

**STATE MEDICAL BOARD OF OHIO
FORMAL ACTION REPORT – November 2007**

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Listed below is a summary of the disciplinary actions taken or initiated by the State Medical Board of Ohio in November 2007 and an update of Board matters pending in courts as of the date of this document.

CITATIONS & PROPOSED DENIALS

DREWS, Kenneth Lester (MD applicant) – Monroe, MI

Based on applicant allegedly having made false, fraudulent, deceptive, or misleading statements in attempting to secure an Ohio medical license; prior action by North Dakota's medical board in suspending applicant's authorization to practice in that state, the underlying basis being applicant's admitted sexual relationship with a patient; applicant's alleged failure to submit satisfactory evidence of good moral character; and applicant's incomplete application. Notice of opportunity for hearing mailed 11/15/07.

DRURY, Timothy William II (MD training certificate #57-011050) – Cincinnati, OH

Doctor notified of right to request a hearing on the question of whether doctor's failure to submit to a mental or physical examination as ordered by the Board was due to circumstances beyond the doctor's control. Based on the legal presumption that doctor's failure to submit to a mental or physical examination as ordered by the Board constitutes admission of the legal and factual allegations demonstrating that doctor is impaired in the ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. Notice of opportunity for hearing mailed 11/15/07.

KAY, William Norris (MD #35-086206) – Ilwaco, WA

Based on prior action by the Oregon medical board in revoking doctor's Oregon medical license, the underlying basis being doctor's failure to report the termination of doctor's employment with a specified hospital; doctor's disruptive behavior at the specified hospital; and doctor's failure to comply with the Oregon medical board's order to submit to a psychiatric evaluation. Notice of opportunity for hearing mailed 11/15/07.

MAHAJAN, Mahendra Kumar (MD #35-043538) – Dayton, OH

Based on doctor's alleged failure to conform to minimal standards of care and 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 with respect to treatment of 10 specified patients. Notice of opportunity for hearing mailed 11/15/07.

FINAL DISCIPLINARY ORDERS

BHAMA, Savitri (MD applicant) – Clinton Twp., MI

Application for medical license permanently denied. Based on Board's determination that doctor made false, fraudulent, deceptive, or misleading statements on licensure application and failed to furnish satisfactory proof of good moral character. Order effective 11/16/07.

EBNER, Gregory Lee (DO #34-003080) – Cincinnati, OH

Doctor's license permanently revoked. Based on doctor's guilty plea and/or judicial finding of guilt to one felony count of Money Laundering and one felony count of Structuring Money Transactions, and the Board's determination that such guilty pleas and/or judicial findings of guilt constitute selling, giving away, personally furnishing, prescribing, or administering drugs for other than legal and legitimate therapeutic purposes or pleas of guilty to or judicial findings of guilt of a violation of any federal or state law regulating the possession, distribution, or use of any drug. Order effective 11/16/07.

FISCHKELTA, Joseph William (PA #50-001459) – Springfield, OH

Physician assistant's license permanently revoked. Based on the physician assistant's impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice and violation of conditions imposed on physician assistant's license by 2/11/04 Board Order by submitting three urine specimens that tested for positive for alcohol and/or the metabolites of alcohol. Order effective 11/16/07.

KHALED, Mounir Khaled (MD training certificate #57-009158) – Toledo, OH (Revision)

Application for training certificate for the period 7/1/04 through 6/30/07 granted, provided doctor meets all statutory and regulatory requirements; conditions imposed on any future certificate granted by the Board to include suspension of such certificate for at least 90 days, with reinstatement or restoration conditions and probationary terms, conditions, and limitations for a period of at least one year established. Based on the doctor (1) having made a false, fraudulent, deceptive, or misleading statement in securing or attempting to secure a training certificate; (2) having been found guilty of one misdemeanor count of attempted practicing medicine without a license; (3) having knowingly made a false statement in a Board deposition with purpose to secure a training certificate; and (4) failing to cooperate in an investigation conducted by the Board. Order effective 10/12/07.

CONSENT AGREEMENTS

BADOUR, Ashraf Soliman (MD #35-055004) – Martins Ferry, OH

Probationary terms, conditions, and limitations imposed on doctor's medical license 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. Based on doctor's court-ordered hospitalization for mental health treatment and subsequent diagnosis of Bipolar Disorder. Agreement effective 11/15/07; agreement to remain in effect for at least five years prior to any request for termination.

BREWER-EDWARDS, Celeste Daneen (PA #50-001976) – Euclid, OH

Physician assistant license suspended for an indefinite period of time; interim monitoring conditions and conditions for reinstatement established, including requirement that physician assistant enter into subsequent consent agreement incorporating probationary terms, conditions, and limitations to monitor practice. Based on physician assistant's admission of having been diagnosed with marijuana abuse, for which physician assistant completed treatment at a Board-approved treatment provider, and of having been found to be impaired in ability to practice as a physician assistant according to acceptable and prevailing standards of care due to habitual chemical abuse. Agreement effective 11/15/07.

CAMP, Gregory Burnham (MD #35-028433) – Wilmington, NC

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 admitted diagnosis of alcohol dependence and relapses following treatment by a provider not approved by the Board, doctor's admission of inability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of alcohol and mental or physical illness, and admission of having made false statements on Ohio license renewal applications. Agreement effective 11/15/07.

CHANG, Li-Ing (MD #35-071105) – Travis AFB, CA

Probationary terms, conditions, and limitations imposed on doctor's medical license to monitor practice based on doctor's admission of having been or currently being treated for attention deficit hyperactive disorder, involuntional melancholia in full remission, and recurrent major depression; and doctor's admission of requiring continuing therapy and treatment in order to be able to practice according to acceptable and prevailing standards of care. Agreement effective 11/15/07; agreement to remain in effect for at least three years prior to any request for termination.

DEAN, Wendy Kay (MD #35-068559) – Bethesda, OH

Medical license suspended for an indefinite period of time; 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 being impaired in ability to practice medicine according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs. Agreement effective 11/15/07.

MASSIE, David Walter (MD #35-049431) – Mansfield, 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 on doctor's admission of being dependent on Oxycontin and of being impaired in ability to practice medicine according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of alcohol or drugs. Agreement effective 11/15/07.

PERLER-TOMBOLY, Samuel Elmer (MD #35-081110) – Cincinnati, OH

Medical license suspended for an indefinite period of time; interim monitoring conditions and conditions for reinstatement of license established, including that all pending criminal charges against doctor and the Board's investigation concerning the doctor be fully, finally, and

completely resolved, and that doctor has been found to be capable of practicing according to acceptable and prevailing standards of care pursuant to a comprehensive psychiatric and sexual assessment by a Board-approved physician evaluator. Consent agreement entered in lieu of formal proceedings based upon doctor's admission that indictments have been returned against doctor in Hamilton County, Ohio, for two counts of Gross Sexual Imposition, felonies of the fourth degree; one count of Rape, a felony of the first degree; and one count of Sexual Battery, a felony of the third degree. Board reserves right to pursue separate action against doctor for any and all violations of the Medical Practices Act. Agreement effective 11/15/07.

REINHOLD, Robert Vancourt (MD #35-044601) – Troy, OH

Medical license suspended for an indefinite period of time; interim monitoring conditions and conditions for reinstatement of license established, including that all pending criminal charges against doctor, including all appeals, and the Board's investigation concerning the doctor be fully, finally, and completely resolved, and that doctor has been found to be capable of practicing according to acceptable and prevailing standards of care pursuant to a comprehensive psychiatric and sexual assessment by a Board-approved physician evaluator. Consent agreement entered in lieu of formal proceedings based upon doctor's admission that charges of Possession of Child Pornography are pending against doctor in the U.S. District Court, Southern District of Ohio. The Board reserves the right to pursue separate action against doctor for any and all violations of the Medical Practices Act. Agreement effective 11/15/07.

RIDGEWAY, Joseph Aloysius, IV (MD #35-062021) – Columbus, 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 11/15/07; agreement to remain in effect for at least five years prior to any request for termination.

SWEDA, Susan Gail (MD #35-058466) – Newark, 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 11/15/07; agreement to remain in effect for at least five years prior to any request for termination.

TOWARD, Brett Edward (MD #35-075173) – Mansfield, OH (Revision)

Revocation of medical license stayed, with medical license suspended for at least one year, beginning 1/11/07; conditions for reinstatement established; and subsequent probationary terms, conditions, and limitations established for at least five years following license reinstatement based on doctor's admission of failing to provide complete and accurate information on licensure, insurance, and credentialing applications and failing to arrange on-call coverage for doctor's private practice during the time doctor was working in hospital emergency departments. Agreement effective 1/11/07; agreement to remain in effect for at least one year following licensure reinstatement prior to request for modification of probationary terms, limitations, and conditions.

YOUNG, Hazel Green (MD #35-045806) – Cleveland, OH

Consent agreement terminated upon verification of doctor's compliance with terms for three biennial registration periods. Effective 11/9/07.

VOLUNTARY SURRENDERS

OTIS, James John (MD #35-011441) – Celina, OH

Order permanently revoking doctor's medical license entered on 11/14/07 as authorized by doctor in lieu of formal disciplinary proceedings based on allegations that doctor violated regulations and minimal standards in utilizing controlled substances. Surrender effective 11/15/07.

TIRMONIA, Virgil (MD #35-021281) – Canton, OH

Order permanently revoking doctor's medical license entered on 11/14/07 as authorized by doctor in lieu of further investigation of allegations that doctor failed to comply with the minimal standards of care and committed an act in the course of practice that constitutes a misdemeanor. Surrender effective 11/15/07.

WORKMAN, Robert Gerald (MD #35-034048) – Akron, OH

Order permanently revoking doctor's medical license entered on 11/14/07 as authorized by doctor in lieu of further investigation of allegations that doctor is impaired in the practice of medicine due to habitual or excessive use or abuse of drugs, alcohol, or substances that impair ability to practice. Surrender effective 11/15/07.

PROBATION – MONITORING TERMS MODIFIED

BIERER, Craig Lindsey (DO #34-008396) – Cuyahoga Falls, OH

Doctor's request to discontinue required psychiatric sessions granted by Board vote on 11/15/07.

DANIACHEW, Amanuel Ambaye (MD #35-083935) – Northfield Center, OH

Monitoring physician approved and frequency and number of charts for review established by Board vote on 11/15/07.

HAMED, Husam Eddin (MD #35-079659) – Florence, KY

Doctor's request to reduce required personal appearances to annual appearances granted by Board vote on 11/15/07.

ROLFE, Stephen J. (MD #35-051023) – Columbus, OH

Monitoring physician approved and frequency and number of charts for review established by Board vote on 11/15/07.

WALTZ, Gary W. (MD #35-044019) – Lyndhurst, OH

Doctor's request to reduce required personal appearances to every six months and reduce required drug screens to twice a month granted by Board vote on 11/15/07.

COURT ACTION UPDATE

BHAMA, Savitri (MD applicant) – Clinton Twp., MI

Notice of Appeal of Board's 11/14/07 Order permanently denying doctor's application for licensure filed by doctor with the Franklin County Court of Common Pleas on or about 12/3/07.

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

Notice of appeal of the 9/29/07 decision of the 10th District Court of Appeals, which had affirmed the 3/5/07 decision of the Franklin County Court of Common Pleas, filed with the Ohio Supreme Court on 11/9/07.

DERAKSHAN, Iraj (MD #35-037499) – Charleston, WV

By Opinion rendered and Entry filed on 10/30/07, 10th District Court of Appeals reversed the judgment of the Franklin County Court of Common Pleas, which had dismissed doctor's appeal of the 1/11/06 Board Order, and remanded the matter to the Court of Common Pleas for consideration of the appeal.

GILL, Benjamin Lee (DO #34-001453) – Akron, OH

Notice to Withdraw Appeal pending in the Franklin County Court of Common Pleas filed by doctor on 11/13/07.

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

By Journal Entry filed 11/5/07, the 10th District Court of Appeals continued the stay of the 2/8/06 Board Order pending doctor's appeal to the Ohio Supreme Court.

Notice of appeal of the 9/25/07 Opinion of the 10th District Court of Appeals, which had affirmed the 10/3/07 judgment of the Franklin County Court of Common Pleas, filed with the Ohio Supreme Court on 11/8/07.

RIDGEWAY, Joseph Aloysius, IV (MD #35-062021) – Columbus, OH

By Opinion rendered and Entry filed on 10/23/07, 10th District Court of Appeals affirmed the 11/1/06 judgment of the Franklin County Court of Common Pleas, which had dismissed doctor's injunctive action and appeals from the 11/9/05 and 2/8/06 Board Orders.

ROSENBERG, Mark Robert (MD #35-065727) – Elisville, MO

By Decision and Entry filed 11/30/07, the Franklin County Court of Common Pleas affirmed the Board's 12/1/06 Order, by which the Board had permanently revoked doctor's license, but stayed the revocation and suspended doctor's license for at least one year with conditions for reinstatement.

Non-Disciplinary Administrative Actions

Final Board Order

CALIGARIS, Joseph Thayer (MD #35-050658) – Cincinnati, OH

Doctor released from terms and conditions of 12/20/02 consent agreement. Based on Board's determination that an education plan or preceptorship is not justified. Order effective 11/16/07.
(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 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.