

MEMORANDUM

TO: Formal Action Mailing List

FROM: Lauren Lubow, Communications Administrator

DATE: September 2, 2004

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

CITATIONS/PROPOSED DENIALS

ARKO, Richard A. (LMT #33-006785) - Barberton

Based on massage therapist having been found guilty of felony counts of Illegal Cultivation of Marijuana and Possession of Criminal Tools. Notice of opportunity for hearing mailed 8/12/04. (*See also: Pre-hearing Suspensions, below*)

EKWULUGO, Emeka Obinna (MD #35-062617) - Erie, PA

Proposal to deny application for restoration of medical license issued based on applicant's alleged failure to provide complete and accurate information on application pertaining to his participation in and actions taken against him in residency training programs. Notice of opportunity for hearing mailed 8/12/04.

GALLO, Ugo Ernesto (MD #35-055461) - Akron

Based on doctor's alleged failure to comply with Continuing Medical Education requirements. Notice of opportunity for hearing mailed 8/12/04.

HUMPHREY, Stephen Henry (DPM #36-002756) - Bryan

Based on doctor having been found guilty of felony counts of Grand Theft, Vandalism, Theft and Receiving Stolen Property. Notice of opportunity for hearing mailed 8/12/04.

PICKETT, Thomas Richard (PA applicant) - Columbus

Proposal to deny application for registration as a physician assistant issued based on applicant's alleged inability to practice according to acceptable and prevailing standards of care due to alcohol dependency. Notice of opportunity for hearing mailed 8/12/04.

SYKES, Evan Laythe (DO training certificate #58-001376) - Marietta

Proposal to deny application for medical license based on applicant's alleged admission that he issued prescriptions for controlled substances to individuals who were not patients of the residency program in which he was participating, that he wrote prescriptions in the names of individuals for whom the medication was not intended, and that he failed to maintain proper documentation of such prescribing. Notice of opportunity for hearing mailed 8/12/04.

DISMISSAL

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

By Order and Entry on behalf of Medical Board on 7/26/04, 8/13/03 citation dismissed as moot due to doctor's demise.

FINAL ORDERS

DUNCAN, Gregory David (MT applicant) - Batavia

Application for certificate to practice massage therapy denied based on impairment of ability to practice according to acceptable and prevailing standards of care due to alcohol dependency. Order mailed 8/31/04; Order effective 8/31/04.

KALIA, Jitander M. (MD #35-066425) - Warren

Medical license permanently revoked based on improper prescribing and/or failure to conform to minimal standards of care with respect to treatment of four specified pediatric patients. Order mailed 8/12/04; Order effective 8/12/04. (*See also: Court Actions, below*)

RANK, Douglas Holland (MD applicant) - Lexington, KY

Application for medical license granted, subject to immediate suspension for at least six months; conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least two years established. Based on applicant's failure to provide complete and accurate information on licensure application pertaining to action against

his license by Kentucky's Medical Board; and on prior actions against doctor's licenses by medical boards in Kentucky and New York. Order mailed 8/31/04; Order effective 8/31/04.

THOMPSON, Richard Arthur (LMT #33-013696) - Parma

Allegations set forth in 4/14/04 Notice of Opportunity for Hearing dismissed following Board's determination that evidence did not demonstrate that applicant had intended to deceive the Board; application for certificate to practice massage therapy granted. Order mailed 8/12/04; Order effective 8/12/04.

WEBSTER, Joseph Curley (MD applicant) - Columbus

Application for medical licensure permanently denied based on applicant's failure to provide complete and accurate information on Ohio licensure application pertaining to the suspension of his clinical privileges at a state psychiatric facility in Middletown, CT, and the suspension of his clinical privileges while in the U.S. Air Force at Eglin Air Force Base (Florida) for inability to practice safely due to physical illness or impairment and alcohol or other substance abuse. Order mailed 8/12/04; Order effective 8/12/04.

WILLIAMS, Shelton Jr. (LMT #33-011327) - Cincinnati

Certificate to practice massage therapy permanently revoked based on based on massage therapist's submission of false statements of compliance and violation of conditions of limitation imposed on his certificate by 5/8/02 consent agreement. (Review and Journal Entry - no hearing requested) Order mailed 8/12/04; Order effective 8/12/04.

PRE-HEARING SUSPENSIONS

ARKO, Richard A. (LMT #33-006785) - Barberton

Pursuant to §3719.121(C), O.R.C., certificate to practice massage therapy immediately suspended based on massage therapist having been found guilty of felony counts of Illegal Cultivation of Marijuana and Possession of Criminal Tools. Notice mailed 8/12/04.

CONSENT AGREEMENTS

BANKS, Mark Andrew (MD #35-071099) - Lancaster

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 that he has been diagnosed

as opiate dependent and has sought treatment through a Board-approved provider. Agreement effective 8/11/04.

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

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 that he has sought treatment for chemical dependency through a Board-approved provider, and that his drug of choice is Vicodin, upon which he became dependent during or about 2/01 when he endeavored to self-treat pain from a knee injury. Effective 8/11/04.

FOOTE, Mary Jo (PA #50-000864) - Martins Ferry

Permanent revocation of medication license stayed, subject to indefinite suspension for at least three 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 impairment of ability to practice according to acceptable and prevailing standards of care and violation of conditions of limitation imposed on certificate by 7/01 consent agreement due to relapse. Agreement effective 8/11/04; suspension time to be calculated from 1/1/04, the most recent dated of licensee's sobriety.

HOPKINS, Jordan Eric (MD training certificate #57-005132/MD #35-084936) - Columbus

Application for full medical license granted 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 8/11/04.

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

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 8/11/04; agreement to remain in effect for at least five years prior to any request for termination.

ZINNI, Gregory Stephen (MD #35-049784) - Canfield

Medical license suspended for at least 180 days or until all criminal charges relating to acts underlying this agreement have been fully and finally resolved, whichever is later; 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 was diagnosed as chemically dependent, and has sought treatment through a Board-approved provider. Agreement effective 8/11/04.

VOLUNTARY SURRENDERS/RETIREMENTS

COCKERILLE, Lawrence Lee, Jr. (MD #35-027302) - Litchfield

Doctor's permanent voluntary surrender of medical license accepted by Board in lieu of formal disciplinary proceedings based on doctor's plea of guilty to one felony count of Conspiracy. Effective 8/11/04.

JONES, William Warren (MD #35-027330) - Cincinnati

Doctor's permanent voluntary retirement of medical license accepted by Board in lieu of formal disciplinary proceedings pursuant to §§4731.22(A), (B)(5) and (B)(20), Ohio Revised Code. Effective 7/29/04.

PROBATION MODIFIED

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

Doctor's request for permission to administer, furnish or dispense controlled substances granted by vote of the Board on 8/11/04, provided that doctor maintain a log of all drugs administered, furnished or dispensed.

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

Doctor's request to reduce frequency of required alcohol and drug rehabilitation meetings to a minimum of two meetings per week, with a minimum of ten meetings per month, granted by vote of the Board on 8/11/04.

PROBATION TERMINATED

GARWOOD, Richard M. (DO #34-002655) - Cleveland

Doctor's request for release from terms of 3/13/96 Board Order granted by vote of the Board on 8/11/04.

GELB, Ira Dean (MD #35-069542) - Columbia, MD

Probation terminated upon verification of doctor's compliance with terms for three biennial registration periods. Effective 8/5/04.

HOMISH, Jerome David (DO #34-005148) - Athens

Doctor's request for release from terms of 8/11/99 consent agreement granted by vote of the Board on 8/11/04.

KIM, Bak Chul (MD #35-039154) - Lima

Doctor's request for release from terms of 8/11/99 consent agreement granted by vote of the Board on 8/11/04.

PACKER, Allan Dean (MD #35-041233) - Cincinnati

Doctor's request for release from terms of 6/10/98 Board Order granted by vote of the Board on 8/11/04.

COURT ACTIONS

DAHLQUIST, Glenda M. (MD #35-061900) - Dayton

By Entry filed 8/5/04, Franklin County Court of Common Pleas denied doctor's motion for a continuation of the stay granted by Court on 3/3/04. Notice of appeal to Tenth District Court of Appeals filed by doctor on 8/12/04.

KALIA, Jitander M. (MD #35-066425) - Warren

Notice of appeal of Board's 8/11/04 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on 8/26/04.

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

By Entry filed 8/9/04, Franklin County Court of Common Pleas granted doctor's motion for a stay of Board's 3/10/04 indefinite suspension Order, subject to requirements that (1) doctor notify each patient seen during the period of stay that he pled no contest to and was convicted of sexual imposition involving a patient, that his license was suspended, and that the suspension has been stayed pending an appeal; and (2) prior to resuming practice under the stay, doctor shall obtain evaluation and finding from a board-certified psychiatrist that he is capable of practicing in accordance with accepted standards of care.

SHERMAN, Christopher John (MD #35-054258) - Warren

Notice of voluntary dismissal of appeal filed by doctor in Franklin County Court of Common Pleas on 8/9/04.

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.