

MEMORANDUM

TO: Formal Action Mailing List

FROM: Lauren Lubow, Senior Executive Staff Attorney

DATE: September 6, 2005

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

CITATIONS/PROPOSED DENIALS

APLEGATE, Gerald Brian (MD #35-065717) - Miami, FL

Based on doctor's alleged failure to provide complete and accurate information on applications for issuance and renewal of his Ohio medical license pertaining to his involvement in a professional liability action and action taken against his clinical privileges by a hospital in Pittsburgh, PA; prior action against doctor's medical license by Pennsylvania's medical board based on improper prescribing of controlled substances to his wife; and prior action against doctor's medical license by New York's medical board based on Pennsylvania board's action. Notice of opportunity for hearing mailed 8/11/05.

BAIRD, Jeffrey Downes Jr. (MD training certificate #57-008878) - Columbus

Based on doctor's alleged failure to comply with conditions of limitation imposed on license by 6/8/05 consent agreement and impairment of ability to practice due to relapse on alcohol. Notice of opportunity for hearing mailed 8/11/05.

DILSAVER, Steven C. (MD #35-056641) - Merced, CA

Based on prior action against doctor's license by California's medical board due, in part, to his having been diagnosed with Bipolar Disorder, which had impaired his ability to practice medicine in the past; and action against doctor's license by Michigan's medical board ordering him not to practice in Michigan until he provided documentation verifying that terms and conditions imposed on California license had been removed. Notice of opportunity for hearing mailed 8/11/05.

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

Based on doctor's alleged commission of an act constituting a felony and violation of a condition of limitation imposed on his license by 1/12/05 Board Order due to his having continued to practice medicine in Ohio while his license was suspended. Notice of opportunity for hearing mailed 8/11/05.

MENON, Venu Gopal (MD #35-054426) - Dayton

Based on doctor's alleged violation of conditions imposed on license by 5/14/03 Board Order; and action against doctor's license by Nebraska's medical board following doctor's admission to factual allegations enumerating substandard care and treatment practices. Notice of opportunity for hearing mailed 8/11/05.

FINAL ORDERS

HOWARD, Kyle (MD #35-063354) - Lebanon

Permanent revocation of medical license stayed, subject to suspension for at least one year; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions and limitations for at least three years established. Based on doctor's plea of guilty to Medicaid Fraud, a fourth degree felony, for which he was order to pay restitution of more than \$215,000 and forfeitures of \$400,000. Order mailed 8/30/05; Order effective 8/30/05.

HUGUNIN, Ralph Arden (MD #35-078316) - North Ridgeville

Medical license suspended for one year, all but 60 days stayed; subsequent probationary terms, conditions and limitations for at least three years established. Based on doctor's inappropriate prescribing of controlled substances in other names for intended use by a family member and failure to keep medical records related to such prescribing, in violation of Medical Board rules. Order effective 9/1/05; suspension effective 9/1/05 through 10/30/05.

CHILD SUPPORT DEFAULT SUSPENSION

MILLER, Gale W. (MD #35-029683) - Cincinnati

Pursuant to determination by Hamilton County Child Support Enforcement Agency that doctor is in default under a child support order, medical license immediately suspended until such time as Board receives notice from Hamilton County Child Support Enforcement Agency that doctor is no longer determined to be in default. Notice mailed 8/15/05; suspension effective 5/15/05.

CONSENT AGREEMENTS

BURGHARDT, Michael Bruce (MD #35-064527) - Newark

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 8/10/05; agreement to remain in effect for at least five years prior to any request for termination.

ROCKWOOD, John House (PA #50-001240) - Westerville/Lancaster

Certificate of registration to practice as a P.A. suspended for at least 180 days; interim monitoring conditions and conditions for reinstatement established, including requirement that P.A. enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on P.A.'s admissions that he has a history of alcohol dependence, relapse, and treatment; that, after receiving a prescription for Fioricet from a physician for back pain, he forged a prescription for himself in that physician's name, without his knowledge or consent; and that he subsequently sought treatment through a Board-approved provider. Agreement effective 8/10/05.

SCHNEIDER, Andrew (MD #35-053843) - Dublin

Medical license reinstated subject to probationary terms, conditions and limitations 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; and doctor's admission that, while his license was summarily suspended, he obtained samples of a medication that had been prescribed for him by his treating physician from his supervising physician's office supply for his own use, but that he has since been advised to obtain medications only from his treating physician. Agreement effective 8/10/05; agreement to remain in effect for at least five years prior to any request for termination.

PROBATION MODIFIED

BIERER, Craig Lindsey (DO #34-008396) - Cuyahoga Falls

Doctor's requests to reduce required personal appearances to every six months and drug screens to twice per month granted by vote of the Board on 8/10/05.

FLEMING, Mark S. (MD #35-058145) - Lancaster

Doctor's requests to reduce required personal appearances to every six months and to eliminate chart monitoring requirement granted by vote of the Board on 8/10/05.

GOLDSMITH, Mark Edward (MD #35-038474) - Westerville

Doctor's request to reduce required psychiatric sessions to once every three months granted by vote of the Board on 8/10/05.

HEYSE, Paul Frank (MD #35-043188) - Dayton

Doctor's requests to reduce required personal appearances to every six months, drug screens to twice per month, and saliva testing to twice per week prior to a work period granted by vote of the Board on 8/10/05.

JOHNSON, Cynthia J. (PA #50-001350) - Cleveland

Physician assistant's request to reduce required psychiatric sessions to once every three months and counseling sessions to once every three months granted by vote of the Board on 8/10/05.

JONES, Jeffrey Thomas (PA #50-001782) - Canton

Physician assistant's request for permission to discontinue his advocacy contract with OPHP granted by vote of the Board on 8/10/05.

JUNGBLUT, Melanie E. (MD #35-062650) - Norwalk

Doctor's requests to reduce required personal appearances to every six months and psychiatric sessions to every three months granted by vote of the Board on 8/10/05.

LITTLE, Larry John (MD #35-047090) - Columbus

Doctor's request to reduce required personal appearances to once per year granted by vote of the Board on 8/10/05.

MCGINNIS, James Martin (DO #34-005660) - Wheelersburg

Doctor's request for permission to administer, personally furnish or possess controlled substances, provided that he maintain logs, and request to reduce required psychiatric sessions to every three months granted by vote of the Board on 8/10/05.

REINSTATEMENTS

BERTANI, Charles B. (DO #34-002096) - Columbus

Doctor's request for reinstatement granted by vote of the Board on 8/10/05, subject to probationary terms, conditions and limitations established by 11/12/03 consent agreement.

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

Doctor's request for reinstatement granted by vote of the Board on 8/10/05, to become effective on 9/6/05, subject to probationary terms, conditions and limitations established by 5/18/05 Board Order.

PROBATION TERMINATED

CAMPANO, Mark Anthony (MD #35-054088) - Dover

Doctor's request for release from terms of 7/12/95 Board Order granted by vote of the Board on 8/10/05.

DONNINI, Richard M. (DO #34-003971) - Centerville

Doctor's request for release from terms of 9/9/98 Board Order granted by vote of the Board on 8/10/05.

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

Doctor's request for release from terms of 8/13/03 consent agreement granted by vote of the Board on 8/10/05, effective 8/13/05.

PATEL, Sharadchandra (MD #35-051693) - Saginaw, MI

Doctor's request for release from terms of 8/11/99 Board Order granted by vote of the Board on 8/10/05, effective 8/26/05.

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

Massage therapist's request for release from terms of 8/13/03 consent agreement granted by vote of the Board on 8/10/05, effective 8/13/05.

THOMAS, Richard Wallace (MD #35-047608) - Garden City, GA

Doctor's request for release from terms of 5/10/00 Board Order granted by vote of the Board on 8/10/05, effective 8/13/05.

COURT ACTIONS

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

By Decision filed 7/21/05, Franklin County Court of Common Pleas granted State's motion for Judgment on the Record, terminating doctor's appeal of Board's 1/12/05 summary suspension Order. Entry to be filed.

EL BADEWI, Mounir Basheer (MD #35-071112) - Canton

By Decision and Judgment Entry filed 7/25/05, Franklin County Court of Common Pleas adopted in part and modified in part 10/2/03 Magistrate's Decision, thereby affirming Board's 10/10/01 suspension Order.

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

By Decision filed 7/25/05, Franklin County Court of Common Pleas affirmed Board's 1/12/05 indefinite suspension Order. Entry to be filed.

REED, Barbara Anne (MD #35-016377) - Mansfield

By Opinion filed 8/9/05, Tenth District Court of Appeals affirmed Court of Common Pleas decision, which had affirmed Medical Board's 6/9/04 permanent revocation Order. Entry to be filed.

SCHECHTER, John Michael (MD #35-061517) - Akron

By Opinion filed 8/9/05, Tenth District Court of Appeals affirmed Court of Common Pleas decision, which had affirmed Medical Board's 3/10/04 permanent revocation Order. Entry to be filed.

SLINGLUFF, Jack Edwin (DO #34-001265) - Canton

By Decision filed 8/8/05 and documented by Entry filed on 8/18/05, Franklin County Court of Common Pleas affirmed Board's 11/10/04 suspension 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 "Physician Profile and Status." If you have questions or need additional details about specific cases, please contact Annette Jones at (614) 728-3686.