

MEMORANDUM

TO: Formal Action Mailing List

FROM: Lauren Lubow, Senior Executive Staff Attorney

DATE: October 15, 2003

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

CITATIONS/PROPOSED DENIALS

BAUTISTA, Marciano David (DO #34-006985) - Kodiak, AK

Based on prior action against doctor's license by Alaska's medical board, the conduct underlying which involved his having written prescriptions for controlled substances in Alaska after his U.S. DEA Controlled Substance Registration had expired. Notice of opportunity for hearing mailed 10/9/03.

BLAHNIK, Gary Allen (MT applicant) - Mason

Proposal to deny application for massage therapy certificate issued based on applicant's alleged inability to practice according to acceptable and prevailing standards of care by reason of mental illness. Notice of opportunity for hearing mailed 10/9/03.

DESHMUKH, Minakshi B. (MD #35-070751) - Midland, MI

Based on action against doctor's license by Michigan's medical board in resolution of previously issued allegations and an Order of Summary Suspension by that state; and on doctor's alleged violation of conditions of limitation imposed on her Ohio medical license by an 8/8/01 consent agreement. Notice of opportunity for hearing mailed 10/9/03.

DICKSON, Stephen Lynn Jr. (MD #35-075469) - Newburgh, IN

Based on prior action against doctor's resident physician registration by Florida's medical board based on doctor having inappropriately inserted a chest tube into the wrong lung of a specified patient. Notice of opportunity for hearing mailed 10/9/03.

FITZ, Charles Raymond (MD #35-074542) - Pittsburgh, PA

Based on doctor's alleged failure to cooperate with a Medical Board investigation about malpractice awards that were made on his behalf. Notice of opportunity for hearing mailed 10/9/03.

KUNKEL, John Fitzgerald (MD #35-076546) - Petaluma

Based on California Medical Board's issuance of a probationary medical license to doctor in view of doctor's history of treatment for major depressive disorder and bipolar disorder, and recommendation by psychiatrist who evaluated doctor on behalf of Ohio Medical Board that doctor undergo a period of probation with required treatment and monitoring. Notice of opportunity for hearing mailed 10/9/03.

RUBIN, Joel H. (DO #34-002084) - Flower Mound, TX

Based on prior action against doctor's license by Texas' medical board following findings that doctor's emergency room treatment of two specified patients constituted a failure to practice medicine in a professional manner consistent with public health and welfare. Notice of opportunity for hearing mailed 10/9/03.

SEILER, Patricia Anne (MD #35-050364) - Grand Rapids, MI

Based on prior action against doctor's license by Michigan's medical board following findings by that board that doctor's conduct in the treatment of a specified patient constituted negligence. Notice of opportunity for hearing mailed 10/9/03.

SIEGEL-SCHAEFER, Luke A. (MT applicant) - Bellevue

Proposal to deny application for massage therapy certificate issued based on applicant having been found guilty in 1999 of one felony count of trafficking in drugs, the acts underlying which involved his having knowingly sold or offered to sell a controlled substance, to wit: mescaline mushrooms. Notice of opportunity for hearing mailed 10/9/03.

SHAHAMAT, Ahmed (MD #35-039134) - Westlake

Based on doctor having been found guilty of one felony count of Worker's Compensation Fraud. Notice of opportunity for hearing mailed 10/9/03.

FINAL ORDERS

CALLION, Raleigh Shipp (MD #35-049458) - Gahanna

Medical license revoked based on impairment of ability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs, as evidenced by positive drug screen. (Journal Entry - no hearing requested) Order mailed 10/9/03; Order effective 10/9/03.

KELNER, Paul Evan (MD #35-061460) - Marion

Permanent revocation of medical license stayed, subject to suspension for at least five years; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions and limitations for at least ten years established. Based on impairment of ability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs, and violation of conditions of limitation imposed on license by 3/03 consent agreement, as evidenced by positive drug screens. Order to be mailed; Order effective immediately upon mailing.

SPRICH, William W. (MD #35-044332) - Belleville, IL/St. Louis, MO

Medical license revoked 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. (Journal Entry - no hearing requested) Order mailed 10/9/03; Order effective 10/9/03.

WINTER, Virginia Kathleen (MD #35-050157) - Scappoose, OR

Permanent revocation of medical license stayed, subject to suspension for at least 180 days, such time to be calculated from 5/14/03, the date of Board's notice of immediate suspension and opportunity for hearing; interim monitoring conditions, conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least five years established. Based on doctor's plea of guilty to one felony count of Theft, for which she was found eligible for treatment in lieu of conviction. The acts underlying doctor's guilty plea involved her ordering of 5200 dosage units of alprazolam in 2002 for her own use. Order mailed 10/10/03; Order effective 10/10/03.

CONSENT AGREEMENTS

VIDYASAGAR, Maiyorr Sitaram (MD #35-059957) - Port Clinton

Doctor reprimanded based on prior action against his license by Nevada's medical board due to doctor's falsification of his renewal application in that state; and prior action by Michigan's medical board based on Nevada's action and on doctor's failure to timely inform the Michigan board of same. Effective 10/8/03.

PROBATION MODIFIED

BOEHM, Gregory Xavier (MD #35-041394) - North Olmsted

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 10/8/03.

BYKOV, Victor (MD #35-068421) - Lewisberry, PA

Doctor's requests to reduce required personal appearances to every six months, drug screens to twice per month, and alcohol and drug rehabilitation meetings to twice per week, with a total of ten meetings per month, granted by vote of the Board on 10/8/03.

GEORGE, Walter Lloyd, Jr. (MD #35-043159) - Beachwood

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 10/8/03.

REINSTATEMENTS

AHMED, Ashfaq Taj (MD #35-073182) - Springfield

Doctor's request for reinstatement granted by vote of the Board on 10/8/03, subject to probationary terms established by 6/9/03 Board Order.

DE LA FLOR, Richard (MD #35-047505) - Toledo

Doctor's request for reinstatement granted by vote of the Board on 10/8/03, subject to probationary terms established by 8/9/00 and 3/13/02 Board Orders, and subject to doctor passing SPEX within six months of 10/8/03.

PROBATION TERMINATED

KAMERER, Robert Bruce (MT #33-008245) - Vandalia

Doctor's request for release from terms of 10/14/98 consent agreement granted by vote of the Board on 10/8/03, effective 10/14/03 and subject to receipt of all outstanding documentation.

ROSS, Jessica Anne (MD #35-054530) - Columbus

Doctor's request for release from terms of 9/11/02 Board Order granted by vote of the Board on 10/8/03, effective 10/9/03.

COURT ACTIONS

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

Notice of appeal to Tenth District Court of Appeals filed by doctor on or about 9/19/03.

GUIDI, Claude Bernard (MD #35-064995) - Tampa, FL

By Decision and Entry filed 9/17/03, Franklin County Court of Common Pleas granted doctor's motion for a stay of Board's 5/14/03 permanent revocation Order.

ROSS, Michael Reiff (MD #35-064760) - Towson, MD

Notice of appeal to Tenth District Court of Appeals filed on behalf of Medical Board on 9/29/03. On 10/7/03, Common Pleas Court filed an Order granting Board's motion for a stay of Court's 9/17/03 Judgment Entry that had reversed and remanded this matter to the Board.

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.