

## MEMORANDUM

TO: Formal Action Mailing List

FROM: Lauren Lubow, Senior Executive Staff Attorney

DATE: November 18, 2004

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

### CITATIONS/PROPOSED DENIALS

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

Based on doctor's alleged failure to provide complete and accurate information on applications for licensure, training certificate renewal, hospital credentialing and prospective privileging, pertaining to the suspension of his hospital employment, on full pay, in the United Kingdom as a result of a series of events that led to the performance of wrong-site surgery. Notice of opportunity for hearing mailed 10/14/04.

**GIORDANO**, Stephen Robert (DO training certificate #58-001345) - Cleveland

Based on alleged impairment of ability to practice according to acceptable and prevailing standards of care due to chemical dependence; and on doctor's alleged diversion of intravenous Fentanyl for his personal use. Notice of opportunity for hearing mailed 10/14/04. (*See also*: Pre-hearing Suspensions, *below*)

**HOLZHAUSER**, Ruth Ann (MD #35-045292) - Columbus

Based on doctor's alleged violation of Medical Board rules requiring that doctor personally examine patients prior to prescribing controlled substances to them, and pertaining to treatment of patients for weight reduction. Notice of opportunity for hearing mailed 10/14/04.

**PORTER**, Stephen Randall (MD #35-069802) - Metamora, IN/Harrison, OH

Based on doctor's alleged impairment of ability to practice and violation of conditions of limitation imposed on his license due to relapse on alcohol. Notice of opportunity for hearing mailed 10/14/04. (*See also*: Pre-hearing Suspensions, *below*)

**RAUS**, Russell James (DPM #36-001512) - Garfield Heights

Based on doctor's alleged inability to practice according to acceptable and prevailing standards of care due to vascular dementia. Notice of opportunity for hearing mailed 10/14/04. (*See also*: Pre-hearing Suspensions, *below*)

**TATE**, Larry Raymont (MD #35-035815) - Columbus

Based on doctor's alleged inability to practice according to acceptable and prevailing standards of care due to alcohol dependence. Notice of opportunity for hearing mailed 10/14/04. (*See also*: Pre-hearing Suspensions, *below*)

**TRIPATHY**, Anil Kumar (MD applicant) - Amherst, NY

Proposal to deny application for medical license issued based on applicant's alleged failure to provide complete and accurate information on licensure, FCVS and training program applications pertaining to actions taken against him by residency training programs. Notice of opportunity for hearing mailed 10/14/04.

**WAITE**, Stephen David (MD #35-069323) - Cleveland

Based on doctor's alleged failure to conform to minimal standards of care with respect to treatment of eight specified patients in the routine course of his practice as an emergency room physician. Notice of opportunity for hearing mailed 10/14/04.

#### FINAL ORDERS

**ALBOM**, Jerrold Raphael (MD applicant) - Dallas, TX

Application for medical licensure denied. Order entered due to doctor's failure to submit to a Board-ordered psychiatric evaluation, which by law constitutes an admission that he is unable to practice according to acceptable and prevailing standards of care by reason of mental or physical illness (Journal Entry). Order mailed 10/14/04; Order effective 10/14/04.

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

Certificate to practice massage therapy permanently revoked based on massage therapist having been found guilty of felony counts of Illegal Cultivation of Marijuana and

Possession of Criminal Tools. (Journal Entry - no hearing requested) Order mailed 10/14/04; Order effective 10/14/04.

**FULTZ**, Barry (MT #33-011323) - Bellevue

Medical license indefinitely suspended; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on impairment of ability to practice according to acceptable and prevailing standards of care due to alcohol dependency. Order mailed 10/19/04; Order effective 10/19/04.

**HAREWOOD**, Sandra Kay (MD #35-045538) - Kettering

Medical license revoked based on impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs/alcohol, as evidenced by doctor having been found guilty in 11/03 of Driving Under the Influence of Alcohol and Drugs; and violation of conditions of limitation imposed on license by 6/03 consent agreement. Order mailed 10/19/04; Order effective 10/19/04.

**HILL**, Sam (DO #34-003607) - Hillsboro

Medical license permanently 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/alcohol, as evidenced by urine screen reflecting the presence of benzodiazepines; and violation of conditions of limitation imposed on license by 5/03 Board Order. Order mailed 10/19/04; Order effective 10/19/04.

**KIRKLAND**, Jeanne Marie (MD #35-045543) - Dayton

Medical license indefinitely suspended; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on improper prescribing of controlled substances to ten specified patients, in violation of minimal standards of care and Medical Board rules. Order mailed 10/19/04; Order effective 10/19/04. (*See also: Court Actions, below*)

**PARKER**, Michael Paul (MD #35-053127) - Columbus

Medical license suspended for at least one year; conditions for reinstatement and subsequent probationary terms, conditions, and limitations for at least five years established. Based on doctor's prescribing of controlled substances to a specified patient in a manner that failed to comply with Medical Board rules; and doctor having made false statements in interrogatories related to the Medical Board's investigation of that prescribing. Order mailed 11/5/04; Order effective 11/5/04.

**SOLIMAN**, Hisham H. (MD applicant) - Orangevale, CA

Application for medical licensure permanently denied based on applicant's failure to provide complete and accurate information on Ohio and FCVS applications, and/or in investigatory deposition, pertaining to his psychiatric residency training program and his employment with the Fresno County, California Department of Adult Services. Order mailed 11/5/04; Order effective 11/5/04.

**WEISS, Richard Alan** (MD #35-074955) - Beachwood

Permanent revocation of medical license stayed, subject to indefinite suspension for at least one year; conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least five years established. Based on doctor's failure to advise Ohio Medical Board on licensure renewal application that an Accusation had been filed against him by California's medical board. (Review and Journal Entry - no hearing requested) Order mailed 10/14/04; Order effective 10/14/04.

**YUN, Mary Mei-Ling** (MD #35-072128) - Cincinnati

Medical license indefinitely suspended; 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 mental illness, and failure to comply with conditions of limitation imposed on license by 7/03 consent agreement. Order mailed 11/5/04; Order effective 11/5/04.

#### PRE-HEARING SUSPENSIONS

**GIORDANO, Stephen Robert** (DO training certificate #58-001345) - Cleveland

Pursuant to §4731.22(G), O.R.C., medical training certificate summarily suspended based on Board's determination that there is clear and convincing evidence that doctor's ability to practice according to acceptable and prevailing standards of care is impaired due to chemical dependency; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 10/14/04.

**PORTER, Stephen Randall** (MD #35-069802) - Metamora, IN/Harrison, OH

Pursuant to §4731.22(G), O.R.C., medical training certificate summarily suspended based on Board's determination that there is clear and convincing evidence that doctor's ability to practice according to acceptable and prevailing standards of care is impaired due to relapse on alcohol; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 10/14/04.

**RAUS, Russell James** (DPM #36-001512) - Garfield Heights

Pursuant to §4731.22(G), O.R.C., license to practice podiatric medicine summarily suspended based on Board's determination that there is clear and convincing evidence that doctor's ability to practice according to acceptable and prevailing standards of care is impaired due to vascular dementia; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 10/14/04.

**TATE**, Larry Raymont (MD #35-035815) - Columbus

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 according to acceptable and prevailing standards of care is impaired due to alcohol dependence; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 10/14/04.

### CONSENT AGREEMENTS

**BLAIR**, Mark Erik (MD #35-081181) - Dayton

Probationary terms, conditions and limitations established to monitor practice based on determination, following a Board-ordered examination, that doctor has the mental disorders of Bipolar I Disorder (in Full Remission) and Social Phobia, and that he is currently able to practice according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 10/15/04; agreement to remain in effect for a minimum of five years prior to any request for termination.

**EATON**, Lynne Antoinette (MD #35-060149) - Columbus

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 10/15/04; agreement to remain in effect for at least five years prior to any request for termination.

**MARSICO**, Robert Edward, Jr. (MD #35-064913) - Akron

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 impairment of doctor's ability to practice according to acceptable and prevailing standards of care due to cocaine dependence, for which he has sought treatment through a Board-approved provider; and his failure to advise the Board on his application for license renewal that he had pled guilty in 1996 to misdemeanor counts of Criminal Damaging and Assault. Agreement effective 10/15/04.

**METZ**, Claudia (MD #35-044436) - Cleveland

Doctor reprimanded and required to complete course in controlled substance management based on her admission that she failed to maintain appropriate medical records to support her prescribing of Ritalin to a colleague since 1995 and her prescribing of medication for a two or three month period to treat the colleague's depression. Agreement effective 10/15/04.

**SHAW**, Christopher S. (MD training certificate #57-006421) - Akron

Medical training certificate suspended for at least 120 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 history of polysubstance dependence and relapse on cocaine, for which he is pursuing evaluation and treatment. Agreement effective 10/15/04.

**SKOBLAR**, Richard S. (MD #35-038099) - Akron

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 impairment of ability to practice according to acceptable and prevailing standards of care due to alcohol dependence, for which doctor has sought treatment through a Board-approved provider. Agreement effective 10/15/04.

#### VOLUNTARY SURRENDERS/RETIREMENTS

**BANAGA**, Rogelio Ainza (MD #35-043037) - Lorain

Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on doctor's admission that he plead guilty to four felony counts of Attempted Corrupting Another with Drugs, and four felony counts of Illegal Processing of Drug Documents. Effective 10/12/04.

**FAUST**, James Thomas (PA #50-001214) - Cincinnati

Permanent revocation of certificate of registration to practice as a physician assistant authorized by P.A. in lieu of formal disciplinary proceedings based upon facts including that he suffers from inability to practice as a P.A. due to chemical dependency. Effective 10/14/04.

#### PROBATION MODIFIED

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

Doctor's request for permission to discontinue Antabuse treatments granted by vote of the Board on 10/13/04.

**SHAHAMAT**, Ahmad (MD #35-039134) - Cleveland

Doctor's request for reinstatement granted by vote of the Board on 10/13/04, subject to probationary terms, conditions and limitations established by 4/14/04 Board Order.

PROBATION TERMINATED

**BASEDOW**, William K. (DO #34-005686) - Ironton

Doctor's request for release from terms of 10/14/99 consent agreement granted by vote of the Board on 10/13/04.

**DOCTOR**, Marguerite Dorothy, *aka* **BRUCE**, Marguerite D. (MD #35-072745) - Cleveland

Doctor's request for release from terms of 9/12/01 Board Order granted by vote of the Board on 10/13/04.

**GLADIEUX**, Gary Francis (MD #35-056893) - Maumee

Doctor's request for release from terms of 12/21/97 Board Order granted by vote of the Board on 10/13/04, to become effective on 10/31/04.

**HENSHAW**, Raymond E. II (MD #35-042852) - Marietta/Parkersburg, WV

Doctor's request for release from terms of 12/13/99 consent agreement granted by vote of the Board on 10/13/04.

**HUGGINS**, Clarence L. (MD #35-024109) - Hampton, VA

Probation terminated effective 10/12/04 upon verification of doctor's compliance with terms of 6/10/98 Board Order for three biennial registration periods.

**RABB**, Mary H. (DO #34-005190) - Cleveland

Doctor's request for release from terms of 10/13/99 consent agreement granted by vote of the Board on 10/13/04.

## COURT ACTIONS

**HILL**, Sam (DO #34-003607) - Hillsboro

By Decision filed 9/20/04, Franklin County Court of Common Pleas affirmed Board's 5/14/03 indefinite suspension Order. Entry to be filed.

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

By Decision filed on 10/7/04, Franklin County Court of Common Pleas denied doctor's motion for a stay of Board's 8/11/04 permanent revocation Order.

**KIRKLAND**, Jeanne Marie (MD #35-045543) - Dayton

By Order and Entry filed on 11/2/04, Franklin County Court of Common Pleas granted doctor's motion for a stay of Board's 10/13/04 indefinite suspension Order pending disposition of this appeal, provided that doctor not prescribe any of the medications at issue in this matter, or their generic equivalent, while stay order is in effect.

**PRADA**, German Virgilio (MD #35-039814) - Kettering

By Journal Entry filed on 10/21/04, Tenth District Court of Appeals denied doctor's motion for a stay of Board's 3/10/04 indefinite suspension Order as being prematurely filed in that Court. By Judgment Entry filed on 10/21/04, Franklin County Court of Common Pleas denied doctor's motion for a stay due to the nature of the Board's findings.

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

Notice of appeal to Tenth District Court of Appeals filed by doctor on 10/12/04.

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.

