based on 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 that impair ability to practice. (Journal Entry – no hearing requested) Order mailed 8/14/03; Order effective 8/14/03.

FELTER, Christian Tilen (MD training certificate #57-003026) - Lake Milton

Medical license revoked based on violation of conditions of limitation imposed on training certificate due to failure to comply with monitoring conditions; and failure to cooperate with a Medical Board investigation. (Journal Entry – no hearing requested) Order mailed 8/14/03; Order effective 8/14/03.

GOSS, Samuel Roger (DPM #36-002048) - Shaker Heights

Permanent revocation of medical license stayed, subject to indefinite suspension for at least eighteen months; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least three years established. Based on doctor having been convicted in U.S. District Court, Northern District of Ohio, of felony counts of Soliciting and Receiving Medicare and Medicaid Kickbacks. Order mailed 8/25/03; Order effective 8/25/03.

HUNTER, Brian John (DO #34-004610) - Poland, OH

Permanent revocation of medical license stayed, subject to indefinite suspension for at least eighteen months, such suspension to be retroactive to 2/27/03, the effective date of doctor's interim 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 guilty of one felony count of Medicaid Fraud, the acts underlying which involved doctor's submission of invoices for reimbursement for services which were not, in fact, provided; termination of Medicaid

provider agreement by the Ohio Department of Job & Family Services based upon that guilty finding; and on impairment of ability to practice according to acceptable and prevailing standards of care due to alcohol and cocaine dependence, for which doctor sought treatment through a Board-approved provider. Order mailed 9/2/03; Order effective 9/2/03.

KISER, Donald R. (DO #34-006053) - Parkersburg, WV

Medical license suspended for thirty days based on doctor's admission in a West Virginia Board of Osteopathy consent decree that he had documented his completion of specified educational refresher courses on his West Virginia license renewal application when, in fact, he had not attended those courses. Order mailed 8/25/03; Order effective 8/25/03.

RICE, Janet Lynn (MD applicant) - Akron

Application for medical license denied based on findings by Board, following applicant's failure to comply with Board-ordered examinations, that applicant is unable to practice according to acceptable and prevailing standards of care by reason of mental illness, and that her ability to practice is impaired due to habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. (Journal Entry). Order mailed 8/14/03; Order effective 8/14/03.

PRE-HEARING SUSPENSIONS

TRUSNOVIC, William Daniel (MD #35-066000) - Steubenville

Pursuant to §3719.121(C), O.R.C, medical license immediately suspended based on doctor's plea of guilty to 16 felony counts each of Illegal Processing of Drug Documents, Possession of Drugs, and Permitting Drug Abuse, for which he was found eligible for intervention in lieu of conviction. Notice mailed 8/14/03.

CONSENT AGREEMENTS

BENSON, Robert Malcolm (MD #35-037331) - Canton

Medical license permanently limited and restricted to require doctor to be accompanied by a chaperone at all times when interacting with a patient and/or a patient's family members, except in cases of life threatening emergency; probationary terms, conditions and limitations imposed, including requirement that doctor maintain ongoing psychiatric therapy and medication management. Based on doctor's admissions that he has received psychiatric care for diagnoses including bipolar disorder and bipolar depression, and that a board-ordered evaluation opined that he had engaged in frequent boundary crossings and infrequent but recurrent boundary violations. Agreement effective 8/13/03; probation to remain in effect for at least five years before any request for termination.

CAMPBELL, Scott Michael (MD #35-060794) - Sandusky

Probationary terms, conditions and limitations established to monitor practice based on doctor's admission that he was diagnosed and treated for chemical dependency, and that he has 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 8/13/03; agreement to remain in effect for at least five years prior to any request for termination.

FRAGATOS, Peter (MD #35-083165) - Broadview Heights

Medical license granted subject to reprimand and probationary terms, conditions and limitations, based on doctor's failure to provide complete and accurate information on his application for Ohio licensure, and on his admissions that he has been diagnosed with and receives treatment for alcohol dependence and bipolar disorder, and that he has 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 8/13/03; agreement to remain in effect for at least five years prior to any request for termination.

GRAY, John H. (DO #34-003191) - Lorain

Probationary terms, conditions and limitations imposed based on doctor's admissions that he failed to (1) adequately document justification for prescribing Stadol for two patients, (2) comply with requirements for authorizing and completing prescriptions, and (3) fully comply with Board rules related to prescribing controlled substance anorectic drugs. Agreement effective 8/13/03; agreement to remain in effect for at least two years prior to any request for termination.

HOPKIN, Mark Stuart (MD #35-081640) - Columbus

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 admission that he has a history of intermittent depression and that, due to that disorder, he is unable to practice according to acceptable and prevailing standards of care at this time. Effective 8/13/03.

MARTIN, Adam Samuel (MD training certificate #57-06661) - Cleveland Heights

Medical training certificate 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 8/13/03; agreement to remain in effect until doctor has completed at least a five years probationary period.

SMITH, Suzanne Marie (MT #33-012727) - Columbus

Massage therapy certificate granted subject to probationary terms, conditions and limitations based on massage therapist's history of bipolar disorder, psychosis and anxiety disorder; and her having been deemed capable of practicing according to acceptable and prevailing standards of care. Agreement effective 8/13/03; agreement to remain effect for at least two years prior to any request for termination.

VOLUNTARY SURRENDERS/RETIREMENTS

HERBST, Robert Jamey (DPM #36-002935) - Cincinnati

Permanent revocation of podiatric medical license authorized by doctor in lieu of formal disciplinary proceedings based on his plea of guilty in federal court to two felony counts of making false, fictitious, or fraudulent statements or representations in connection with the delivery of or payment for health care services. Effective 8/13/03.

MCERLEAN, Jeffrey A. (MD #35-070398) - Farmington Hills, MI

Doctor's permanent voluntary surrender of medical license accepted by Board in resolution of requirements of 12/23/99 Board Order. Doctor ineligible for reinstatement in the future. Effective 8/27/03.

ZERVOS, Skevos Michael (MD #35-025315) - Youngstown

Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on his plea of guilty to 30 counts of Attempted Trafficking in Drugs, all first degree misdemeanors. Effective 9/1/03.

PROBATION/MONITORING MODIFIED

CARLSON, Loren Scott (DO #34-002395) - Sarasota, FL

Doctor's request to delete chart review requirement granted by vote of the Board on 8/12/03.

FREED, John Douglas (MD #35-037748) - Wheeling, WV

Doctor's request to reduce required personal appearances to every six months granted by vote of the Board on 8/13/03.

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

Doctor's request to reduce required personal appearances to every six months granted by vote of the Board on 8/13/03.

HUNTER, Thomas Anthony (PA #50-001417) - Antwerp

Physician assistant's request to reduce required personal appearances to every six months granted by vote of the Board on 8/13/03.

MODIFICATION OF PROBATION/MONITORING DENIED

CLARK, Kevin Robert (MD #35-058506) - Brecksville

Doctor's requests to reduce frequency of required drug screens and alcohol and drug rehabilitation meetings denied by vote of the Board on 8/13/03.

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

Doctor's requests to reduce frequency of required drug screens and personal appearances denied by vote of the Board on 8/13/03.

PROBATION TERMINATED

BONGIORNO, Frank Paul (MD #35-053146) - Ann Arbor, MI

Doctor's request for release from terms of 7/8/98 Board Order granted by vote of the Board on 8/13/03.

MURPHY, Bradford James (DO #34-003015) - Kettering

Doctor's request for release from terms of 5/13/98 consent agreement granted by vote of the Board on 8/13/03.

SIVAK, Gary E. (MD #35-057662) - Cleveland

Doctor's request for release from terms of 8/12/98 consent agreement granted by vote of the Board on 8/13/03.

COURT ACTIONS

ADAMSON, Wallace Cobner (MD #35-049575) - Delaware

By Decision filed on 8/11/03 and documented by Entry filed on 8/26/03, Franklin County Court of Common Pleas affirmed Board's 12/11/02 permanent revocation Order in part,

reversed it in part, and ordered that the partial reversal did not support remanding appeal back to Board for further consideration of any modification of penalty.

FRENZ, John Allen (MD #35-030978) - Brandon, MS

By Decision filed 8/5/03, Franklin County Court of Common Pleas affirmed Board's 12/11/02 revocation Order. Entry filed 8/18/03.

STASCHAK, Michael Carmen (MD applicant) - Pittsburgh, PA

Notice of appeal to Tenth District Court of Appeals filed by doctor on or about 8/8/03.

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.