

**STATE MEDICAL BOARD OF OHIO
FORMAL ACTION REPORT – September 2006**

Prepared by: Sallie Debolt, Executive Staff Attorney

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Listed below is a summary of the disciplinary actions taken or initiated by the State Medical Board of Ohio in September 2006. The Citations & Proposed Denials also includes a previously unreported Board Order and Entry issued in April 2006.

CITATIONS & PROPOSED DENIALS

BRIDGES, Mercer Truett, Jr. (MD #35-080900) - Atlanta, GA

Based on prior actions by Georgia medical board in accepting Consent Orders placing doctor on probation related to doctor's chemical dependency on Fentanyl, and in accepting doctor's voluntary surrender of medical license with the surrender having the same effect as license revocation. Notice of opportunity for hearing mailed 9/14/06.

COLLA, Ralph William (MD #35-036088) - Lake Havasu City, AZ

Based on prior action by Arizona medical board in issuing a Consent Agreement and Order for Decree of Censure and Practice Restriction, which censured doctor and restricted doctor's practice; the underlying basis being doctor's falling below the standard of care with respect to the treatment of specified patients. Notice of opportunity for hearing mailed 9/14/06.

DAVIS, Mark Allen (LMT #33-004464) - Mansfield, OH

Based on massage therapist having been found guilty in the Court of Common Pleas of Richland County, Ohio of one felony count of Practice of Medicine or Surgery without Certificate, one felony count of Engaging in a Pattern of Corrupt Activity, two felony counts of Forgery, and one felony count of Theft by Deception. Notice of opportunity for hearing mailed 9/14/06.

GELESH, Gary Charles (DO #34-002731) - Akron, OH

Order and Entry dismissing the 5/18/05 notice of opportunity for hearing issued by the Board on 4/18/06. Based on 5/18/05 notice of opportunity for hearing being superseded and replaced by 3/8/06 notice of opportunity for hearing. Order and Entry effective 4/18/06.

GOLDEN, Eileen Choi (MD #35-075052) - Akron, OH

Based on prior action of New Hampshire medical board in accepting a Settlement Agreement reprimanding doctor and requiring doctor's participation in a review program, the underlying basis being doctor's misconduct in care of one patient. Notice of opportunity for hearing mailed 9/14/06.

KATA, Martin H. (MD #35-038796) - Augusta, GA

Based on doctor's plea of guilty in Superior Court of Richmond County, Georgia, to one felony count of Possession of a Synthetic Narcotic with Intent to Distribute, one felony count of Possession of Cocaine, and one felony count of Possession of Oxycodone; alleged plea of guilty to a violation of any federal or state law regulating the possession, distribution, or use of any drug; and alleged failure to cooperate in an investigation by the Board. Amended notice of opportunity for hearing superseding the 8/9/06 notice of opportunity for hearing, mailed 9/14/06.

KEGLER, James L. (MD #35-039513) - Cincinnati, OH

Based on doctor's alleged false, fraudulent, deceptive, or misleading statements in securing or attempting to secure a certificate to practice by failing to provide complete and accurate information on Ohio license renewal application pertaining to 12 pending felony indictments. Notice of opportunity for hearing mailed 9/14/06.

MOSS, Fred Robert (MD #35-059484) - Cincinnati, OH

Based on prior action of Indiana medical board in issuing doctor a probationary license with terms and conditions and on doctor's alleged impairment of ability to practice according to acceptable and prevailing standards of care due to alcoholism, in remission, and cannabis abuse, in remission. Notice of opportunity for hearing mailed 9/14/06.

PHEN, Lovsho (MD #35-055007) - Warren, OH

Based on doctor's plea of guilty to six first degree misdemeanor counts of Attempted Illegal Processing of Drug Documents pertaining to false or forged prescriptions for a Schedule IV controlled substance. Notice of opportunity for hearing mailed 9/14/06.

**PROCTER, David H. (MD #35-041745) - South Shore, KY
AKA David Herbert Procter, M.D.**

Based on (1) doctor having been found guilty in the U.S. District Court, Eastern District of Kentucky, of one felony count of Conspiracy to Distribute and Possession with Intent to Distribute Schedule II, III, and IV Controlled Substances and two felony counts of Distribution of Schedule III and IV Controlled Substances without a Legitimate Medical Purpose, the underlying basis being doctor's admission to prescribing excessive amounts of Schedule III and IV narcotics to two female narcotic-dependent patients and having sex with them in doctor's medical office and prescribing Schedule II, III, and IV narcotics to as many as 80 patients per day without a legitimate medical purpose; (2) doctor having been found guilty in the U.S. District Court, Eastern District of Kentucky, of one felony count of Conspiracy to Commit Offense Against the United States, the underlying basis being doctor's admission of conspiring to flee to avoid sentencing based on the prior finding of guilt; and (3) doctor's exclusion by the U.S. Department of Health & Human Services from participation in Medicare, Medicaid, and all Federal health care programs for a minimum of 25 years, based on doctor's prior felony convictions for acts related to unlawful manufacture, distribution, prescription, or dispensing of a controlled substance. Notice of opportunity for hearing mailed 9/14/06.

SCHRAMM, Arthur Richard (MD #35-031253) - Dayton, OH

Based on doctor's alleged failure to maintain minimal standards applicable to the selection or administration of drugs, or failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease; alleged departure from, or failure to conform

to, minimal standards of care, including taking partially nude photographs of one patient; alleged violation of Principles I, II, IV, and VIII of the AMA's Principles of Medical Ethics; and alleged failure to maintain medical records accurately reflecting controlled substance prescriptions, in the care of three specified patients. Amended Notice of opportunity for hearing, which supersedes the 2/8/06 Notice of opportunity for hearing, mailed 9/14/06.

FINAL DISCIPLINARY ORDERS

CONIGLIO, Gerald Anthony (MD #35-047981) - Mt. Morris, NY

Doctor's license permanently limited and restricted to require that doctor receive Board's approval prior to commencement of practice in Ohio, which upon approval will be subject to probationary terms, conditions, and limitations imposed to monitor doctor's practice for at least three years. Based on prior action of Nevada medical board denying doctor's application for licensure due to an excessive number of malpractice claims settled on behalf of the doctor and doctor's continued pattern of receiving adverse reports related, in part, to concerns about interpersonal relationship and/or standard of care issues. Order effective 10/11/06. Order mailed 10/11/06.

EL-ASFOURI, Souhail (MD #35-074262) - Austin, TX

Allegations set forth in the 11/9/05 notice of opportunity for hearing dismissed following Board's determination that doctor presented sufficient evidence in mitigation of prior action by New Hampshire's medical board. Order effective 10/11/06. Order mailed 10/11/06.

HARITATOS, Suzanne A. (DPM #36-002190) Richmond, IN

Podiatric medical license permanently revoked based on doctor's having been found guilty of one misdemeanor count of Theft, the underlying basis being doctor's participation in a medical practice scheme to defraud the U.S. Veteran's Administration, and prior actions against doctor's license to practice podiatry by Indiana and New York boards. Order effective 9/15/06. Order mailed 9/15/06.

LEUVOY, Randall Don (DO #34-004367) - Lancaster, OH

Medical license revoked based on doctor's failure to conform to minimal standards of care, the underlying basis being doctor's signing of not fewer than 38 blank prescription forms for use by office staff in issuing controlled substance prescriptions while doctor was incarcerated and doctor's failure to perform proper work-ups and prescribe controlled substances in an appropriate manner with respect to the treatment of 12 specified patients. Order effective 9/15/06. Order mailed 9/15/06.

ONINKU, Seth A. (MD #35-060246) - Trotwood, OH

Medical license permanently revoked based on doctor's having been found guilty of one felony count of Sale of Dangerous Drugs and one felony count of Possession for Sale of Dangerous Drugs. (Journal Entry - no hearing requested) Order effective 9/13/06. Order mailed 9/14/06.

SAVAGE, Terri Lynne (MD #35-075415) - Dayton, OH

Medical license revoked based on doctor's impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of

drugs, and doctor's acts constituting felonies, to wit: violations of Section 2925.22, O.R.C., Deception to Obtain a Dangerous Drug, and/or Section 2925.23, O.R.C., Illegal Processing of Drug Documents. Order effective 9/15/06. Order mailed 9/15/06.

ZAMBRANO, Severino Perez (MD #35-032403) - Toledo, OH

Medical license permanently revoked based on doctor's dispensing controlled substances to self and a family member in violation of Board rules, failing to maintain patient records to document dispensing of controlled substances, failing to cooperate in a Board investigation, and committing acts that constitute a felony, to wit: Perjury under Section 2921.11, O.R.C. (Journal Entry - No hearing requested) Order effective 9/14/06. Order mailed 9/14/06.

CONSENT AGREEMENTS

BLOCKER, David C. (MD #35-061188) – Centerville, OH

Doctor placed on probation; monitoring conditions and practice limitations and restrictions imposed. Based on prior action by the U.S. Department of the Air Force to suspend and/or restrict doctor's clinical privileges. Agreement effective 9/13/06; agreement to remain in effect for at least five years.

CARRAN, Todd S. (MD #35-070896) – Cincinnati, OH

Medical license indefinitely suspended, in any event at least until pending felony criminal charges are resolved or until doctor cooperates in the Board's investigation of doctor's alleged criminal conduct; 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 diagnoses of major depression and opiate dependence, for which doctor has sought treatment through a Board-approved provider, and doctor's admission of inability to practice medicine and surgery according to acceptable and prevailing standards of care due to habitual or excessive use of or abuse of drugs. Agreement effective 9/13/06.

DOOLEY, Dixie A. (DPM #36-001778) – Centerville, OH

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 9/13/06; agreement to remain in effect for at least five years prior to any request for termination.

GONZALEZ, Christopher Lewis (MD applicant) – Carmel, CA

Medical license granted, subject to terms, conditions, and limitations. Based on doctor's vision limitations. Agreement effective 9/13/06; agreement to remain in effect for at least two years.

GRAY, Anthony (MD Training Certificate #57-009128) – Cleveland, OH

Medical license suspended for at least 270 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 chemical dependence and relapse on Ketamine and Propofol, for

which doctor has sought treatment through a Board-approved treatment provider, and which doctor obtained from deception and theft of hospital stock. Agreement effective 9/13/06.

HALL, Adam Patrick (DO #34-008707) - Columbus, OH

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 diagnoses of substance abuse and Bipolar Disorder with Mixed Anxiety, for which doctor has sought treatment through a Board-approved provider, and on doctor's admission of inability to practice medicine and surgery according to acceptable and prevailing standards of care due to substance abuse and physical condition. Agreement effective 9/13/06.

HOPPEs, William L. (MD #35-028452) – Canton, OH

Medical license suspended for at least one year; 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 of relapse on alcohol and failure to comply with conditions of limitation imposed by 5/10/06 Consent Agreement. Agreement effective 9/13/06; agreement replaces 5/10/06 Consent Agreement.

HUBLEY, Robert L. (DO Training Certificate #58-001014) – Warrensville Heights, OH

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 admitted history of chemical dependency and determination by a Board-approved treatment provider that doctor is impaired in the practice of medicine and surgery due to opiate dependence, for which doctor has sought treatment through a Board-approved provider. Agreement effective 9/13/06.

JAWADI, M. Husain (MD #35-073824) - Springfield, OH

Doctor reprimanded and terms and conditions imposed. Based on doctor's admission that he provided inaccurate information to the Ohio Department of Health concerning the status and operation of regulated medical equipment. Agreement effective 9/13/06.

LAMET, Mark (MD #35-048422) – Hollywood, FL (Amended summary)

Probationary terms, conditions, and limitations imposed on doctor's medical license in lieu of further formal proceedings based on doctor's admission of prior action by Florida's board imposing a \$10,000 fine and requiring completion of community service and certain coursework. Agreement effective 8/9/06; certain conditions to remain in effect for at least four years.

LANCE, Darold R., Jr. (DO #34-004630) – Jackson, OH

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 diagnosis of alcohol and cannabis abuse. Agreement effective 9/13/06.

PATTON, John E. (PA #50-000437) - West Mansfield, OH

Revocation of physician assistant's certificate stayed, with certificate suspended for at least one year; interim monitoring conditions for reinstatement established; probationary terms, conditions, and limitations upon reinstatement established. Based on physician assistant's admission of providing, on two renewal applications, false, fraudulent, deceptive, or misleading statements concerning NCCPA certification status. Agreement effective 9/13/06; agreement to remain in effect for at least one year prior to any request for termination.

VJECHA, Michael Joseph (MD #35-049553) – Washington, D.C.

Medical license suspended for at least one year; 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 of inability to practice according to acceptable and prevailing standard of care due to relapse on crack cocaine and marijuana, and failure to comply with conditions of limitation imposed by 5/15/03 Consent Agreement. Agreement effective 9/13/06.

WERNER, Joseph Gregory (MD Training Certificate #57-008700) - Columbus, OH

Medical training certificate 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 diagnoses of cannabis abuse and alcohol abuse, determination that doctor is impaired in the ability to practice according to acceptable and prevailing standards of care, and on doctor's failure to provide complete and accurate information on an application submitted to the Board. Agreement effective 9/13/06.

VOLUNTARY SURRENDER/RETIREMENT

PLOUFFE, Joseph Frances (MD #35-040743) – Sarasota, FL

Doctor's permanent voluntary retirement of medical license accepted by Board in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(26), Ohio Revised Code. Effective 9/13/06.

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

Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(15) and 4731.22(B)(26), Ohio Revised Code. Effective 9/13/06.

LICENSE REINSTATED

NGUYEN, Thomas Anh (MD #35-077860) – New Cumberland, PA

Doctor's request for reinstatement approved by vote of the Board on 9/13/06, subject to probationary terms and conditions established by 9/10/03 Board Order. Reinstatement effective 9/13/06.

PROBATION COMPLETED

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

Doctor's request for release from the terms of the 9/12/01 Consent Agreement granted by vote of the Board on 9/13/06. Release from probation effective 9/13/06.

TORE, Joseph Anthony (MD Training Certificate #57-002244) – Toledo, OH

Doctor's request for release from the terms of the 8/8/01 Board Order granted by vote of the Board on 9/13/06. Release from probation effective 9/13/06.

PROBATION – MONITORING TERMS MODIFIED

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

Doctor's request to reduce required personal appearances to every six months granted by vote of the Board of 9/13/06.

LEU, Melanie Lynne (MD #35-073229) – Vermillion, OH

Doctor's request to reduce required psychiatric sessions to every four to six weeks granted by vote of the Board of 9/13/06.

MEYER, Jeffrey Vaughn (MD #35-088466) – Columbus, OH

Monitoring physician approved and frequency and number of charts for review established by Board vote on 9/13/06.

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

Doctor's request to reduce required alcohol and rehabilitation meetings to two per week, with a minimum of 10 per month, approved by Board vote on 9/13/06.

RENZ, Mark Allan (MD #35-087699) – Columbus, OH

Monitoring physician approved and frequency and number of charts for review established by Board vote on 9/13/06.

ZINNI, Gregory S. (MD #35-049784) – Canfield, OH

Doctor's request to reduce required personal appearances to every six months, reduce urine screens to two per month, and reduce alcohol and rehabilitation meetings to two per week, with a minimum of 10 per month, approved by Board vote on 9/13/06.

COURT ACTION UPDATE

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

By Judgment Entry and Opinion filed on 8/24/06, 10th District Court of Appeals affirmed the judgment of the Franklin County Court of Common Pleas, which upheld the Board's 11/10/04 Order suspending doctor's medical license.

LEUVOY, Randall Don (DO #34-004367) - Lancaster, OH

Notice of Appeal of Board's 9/13/06 revocation Order filed by doctor with the Franklin County Court of Common Pleas on 9/25/06.

LONERGAN, John Michael (MD #35-041091) – Parma, OH

Notice of Appeal of the 7/6/06 Entry and Decision of the Franklin County Court of Common Pleas, which affirmed the Board's 12/14/05 Order permanently revoking doctor's medical license, filed with the 10th District Court of Appeals on 8/3/06.

MARTINEZ, Jorge Arturo (MD #35-050822) – Boardman, OH

Notice of Appeal of Board's 8/9/06 permanent revocation Order filed by doctor with the Franklin County Court of Common Pleas on or about 9/18/06.

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

Notice of Appeal of 8/11/06 Decision and Entry of the Franklin County Court of Common Pleas filed by Board with 10th District Court of Appeals on 8/22/06.

By Decision and Entry filed 9/13/06, the Franklin County Court of Common Pleas granted stay of the 8/11/06 judgment reversing Board's 12/14/05 Order, which had permanently revoked doctor's medical license.

POLITI, Barry Joseph (MD applicant) – Jackson, MS

Notice of Appeal of the 8/15/06 Decision and Judgment of the Franklin County Court of Common Pleas, which affirmed the Board's 11/0/05 Order permanently denying doctor's application for medical license, filed with the 10th District Court of Appeals on 9/13/06.

SIMONS, Mitchell Edward (MD #35-050545) – Cincinnati, OH

Notice of Appeal of Board's 7/12/06 Order permanently restricting and limiting doctor's medical license filed with the Franklin County Court of Common Pleas on 8/18/06.

By Decision and Entry filed 9/18/06, the Franklin County Court of Common Pleas denied doctor's request for a stay of the Board's 7/12/06 Order permanently restricting and limiting doctor's medical license.

SLINGLUFF, Jack Edwin (DO 34-001265) – Canton, OH

Notice of Appeal of the 7/11/06 Entry of the 10th District Court of Appeals filed with the Ohio Supreme Court on 8/24/06.

Please note that revocation and suspension Orders are not always effective immediately. If you have questions about effective dates or conditions governing a licensee'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://med.ohio.gov/> under "*Licensee Profile and Status.*" If you

have questions or need additional details about specific cases, please contact Annette Jones at (614) 728-3686.