

**STATE MEDICAL BOARD OF OHIO
FORMAL ACTION REPORT – OCTOBER 2005**

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Date: November 28, 2005

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

PRE-HEARING SUSPENSION

VJECHA, Michael J (MD #35-049553) Washington, DC

Pursuant to Ohio Revised Code §4731.22(G), medical license summarily suspended based on Board's determination that there is clear and convincing evidence that doctor violated conditions of limitation imposed by 5/15/03 consent agreement and that his ability to practice is impaired; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 10/12/05; Notice mailed 10/13/05. (See *also*: Citations & Proposed Denials *below*)

CITATIONS & PROPOSED DENIALS

BRONER, Cynthia Dianne aka WESTER-BRONER, Cynthia Dianne (MD #35-058575) Columbus, OH

Based on the doctor's alleged inability to practice according to acceptable and prevailing standards of care by reason of mental illness or physical illness; and the doctor's failure to fulfill the condition set forth in the Board's 2001 Finding, Order and Journal Entry requiring the doctor to submit two written reports indicating that she had been psychiatrically evaluated and found to be capable of practicing medicine according to acceptable and prevailing standards of care. Notice of opportunity for hearing mailed 10/13/05.

KING, John Anderson (DO #34-004277) Orlando, FL

Based on the Texas Board accepting a permanent surrender of the doctor's Texas license to practice due to suspension of the doctor's hospital clinical privileges based on peer review finding related to spine surgery and actions taken against the doctor's Michigan and Virginia licenses to practice. Notice of opportunity for hearing mailed 10/13/05.

VARMA, Devendra K (MD #35-066392) Poplar Bluff, MO

Based on action taken against the doctor's Missouri medical license, which imposed sanctions based on conduct that violated, or attempted to violate, drug laws, rules and regulations in the State of Missouri and that constituted unprofessional conduct; and on doctor's alleged failure to provide complete and accurate information on his application for renewal of his Ohio medical license. Notice of opportunity for hearing mailed 10/13/05.

CITATIONS & PROPOSED DENIALS continued

VJECHA, Michael J (MD #35-049553) Washington, DC

Based upon the doctor's alleged inability to practice according to acceptable and prevailing standards of care and violation of conditions of limitation imposed on his license by 5/15/03 consent agreement due to failure to comply with random urine screens in September 2005. Notice of opportunity for hearing mailed 10/13/05.

CONSENT AGREEMENTS

BOSACK, Douglas Paul (MD # 35-048959) Canton, OH

Summary suspension imposed on May 18, 2005 terminated. Permanent revocation of medical license stayed; license suspended for at least three years; interim monitoring and conditions for reinstatement established including a requirement that the doctor enter into a subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor his practice. Based on doctor's impairment of ability to practice and violation of conditions of limitation imposed on his license by 12/8/99 Board Order due to chemical dependency relapse, his failure to report that relapse, and his submission of false, fraudulent, deceptive or misleading statements to the Board. Agreement effective 10/14/05.

CARVER, Joseph Claude (MD #35-062026) Norwalk, OH

Revocation of medical license stayed; license suspended for at least one year; interim monitoring and conditions for reinstatement established, including a requirement that the doctor successfully complete the Center for Personalized Education for Physicians program and enter into a subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor his practice. Based on doctor's admission that he failed to conform to minimal standards of care with respect to treatment rendered to two specified patients; and his admission to having engaged in a sexual relationship with a patient. Agreement effective 11/1/05.

CLARK, Allan W (MD # 35-057420) Pittsburgh, PA

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 monitoring conditions are in place; and action taken against the doctor's Pennsylvania license by the Pennsylvania Board in June 2005. Agreement effective 10/12/05; agreement to remain in effect for at least five years prior to any request for termination.

DRAKE, Miles Edward Jr. (MD #35-047457) Columbus, OH

Suspension of medical license imposed by 2/9/05 Consent Agreement terminated. Medical license suspended for at least five months; 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 that he issued a prescription for a psychotropic drug, Abilify, while his

license was suspended pursuant to the 2/9/05 Consent Agreement. Agreement effective 10/12/05.

CONSENT AGREEMENTS continued

DUNCAN, Paul E (MD #35-073208) Middletown, OH

Medical license suspended for at least 18 months; 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 upon doctor's admission that he was diagnosed with acute cocaine psychosis and has sought treatment through a Board-approved provider; that he issued prescriptions for a controlled substance and accepted the return of a portion of the medication for his own use; that he wrote a prescription for a controlled substance in the name of an individual for whom the medication was not intended in order to obtain the drug for his own use; that he obtained Ultracet and Flexeril for his own use from his office sample supply; and that he failed to provide complete and accurate information pertaining to his chemical dependence on his licensure renewal application as required. Agreement effective 10/12/05.

MASIMORE, Gregory Scott (MD # 35-066335) Toledo, OH

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. Agreement effective 10/12/05; agreement to remain in effect for at least five years prior to any request for termination.

MEYER, Jeffrey V (MD training certificate # 57-010102) 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 admission that evaluators at a Board-approved treatment provider diagnosed him with Cannabis Abuse, determined that he was impaired in his ability to practice according to acceptable and prevailing standards of care, and concluded that he needed residential or inpatient treatment; and doctor's admission that he failed to provide complete and accurate information on his training certificate application form regarding his use of marijuana. Agreement effective 10/12/05.

WILLOWS, Barbara Jean (DO #34-002857) Columbus, OH

Suspension of medical license imposed by 6/9/05 Consent Agreement terminated. Medical license suspended for at least one year from June 2005; 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 chemical dependency and relapse; her admission that she failed to advise the Board on a license renewal application submitted in 9/03 that she had been convicted of OMVI, a misdemeanor; and her admission that she improperly prescribed and/or dispensed controlled substances to patients in violation of the Board's weight loss rules, intractable pain rules and/or rules regarding utilizing controlled substances for self and family members. Agreement effective 10/12/05.

VOLUNTARY SURRENDER

SCHULTE, Gregory Todd (MD # 35-063923) Columbus, OH

Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based upon doctor having been found guilty of two felony counts of robbery; two felony counts of practicing medicine without a license; two felony counts of felonious assault; two felony counts of theft; and two felony counts of tampering with drugs. The criminal prosecution resulted from the doctor's withdrawing pain medications from the implanted pain pumps in former patients during the time his medical license was suspended pursuant to a Consent Agreement with the Board. Effective 10/12/05.

APPLICATION WITHDRAWN

PHILLIPS, Charles David (LMT applicant) Covington, KY

Request to permanently withdraw application for massage therapy certificate accepted by the Board in lieu of formal disciplinary proceedings based on applicant's having pled no contest to and been found guilty of one count of Public Indecency. Effective 10/12/05.

PROBATION COMPLETED

FREED, John D (MD # 35-037748) Wheeling, WV

Doctor's request for release from terms of 09/12/01 Consent Agreement granted by vote of the Board on 10/12/05.

HALLE, Mark T (MD # 35-058051) Columbus, OH

Doctor's request for release from terms of 10/11/00 Consent Agreement granted by vote of the Board on 10/12/05.

LOTHERS, Eric W (MD # 35-055417) Delaware, OH

Doctor's request for release from terms of 10/11/00 Consent Agreement granted by vote of the Board on 10/12/05.

SCOTT, James H (DO # 34-006758) Milford, OH

Doctor's request for release from terms of 10/13/00 Board Order granted by vote of the Board on 10/12/05.

SEWELL, Erica A (DO #34-006191) Cape Coral, FL

Doctor's request for release from terms of 10/09/02 Consent Agreement granted by vote of the Board on 10/12/05.

PROBATION - MONITORING TERMS MODIFIED

GAINEY, Michael S (MD #35-048972) Park Hills, KY

Doctor's request to reduce required personal appearances to every six months granted by vote of the Board on 10/13/05.

GEORGE, Walter L Jr. (MD #35-043159) Youngstown, OH

Doctor's requests to eliminate required counseling sessions and work hours restriction granted by vote of the Board on 10/13/05.

HIGHBERGER, W. Andrew (MD #35-056976) Marysville, OH

Doctor's request to eliminate chart monitoring requirement granted by vote of the Board on 10/13/05.

PAAT, Erdulfo P (MD #35-034225) Cleveland, OH

Doctor's request to reduce personal appearances to once per year granted by vote of the Board on 10/13/05.

COURT ACTION UPDATES

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

Notice of appeal to Tenth District Court of Appeals filed by doctor on 10/5/05.

DAHLQUIST, Glenda (MD #35-061900) Dayton, OH

By Entry filed on 10/5/05, the Ohio Supreme Court declined to accept jurisdiction of doctor's appeal of Board's 1/14/04 permanent revocation Order.

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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 "Licensee Profile and Status." If you have questions or need additional details about specific cases, please contact Annette Jones at (614) 728-3686.