

MEMORANDUM

TO: Formal Action Mailing List

FROM: Lauren Lubow, Senior Executive Staff Attorney

DATE: September 20, 2005

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

CITATIONS/PROPOSED DENIALS

FERRARO, Carl Michael (MD #35-049581) - Chicago, IL

Based on prior action against doctor's Illinois medical license, which imposed sanctions based on doctor's admission that he prescribed and/or provided controlled substances to his wife for several years without the benefit of physical examination or proper documentation and without consulting her treating physicians. Notice of opportunity for hearing mailed 9/15/05.

HARITATOS, Suzanne Antoinette *aka* **HARITATOS-SEMKO**, Suzanne Antoinette (DPM #36-000219) - Richmond, IN

Based on doctor having been found guilty of one misdemeanor count of Theft, the conduct underlying which involved her participation in a scheme to defraud the U.S. Veteran's Administration; and prior actions against doctor's licenses to practice podiatry in Indiana and New York. Notice of opportunity for hearing mailed 9/15/05.

KISER, Donald Raymond (DO #34-006053) - Williamson, WV

Based on doctor's alleged failure to provide complete and accurate information on application for renewal of his West Virginia medical license pertaining to criminal charges pending against him; and denial of that license renewal application by West Virginia's medical board. Notice of opportunity for hearing mailed 9/15/05.

LEWIS, Carol Elaine (MD #35-061461) - Cleveland

Based on doctor's alleged impairment of ability to practice according to acceptable and prevailing standards of care and violation of conditions of limitation imposed on her license by 7/9/03 consent agreement due to positive urine screen. Notice of opportunity for hearing mailed 9/15/05. (*See also: Pre-hearing Suspensions, below*)

RATH, David A. (MD #35-057898) - Westerville

Based on doctor's alleged impairment of ability to practice according to acceptable and prevailing standards of care due to chemical dependency. Notice of opportunity for hearing mailed 9/15/05. (*See also: Pre-hearing Suspensions, below*)

FINAL ORDERS

DOUGHERTY, David Andrew (DO #34-006330) - Cuyahoga Falls

Medical license permanently revoked based on doctor's violation of conditions of limitation imposed on his practice by 4/10/02 Board Order, and impairment of ability to practice according to acceptable and prevailing standards of care. Order mailed 9/16/05; Order effective 9/16/05.

GAETANO, John Carl (DO #34-007359) - Mayfield Heights

Medical license indefinitely suspended; conditions for reinstatement established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Order entered due to doctor's failure to comply with Board-ordered examination, resulting in Board's finding, pursuant to §4731.22 (B)(26), O.R.C., that doctor's ability to practice according to acceptable and prevailing standards of care is impaired because of habitual or excessive use or abuse of drugs, alcohol, other substances that impair ability to practice. (Journal Entry) Notice mailed 9/15/05; Order effective 9/15/05.

HANYAK, John Paul (MD #35-053965) - Westerville

Medical license revoked based on impairment of doctor's ability to practice according to acceptable and prevailing standards of care for the reason that a Board-ordered psychiatric evaluation indicated that he suffers from Cognitive Disorder Not Otherwise Specified due to the residual effects of a brain tumor. Order mailed 9/16/05; Order effective 9/16/05.

MYERS, Philip F. (MD #35-039262) - Kent

Permanent revocation of medical license stayed subject to indefinite suspension for at least 180 days; conditions for reinstatement and subsequent probationary terms, conditions, and limitations for at least three years established. Based on doctor having prescribed controlled substances to a family member and failing to maintain medical records to document such prescribing, in violation of Board rules. Order to be mailed; Order effective thirty days from date of mailing.

OTTNEY, James Brand Jr. (MD applicant) - Sierra Vista, AZ

Application for medical license denied. Order entered due to applicant's failure to comply with Board-ordered examination, resulting in Board's findings, pursuant to §4731.22(B)(19) and (B)(26), O.R.C., that applicant is unable to practice according to acceptable and prevailing standards of care by reason of mental or physical illness, and that his ability to practice is impaired because of habitual or excessive use or abuse of drugs, alcohol, other substances that impair ability to practice. (Journal Entry) Notice mailed 9/15/05; Order effective 9/15/05.

PRE-HEARING SUSPENSIONS

LEWIS, Carol Elaine (MD #35-061461) - Cleveland

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 by 7/9/03 consent agreement and that her ability to practice is impaired; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 9/15/05; suspension effective 9/15/05.

RATH, David A. (MD #35-057898) - Westerville

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's ability to practice is impaired and that his continued practice presents a danger of immediate and serious harm to the public. Notice mailed 9/15/05; suspension effective 9/15/05.

CONSENT AGREEMENTS

CESTONE, Patrick B., Jr. (MD #35-070978) - Youngstown

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 9/14/05; agreement to remain in effect for at least five years prior to any request for termination.

MAHAJAN, Mahendra Kumar (MD #35-043538) - Dayton

Doctor reprimanded; probationary terms, conditions and limitations imposed based on doctor's admissions that, in and prior to 2003, and in accordance with the practice of the mental health clinics at which he was working, he signed otherwise blank prescriptions that were to be kept in a double-locked system and used only to obtain patient medications in specified situations, including patient emergencies. Agreement effective 9/14/05; agreement to remain in effect for at least three years prior to any request for termination.

MYERS, Carla Melinda (DO #34-003506) - Beavercreek

Medical license suspended for at least 90 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 admitted history of chemical dependency (alcohol) and relapse, for which she has sought treatment through a Board-approved provider. Agreement effective 9/14/05.

PROCHOROFF, Andre (MD applicant) - Cleveland

Medical license granted and immediately suspended for three months, such time to be calculated from 7/1/05, the date immediately following the expiration of doctor's medical training certificate; upon reinstatement on 10/1/05, doctor subject to probationary terms, conditions and limitations for at least two years. Based on doctor's admission that he failed to provide complete and accurate information on application for full licensure pertaining to performance issues during his neurology residency at the Cleveland Clinic. Agreement effective 9/14/05; agreement to remain in effect for at least two years prior to any request for termination.

PROBATION MODIFIED

BRIGHTWELL, Robert Russell (DO #34-003008) - Columbus

Doctor's request to discontinue Antabuse requirement granted by vote of the Board on 9/14/05.

DE LA FLOR, Richard R. (MD #35-047505) - Toledo/Manitou Beach, MI

Doctor's request to reduce required AA meetings to three per week granted by vote of the Board on 9/14/05.

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

Doctor's request to reduce required counseling sessions to once every six weeks granted by vote of the Board on 9/14/05.

HOPKINS, Jordan Eric (MD #35-084936) - Gainesville, FL

Doctor's request to discontinue Antabuse requirement, eliminate work hour restriction, reduce required personal appearances to every six months, and to reduce required drug screens to two per month granted by vote of the Board on 9/14/05.

MARTIN, Adam Samuel (MD training certificate #57-006661) - Cleveland

Doctor's request to discontinue drug log requirement, and to reduce required AA attendance to at least two meetings per week, with a minimum of ten per month, granted by vote of the Board on 9/14/05.

RANIERI, Thomas Anthony (MD #35-061039) - State College, PA

Doctor's request to discontinue chart monitoring requirement granted by vote of the Board on 9/14/05.

PROBATION TERMINATED

AMPS, Jeremy Wilson (MD training certificate #57-000801) - Cleveland

Doctor's request for release from terms of 9/9/04 Board Order granted by vote of the Board on 9/14/05.

COURT ACTIONS

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

By Decision and Entry filed 9/9/05, Franklin County Court of Common Pleas affirmed Board's 11/10/04 suspension Order.

DORIOTT, Elizabeth Anne (DO #34-006593) - Springboro

By Decision and Entry filed 9/12/05, Franklin County Court of Common Pleas affirmed Board's 2/9/05 indefinite suspension Order.

GOEL, Mahesh Chand (MD #35-082727) - Cleveland

By Decision and Entry filed 9/12/05, Franklin County Court of Common Pleas affirmed Board's 2/9/05 permanent revocation Order.

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

Notice of appeal to Tenth District Court of Appeals filed by doctor on 9/1/05.

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.