

## MEMORANDUM

TO: Formal Action Mailing List

FROM: Lauren Lubow, Senior Executive Staff Attorney

DATE: November 25, 2003

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

### CITATIONS/PROPOSED DENIALS

**ALLEN**, Mark L. (MD #35-063078) - Chagrin Falls

Based on alleged impairment of ability to practice according to acceptable and prevailing standards of care due to alcohol dependence. Notice of opportunity for hearing mailed 11/13/03. (*See also: Pre-hearing Suspensions and Court Actions, below*)

**HOWARD-MCGRADY**, Felicia Kanaz (MD #35-078691) - Chicago, IL

Based on prior action against doctor's Illinois medical license following a finding by that state's medical board that doctor had failed to file Illinois individual income tax returns for 2000 and 2001. Notice of opportunity for hearing mailed 11/13/03.

**JOSEY**, Willie Leroy (MD #35-055467) - Portsmouth

Based on alleged impairment of ability to practice according to acceptable and prevailing standards of care, and alleged violation of conditions of limitation imposed on license by 3/02 Board Order due to positive urine screen. Notice of opportunity for hearing mailed 11/13/03.

**SALWITZ**, Michael Theodore (MD #35-041110) - Payson, AZ

Based on prior action against doctor's Arizona medical license for his failure to evaluate, diagnose and treat a patient's gastric ulcer, and improperly discharging the patient from the emergency room with deteriorating vital signs. Notice of opportunity for hearing mailed 11/13/03.

**SHAFFER**, Jay Hammond (MD #35-036369) - La Jolla, CA

Based on prior action against doctor's California medical license in resolution of allegations by that state's medical board that engaged in a personal and sexual relationship with a patient while he was her treating psychiatrist. Notice of opportunity for hearing mailed 11/13/03.

**WILLIAMS**, Shelton Jr. (33-011327) - Cincinnati

Based on massage therapist's alleged submission of false statements of compliance and alleged violation of conditions of limitation imposed on his certificate by 5/8/02 consent agreement. Notice of opportunity for hearing mailed 11/13/03.

#### FINAL ORDERS

**GLEICH**, Lyon Lance (MD #35-066287) - Cincinnati

Medical license suspended for ninety days; subsequent probationary terms, conditions and limitations imposed for at least five years. Based on doctor having pled guilty in 1999 to a misdemeanor count of Disorderly Conduct; his having been found guilty in 10/02 of a misdemeanor count of Public Indecency, the conduct underlying which involved his having exposed himself in a public park; and his failure to advise the Board on his license renewal application of his 1999 guilty plea. Order to be mailed; Order effective immediately upon date of mailing.

**ILODI**, George H. U. (DPM #36-02268) - Solon

Podiatry license permanently revoked based on doctor having been found guilty in federal court of 3 counts of Conspiracy to Solicit and Receive Medicare and Medicaid Kickbacks, 6 counts of Soliciting and Receiving Medicare and Medicaid Kickbacks, and 21 counts of Health Care Fraud, all felonies. Order mailed 11/14/03; Order effective 11/14/03.

**MIKHAIL**, Michael Soliman (MD #35-043221) - Elyria

Medical license suspended for thirty days; subsequent probationary terms, conditions and limitations imposed for at least three years. Based on doctor's improper prescribing controlled substances to a family member over an extended period of time without maintaining medical records to support such prescribing. Order to be mailed; Order to become effective immediately upon date of mailing.

**RASLAN, Abdulhassib (MD #35-066098) - Broadview Heights**

Permanent revocation of medical license stayed, subject to suspension for at least twelve months; conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least five years established. Based on Board's findings that aspects of the doctor's treatment of specified patients failed to conform to minimal standards of care. (Journal Entry - hearing not timely requested) Order to be mailed; Order effective upon date of mailing.

#### PRE-HEARING SUSPENSIONS

**ALLEN, Mark L. (MD #35-063078) - Chagrin Falls**

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 because of habitual or excessive use or abuse of alcohol; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 11/13/03; suspension effective upon service of notice on 11/17/03. (*See also: Court Actions, below*)

#### CHILD SUPPORT DEFAULT SUSPENSION

**STANOS, Peter Steven (DO #34-006030) - Dublin**

Pursuant to determination by Franklin County Child Support Enforcement Agency that doctor is in default under a child support order, medical license immediately suspended until such time as Board receives notice from Franklin County Child Support Enforcement Agency that doctor is no longer determined to be in default. Notice mailed 11/4/03.

#### DISMISSALS

**WILLIAMS, Shelton Jr. (MT #33-011327) - Cincinnati**

By Order and Entry of the State Medical Board on 10/22/03, 9/10/03 notice of opportunity for hearing dismissed without prejudice to future action. (*See also: Citations/Proposed Denials, above*)

#### CONSENT AGREEMENTS

**BERTANI, Charles (DO #34-002096) - Columbus**

Doctor reprimanded and permanently prohibited from prescribing, administering or personally furnishing controlled substance anorectic medications or diuretics for weight loss, based on doctor's admission that he violated Board rules pertaining to the utilization of those medications for weight loss purposes. Based on doctor's admission that he engaged in sexual conduct with two patients while they were under his care, medical license suspended for at least 18 months, conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least three years established. Agreement effective 11/12/03.

**FLOWERS, Vickie Mae (MT #33-012736) - Cuyahoga Falls**

Massage therapy certificate granted, subject to probationary terms, conditions and limitations based on massage therapist's admission to past convictions involving dishonesty and Driving While Intoxicated and her admission that, with the exception of a 1993 conviction for violating a curfew ordinance, she has been the subject of no criminal charges since 1987. Agreement effective 11/12/03; agreement to remain in effect for at least two years prior to any request for termination.

**HAJ-HAMED, Ghassan (MD #35-069745) - Cincinnati**

In resolution of pending appeals, medical license reinstated subject to probationary terms, conditions and limitations based on the Kentucky medical board's 4/22/03 Amended Emergency Order of Suspension and 5/9/03 Final Order affirming that Amended Emergency Order. Agreement effective 11/14/03; agreement to remain in effect until either (1) issuance of a final action by Ohio Board based on a final resolution of the pending Kentucky action; or (2) a determination by Ohio Board, following final resolution of the pending Kentucky action, that no further action by Ohio Board is warranted.

**JAIN, Vikas Kumar (MD #35-076297) - Newark**

Suspension of medical license continued for at least 150 days based on doctor having been found guilty of one misdemeanor count of Assault; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions and limitations for a least five years established to monitor practice. Determination to reinstate following suspension 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 11/12/03; agreement to remain in effect for at least five years following reinstatement prior to any request for termination.

**LEVY, David Joseph (MD #35-052773) – Erie, PA**

Medical license suspended for at least 180 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 admissions that his ability to practice is impaired due to opioid dependence, for which he sought treatment and entered into a monitoring contract through Pennsylvania's medical society; that he committed acts that would constitute felonies in Ohio, to wit: Deception to Obtain a Dangerous Drug and Illegal Processing of Drug Documents; and that he entered into a consent agreement and Order with Pennsylvania's medical board based on the above conduct. Agreement effective 11/12/03.

**SCHWACHTER**, Marc H. (MD #35-080114) - Chicago, IL

Medical license suspended for at least 270 days or until all pending criminal charges in Montgomery County, Ohio, have been resolved, whichever is later; 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 admissions that he has undertaken treatment through a Board approved provider for chemical dependence, that he has abused alcohol and Adderall, that he prescribed controlled substances to a friend and to a family member on specified occasions without prior examination/evaluation and without maintaining medical records; and that he has been criminally charged in Montgomery County, Ohio, with Illegal Processing of Drug Documents based on alleged acts related to his drug-seeking behavior. Agreement effective 11/12/03.

#### VOLUNTARY SURRENDERS/RETIREMENTS

**TRUSNOVIC**, William Daniel (MD #35-066000) - Steubenville

Doctor's permanent voluntary surrender of medical license accepted by Board in lieu of further formal proceedings based on doctor's admission to allegations set forth in Board's 8/13/03 notice of opportunity for hearing, including that he plead guilty to 16 felony counts each of Illegal Processing of Drug Documents, Possession of Drugs, and Permitting Drug Abuse, for which he was found eligible for intervention in lieu of conviction. Effective 11/12/03.

#### APPLICATION WITHDRAWN

**MORRELL**, Roger M. (MD applicant) - Lathrup Village, MI

Applicant's request to permanently withdraw application for Ohio medical licensure in lieu of further formal proceedings accepted on behalf of Board, based on applicant's admission to allegations that (1) he was found guilty of 33 felony counts, to wit: Racketeering, Conspiracy to Unlawfully Distribute Schedule III and Schedule IV Controlled Substances, Aiding and Abetting Distribution of Schedule III and IV Controlled Substances, Conspiracy to Commit Mail Fraud, Aiding and Abetting Mail

Fraud, and Medicaid Fraud; and (2) there had been prior action taken against his license by Michigan's medical board due to the above criminal convictions. Effective 11/12/03.

**PIEROTTI**, Aldino Louis III (MD applicant) - Beaver Falls, PA

Applicant's request to permanently withdraw application for Ohio medical licensure in lieu of further formal proceedings accepted on behalf of Board, based on applicant's admission to allegations that he failed to provide complete and accurate information pertaining to actions taken against him relative to and/or his participation in residency programs. Effective 10/22/03.

#### PROBATION MODIFIED

**DOCTOR**, Marguerite Dorothy (MD #35-072745) - Cleveland

Doctor's request to waive further personal appearances until she is eligible for release from probation in 10/04 granted on Board's behalf at 10/6/03 office conference.

**FLEMING**, Mark S. (MD #35-058145) - Baltimore

Doctor's request to eliminate aftercare meeting attendance requirement of 9/12/01 consent agreement granted by vote of the Board on 11/12/03.

**HALL**, Darrell Andre (MD #35-072948) - Toledo

Doctor's requests to reduce required drug screens to twice per month and to reduce number of charts to be reviewed granted by vote of the Board on 11/12/03.

**MCNUTT**, Robert A. (MD #35-065130) - Westlake

Doctor's request to eliminate chart review requirement granted by vote of the Board on 11/12/03.

**SONNIE**, Clifford Michael (MD #35-049066) - Garfield Heights

Doctor's request to reduce required personal appearances to once per year granted on Board's behalf at 10/7/03 office conference.

#### REINSTATEMENTS

**PRASAD**, Kolli Mohan (MD #35-041939) - Boardman

Doctor's request for restoration granted by vote of the Board on 11/12/03, subject to probationary terms, conditions and limitations established by 2/11/98 Board Order.

PROBATION TERMINATED

**BRANT**, Gregory Charles (DO #34-003654) – Chagrin Falls

Doctor's request for release from terms of 9/13/00 Board Order granted by vote of the Board on 11/12/03, effective 11/14/03.

COURT ACTIONS

**ALLEN**, Mark L. (MD #35-063078) - Chagrin Falls

Notice of appeal of Board's 11/12/03 Order of summary suspension filed by doctor with Franklin County Court of Common Pleas on 11/21/03.

**AUBRECHT**, John R. (MT #33-005350) - Newburgh Heights

By Decision filed 11/6/03, Franklin County Court of Common Pleas granted Board's motion to dismiss massage therapist's appeal based on his failure to exhaust administrative remedies. Entry to be filed.

**WEINER**, Ned Elton (MD #35-077474) - University Heights

By Decision filed on 11/12/03, Franklin County Court of Common Pleas affirmed Board's 5/14/03 permanent revocation Order. Entry to be filed.

**NON-DISCIPLINARY ADMINISTRATIVE ACTIONS**

CITATIONS/PROPOSED DENIALS

**MCCOMB**, Rudulph Valentino (DPM applicant) - Pittsburgh, PA

Proposal to deny application for podiatry license issued based on applicant's failure to provide proof of completion of one year of acceptable postgraduate training, as required by Ohio law. Notice of opportunity for hearing mailed 11/20/03. **(Non-disciplinary)**

**TANDON**, Nitin (MD applicant) - Cleveland

Proposal to deny application for medical license issued based on applicant's failure to hold a license from another state or other status that would permit the board to grant a license without examination. Notice of opportunity for hearing mailed 11/20/03. **(Non-disciplinary)**

## FINAL ORDERS

**BOTTI**, Anne McRae (MD applicant) - Columbus

Application for medical license granted, provided that applicant successfully completes either the SPEX or the American Board Of Internal Medicine recertification examination series in internal medicine within six months. Order mailed 11/14/03; Order effective 11/14/03. **(Non-disciplinary)**

**WELINDT**, Kelly Forsyth (MD applicant) - River Forest, IL

Application for medical license approved, provided that applicant takes and passes SPEX within six months of 9/15/03. (Journal Entry - no hearing requested) Order mailed 11/13/03; Order effective 11/13/03. **(Non-disciplinary)**

## APPLICATION WITHDRAWN

**BOGGESS**, Randy Mark (DO applicant) - Brecksville

Applicant's request to withdraw application for medical license accepted on behalf of Medical Board on 11/12/03. **(Non-disciplinary)**

## DISMISSALS

**ALTES**, Talissa Ann (MD #35-083385) - Charlottesville, VA

Notice of opportunity for hearing issued on 4/2/03 dismissed following Board's receipt of verification that applicant has now completed an examination sequence acceptable to the Board, as required by 4731.14, O.R.C, and Rule 4731-6-14, O.A.C. Effective 10/22/03. **(Non-disciplinary)**

**DOUMET**, Bouchra Salamah (MD #35-083437) - Maumee

Notice of opportunity for hearing issued on 7/1/03 dismissed following applicant's provision of documentation of licensure in another state. Effective 10/22/03. **(Non-disciplinary)**

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.