

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

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Date: January 9, 2008

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

CITATIONS & PROPOSED DENIALS

AMMONS, Tina Nichole (LMT #33-014298) – Mount Vernon, OH

Based on massage therapist's alleged making a false, fraudulent, deceptive, or misleading statement in securing or attempting to secure a massage therapy license. Notice of opportunity for hearing mailed 12/13/07.

GALLAGHER, Patrick Joseph (MD #35-044970) – Shaker Hts., OH

Based on doctor's alleged violation of conditions of limitation placed on medical license by 10/10/07 consent agreement due to relapse on alcohol, alleged impairment of ability to practice according to acceptable and prevailing standards of care due to relapse on alcohol, and alleged inability to practice according to acceptable and prevailing standards of care by reason of mental illness. Notice of opportunity for hearing mailed 12/13/07.

HANG-FU, Lee C D (MD #35-061505) – Avon Lake, OH

Based on doctor's alleged failure to conform to minimal standards of care with respect to treatment of one specified patient; alleged making a false, fraudulent, deceptive, or misleading statement in relation to the practice of medicine or in securing or attempting to secure a medical license; and alleged failure to maintain the written notice, with signature of acknowledgment by the patient, informing the specified patient of doctor's lack of medical malpractice insurance. Notice of opportunity for hearing mailed 12/13/07.

LANE, Gerald William (DO #34-004829) – Columbus, OH

Based on doctor's alleged failure to conform to minimal standards of care with respect to treatment of three specified patients and alleged violation of the Code of Ethics of the American Osteopathic Association by acts constituting sexual misconduct. Notice of opportunity for hearing mailed 12/13/07.

FINAL DISCIPLINARY ORDERS

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

Medical license permanently revoked based on prior action by Kentucky's medical board in suspending and imposing other restrictions on doctor's medical license in that state, the underlying basis for the Kentucky action being doctor's voluntary surrender of clinical privileges at a hospital while under investigation for falsification of medical records and narcotics violations and doctor's prescribing controlled substances to multiple patients who were not registered and/or admitted to the emergency room. Order effective 1/4/08.

GAUDETT, Russell Louis (Massage Therapy applicant) – Cincinnati, OH

Application for massage therapy license denied; conditions placed upon any future application for licensure. Based on applicant'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. Order effective 1/4/08.

JOHNSON, Cynthia Joan (PA #50-001350) – Cleveland, OH

Revocation of physician assistant license stayed subject to suspension for at least 30 days; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations established for at least one year. Order supersedes the 1/8/03 consent agreement. Based on 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 alcohol and violation of conditions placed on the physician assistant's license by the 1/8/03 consent agreement. Order effective 1/4/08.

KANNAPIRAN, Kandhasamy (MD #35-048702) – Mansfield, OH

Medical license permanently revoked. Based on doctor's failure to conform to minimal standards of care and violation of Principle II of the AMA's Principles of Medical Ethics with respect to the treatment of one specified patient, and doctor's making false, fraudulent, deceptive, or misleading statements in relation to the practice of medicine and surgery and commission of acts constituting the felony of forgery and with respect to the treatment of three specified patients. Order effective 1/13/08, with doctor not to undertake care of any patient not already under care between the 12/14/07 mailing date and the Order's effective date.

KHAN, Ali (MD #35-082837) – Perrysburg, OH

Permanent revocation of medical license stayed subject to suspension for 30 days; subsequent probationary terms, conditions, and limitations established for at least two years. Order effective 2/3/08, with doctor not to undertake care of any patient not already under care between the 1/4/08 mailing date and the Order's effective date.

MOORE, Robert Martin (LMT #33-005588) – Alliance, OH

Impairment examination originally scheduled for 7/30/07 ordered to be rescheduled. Based on Board's determination that massage therapist made a good-faith effort to cooperate with the examination order and had attempted in a reasonable manner to communicate concerning rescheduling the examination date. Order effective 12/14/07.

RABB, Willie Calvin, Jr. (DPM #36-003351) – East Cleveland, OH

Podiatric medical license permanently revoked. Based on prior action by Maryland's podiatric medical board in permanently revoking doctor's license in that state, the underlying basis for the Maryland action being doctor's providing false answers on a license renewal application, abandoning patients, allowing an unlicensed person to assist with surgeries, falsifying insurance applications, arriving at the podiatric office smelling of alcohol and/or marijuana, and failing to comply with accepted standards for patient care and record-keeping. Order effective 12/14/07.

RATCLIFF, Mary Ellen (Massage Therapy applicant) – McArthur, OH

Application for massage therapy license denied; conditions placed upon any future application for licensure. Based on massage therapist'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. Order effective 1/4/08.

SUMMERS, Robert Rowan (DO #34-006606) – Defiance, OH

Medical license suspended for at least 90 days from 10/15/07; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions and limitations for at least seven years established. Based on doctor'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 doctor's violation of conditions of limitation placed on doctor's medical license by the 4/2/03 consent agreement. Order effective 1/4/08.

CONSENT AGREEMENTS

CORSER, Bruce C. (MD #35-046569) – Cincinnati, OH

Medical license suspended for 45 days; interim monitoring conditions and subsequent probationary terms, conditions and limitations established. Based on doctor's admission of having written prescriptions for controlled and non-controlled substances for a member of doctor's family and failing to maintain medical records for the family member during the period of the prescribing, and of making a false statement to a Board investigator. Agreement effective 12/12/07; agreement to remain in effect for at least three years prior to any request for termination.

EATON, Lynne Antoinette (MD #35-060149) – 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 12/12/07; agreement to remain in effect for at least five years prior to any request for termination.

FISCO, James Robert (DO #34-004435) – Springboro, OH

Doctor reprimanded; terms, conditions, and limitations established. Based on doctor's admission of failing to comply with requirements related to utilizing controlled substances in the treatment of one patient. Agreement effective 12/12/07.

JOHNSON, James Cameron (DO #34-007672) – Grove City, OH

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 admitted diagnosis of chemical dependency (alcohol), for which doctor has sought treatment through a Board-approved provider; and on doctor's admitted inappropriate relationship with a patient. Agreement effective 12/12/07.

LEE, Chee Yan (MD #35-076903) – Palm Bay, FL

Doctor reprimanded; probationary terms, conditions, and limitations imposed for at least two years. Based on doctor's admission of prior action by Florida's medical board, the underlying basis for the Florida action being doctor's having pre-signed prescription forms, one of which was used by a person in an attempt to obtain a prescription drug. Agreement effective 12/12/07; agreement to remain in effect for at least two years prior to any request for termination.

MILLER, Roger Alan (MD #35-057893) – Columbus, OH

Doctor reprimanded; medical license suspended for 30 days; interim monitoring conditions and probationary terms, conditions, and limitations established. Based on doctor's admission of having been found guilty of public indecency, a fourth degree misdemeanor; and on doctor, after assessment at the Center for Marital and Sexual Health, having been deemed capable of practicing according to acceptable and prevailing standards of care without restriction or supervision. Agreement effective 12/12/07; agreement to remain in effect for at least three years prior to any request for termination.

MORGAN, Breton Lee (MD #35-066241) – Point Pleasant, WV

Medical license suspended for an indefinite period of time, with application for reinstatement or renewal of license not to be made prior to 270 days from the effective date of the agreement; 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 history of obtaining hydrocodone for personal use by writing prescriptions in the names of others and from office samples, and of diagnosis of opioid dependence, for which doctor sought treatment through a Board-approved provider; doctor's admission of having pled guilty in U.S. District Court, Southern District of West Virginia, to one felony count of Obtaining a Schedule III Controlled Substance by Fraud; and doctor's admission of prior actions by West Virginia's medical board, including the revocation of doctor's West Virginia medical license based upon doctor's plea of guilty to a felony involving administering and dispensing a controlled substance for other than generally accepted therapeutic purposes. Agreement effective 12/12/07.

TELMANIK, Kimberly M. (PA #50-000380) – Lorain, OH

Physician assistant license suspended for at least 180 days; 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 authorized for personal use prescriptions for Tramadol; admission of having been diagnosed as opioid and alcohol dependent, for which physician assistant has sought treatment through a Board-approved provider; admission of having been diagnosed with depression, obsessive compulsive disorder, and dythymia; admission of having been granted treatment in lieu of conviction by the Lorain County Court of Common Pleas on one felony count of Deception to Obtain Dangerous Drugs; and admission of being impaired in ability to practice as a physician assistant according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs. Agreement effective 12/12/07.

APPLICATIONS WITHDRAWN

BOGIN, Ruben A. (MD applicant, MD Training Certificate #57-003284) – Westerville, OH

Request for permanent withdrawal of application for medical licensure accepted by Board in lieu of formal disciplinary proceedings. Based on applicant's admission to falsely testifying under oath in an investigatory deposition taken by Board staff, and that such act constitutes a failure to cooperate in a Board investigation. Effective 12/12/07.

DeLOACH, Bianca Shane (Massage Therapy applicant) – Columbus, OH

Request for withdrawal of application for massage therapy licensure accepted by Board in lieu of formal disciplinary proceedings. Based upon applicant's admission of impairment of ability to

practice massage therapy according to acceptable and prevailing standards of care due to chemical dependency (alcohol dependence and cannabis abuse). Effective 12/12/07.

SEDA, Norbert Jose (MD applicant, MD Training Certificate #57-009599) – Canton, OH

Request for withdrawal of application for medical licensure accepted by Board in lieu of further investigation related to acts that possibly constitute a felony and in lieu of providing the Board with information related to alleged conduct underlying criminal charges pending against the applicant in U.S. District Court for the District of Puerto Rico. Effective 12/12/07.

VOLUNTARY SURRENDERS

AITI, Mohammed Yasser (MD #35-048353) – Massillon, OH

Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of formal disciplinary proceedings based on, and as an essential part of, a plea agreement related to criminal charges pending against doctor in the U.S. District Court for the Northern District of Ohio, for which doctor agreed to plead guilty to one count of Conspiracy, and on doctor's admission of engaging in billing fraud. Effective 12/12/07.

DIERUF, William James (MD #35-032298) – Dayton, OH

Board Order permanently revoking doctor's medical license as authorized by doctor in lieu of further investigation related to possible violations of the AMA's Principles of Medical Ethics. Effective 12/12/07.

LICENSES REINSTATED

DORIOTT, Elizabeth Anne (DO #34-006593) – Springboro, OH

Doctor's request for restoration of medical license, subject to probationary terms and conditions established by the 7/11/07 consent agreement, approved by vote of the Board on 12/13/07.

PROBATION COMPLETED

POJE, Joanne (MD #35-078117) – Chillicothe, OH

Doctor's request for release from the terms of the 12/11/02 consent agreement granted by vote of the Board on 12/12/07. Release from probation effective 12/12/07.

PROBATION – MONITORING TERMS MODIFIED

ADAMS, Michael Todd (MD #35-088444) – Savannah, GA

Doctor's request to reduce required personal appearances to annual appearances granted by vote of the Board on 12/13/07.

BLOCKER, David C. (MD #35-061188) – Centerville, OH

Doctor's request to reduce required personal appearances to annual appearances granted by vote of the Board on 12/13/07.

BOLDEN, Tracie Lynne (MD Training Certificate #57-010437) – Cincinnati, OH

Doctor's request to reduce required psychiatric sessions to every two weeks granted by vote of the Board on 12/13/07.

COOPER, L. Jean (MD #35-069638) – Cincinnati, OH

Doctor's request to reduce required personal appearances to every six months, reduce required urine screens to twice a month, and discontinue required chart review granted by vote of the Board on 12/13/07.

MOSS, Fred Robert (MD #35-059484) – Cincinnati, OH

Doctor's request to reduce required personal appearances to every six months and reduce required urine screens to twice per month granted by vote of the Board on 12/13/07.

MYERS, PHILIP F., Jr. (MD #35-039262) – Stow, OH

Doctor's request to reduce required personal appearances to once per year granted by vote of the Board on 12/13/07.

O'BRIEN, Michael J. (DO #34-006651) – Canton, OH

Monitoring physician approved and frequency and number of charts for review established by vote of the Board on 12/13/07.

OGDEN, John Russell (MD #35-088934) – Columbus, OH

Monitoring physician approved and frequency and number of charts for review established by vote of the Board on 12/13/07.

SHORT, Jody Lee Nelson (DO Training Certificate #58-001948) – Dayton, OH

Doctor's request to reduce required drug and rehabilitation meetings to two per week, with a minimum of 10 per month; reduce required drug screens to twice per month; and reduce required personal appearances to every six months granted by vote of the Board on 12/13/07.

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

Doctor's request for approval of practice plan, allowing doctor to work part-time at a hospital, granted by vote of the Board on 12/13/07.

COURT ACTION UPDATE

APPLEGATE, Gerald Brian (MD #35-065717) – Miami, FL

By Opinion rendered 11/29/07 and Entry filed 11/30/07, the 10th District Court of Appeals affirmed in part and reversed in part the judgment of the Franklin County Court of Common Pleas, which had upheld the Board's 6/14/06 Board Order, and ordered the matter be remanded to the Board to determine the appropriate sanction.

Non-Disciplinary Administrative Actions

Denial of Application

BARAKAT, Maged Anwar Maneaus (MD applicant) – Middle Village, NY

Application for medical license denied based on fact that applicant did not pass all three steps of the USMLE exam within a seven year period. (Journal Entry – no hearing requested) Order effective 12/12/07. **(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.