

**STATE MEDICAL BOARD OF OHIO
FORMAL ACTION REPORT – May 2008**

Prepared by: Sallie J. Debolt, Executive Staff Attorney

Date: June 27, 2008

Listed below is a summary of the disciplinary actions taken or initiated by the State Medical Board of Ohio in May 2008 and an update of Board matters pending in courts as of the date of this document.

PRE-HEARING SUSPENSION

DEW, Gregory Scott (PA #50-002255) – Columbiana, OH

Pursuant to Section 4730.25(I), O.R.C., medical license automatically suspended based on physician assistant having been found guilty of four first-degree felony counts of Rape and two fourth-degree felony counts of Gross Sexual Imposition. Suspension effective 4/1/08. (See also: Citations/Proposed Denials *below*)

YUCE, Belkis (MD #35-031978) – Toledo, OH

Pursuant to Section 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 is impaired due to use and/or abuse of drugs; and doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 5/14/08. (See also: Citations/Proposed Denials *below*)

CITATIONS & PROPOSED DENIALS

BOLLARD, Glenn Alden (MD #35-051213) – Meadville, PA

Based on doctor having received a judicial finding in the Court of Common Pleas of Crawford County, Pennsylvania that is substantially equivalent to intervention in lieu of conviction for a misdemeanor committed in the course of practice and on doctor's alleged commission of an act that constitutes a felony. The underlying basis being doctor's writing a prescription for Adderall in the name of another person when the drug was for doctor's own use. Notice of opportunity for hearing mailed 5/15/08.

CASTELLANOS, Andrew John (MD applicant; MD Training Certificate #57-014014) – Cincinnati, OH

Based on prior action by California medical board denying doctor's application for licensure in that state, the underlying basis being doctor having made a false statement on the California licensure application and having committed dishonest, fraudulent or deceitful acts. Notice of opportunity for hearing mailed 5/15/08.

CHEN, Jeffrey C. (MD #35-033137) – San Francisco, CA

Based on doctor's alleged making a false, fraudulent, deceptive, or misleading statement on an Ohio licensure renewal application and alleged failure to comply with CME requirements for the 2005-2007 CME period. Notice of opportunity for hearing mailed 5/15/08.

DEW, Gregory Scott (PA #50-002255) – Columbiana, OH

Based on physician assistant having been found guilty of four first-degree felony counts of Rape, one third-degree felony count of Corruption of a Minor, and two fourth-degree felony counts of Gross Sexual Imposition. Notice of opportunity for hearing mailed 5/15/08. (*See also: Pre-hearing Suspension*)

ERNST, David Carl (MD #35-060456) – Vermilion, OH

Based on doctor's alleged violation of conditions of limitation placed on medical license by 5/19/05 consent agreement and alleged impairment of ability to practice according to acceptable and prevailing standards of care due to relapse on tramadol. Notice of opportunity for hearing mailed 5/15/08.

GREENE, David Lawrence (MD applicant) – Phoenix, AZ

Based on prior actions by Arizona medical board in placing doctor on probation and in subsequently summarily suspending doctor's Arizona license, the underlying basis being a finding that doctor engaged in unprofessional conduct with respect to the treatment of specified patients. Notice of opportunity for hearing mailed 5/15/08.

HALPIN, John Albert (MD #35-037982) – Cincinnati, OH

Based on doctor's alleged making a false, fraudulent, deceptive, or misleading statement on an Ohio licensure renewal application and alleged failure to comply with CME requirements for the 2004- 2006 CME period. Notice of opportunity for hearing mailed 5/15/08.

KEREK, William Balint (MD #35-040905) – Akron, OH

Based on doctor's alleged failure to maintain minimal standards applicable to the selection or administration of drugs or failure to employ acceptable scientific methods in the selection or administration of drugs, alleged failure to comply with the minimal standards of care, and alleged violation of the controlled substances prescribing rules, with respect to treatment of 15 specified patients. Notice of opportunity for hearing mailed 5/15/08.

STRASEK, Frank Murray (DPM #36-001720) – Rocky River, OH

Based on doctor's alleged violation of conditions of limitation placed on medical license by 7/12/06 Board Order, based on doctor having been found by the U.S. District Court, Northern District of Ohio, to be in violation of probationary terms imposed by that court. Notice of opportunity for hearing mailed 5/15/08.

TUCKER, Jennifer Marie (MT applicant) – Marshallville, OH

Massage therapy applicant notified of right to request a hearing on the question of whether applicant's failure to submit to a mental or physical examination as ordered by the Board was due to circumstances beyond the applicant's control. Based on the legal presumption that applicant'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 applicant 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 5/15/08.

VELASQUEZ, David Antonio (MD #35-081766) – Coshocton, OH

Based on doctor having pled guilty to four felony counts of Passing Bad Checks and one misdemeanor count of Passing Bad Checks, the underlying basis being doctor's intent to defraud an employee of wages earned and defraud another doctor in the purchase of medical equipment. Notice of opportunity for hearing mailed 5/15/08.

YUCE, Belkis (MD #35-031978) – Toledo, 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 5/15/08. (See *also*: Pre-hearing Suspension)

FINAL DISCIPLINARY ORDERS

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

Upon reconsideration of Board's 6/14/06 Order pursuant to the 2/15/08 remand order from the Franklin County Court of Common Pleas, doctor's medical license suspended for one year from 6/16/06, which suspension has already been served; probationary terms, conditions, and limitations established for a period of at least one year from the 6/17/07 reinstatement of doctor's medical license. Based on the Board's determination that the 6/14/06 Board Order was appropriate in light of the 11/29/07 Opinion of the 10th District Court of Appeals. Order effective 6/3/08.

CAPURRO, Nico (MD #35-023494) – Cincinnati, OH

Immediate suspension lifted. One-year suspension of medical license stayed; doctor's practice permanently limited and restricted to practice as a track physician at a specified race track. Based on doctor's felony conviction for structuring monetary transactions. Order effective 5/14/08.

D'SOUZA, Leo (MD #35-066032) – Cincinnati, OH

Medical license permanently revoked. Based on Board's determination that doctor failed to conform to minimal standards of care, violated the AMA Code of Ethics, and engaged in sexual misconduct with respect to care rendered to patients. Order effective 5/19/08.

DUKE, Nancy Rose (LMT #33-008308) – Pahoia, HI

Massage therapy license suspended for an indefinite period of time; conditions for reinstatement established, and probationary terms, conditions, and limitations for a period of at least five years upon reinstatement of license established. Based on Board's determination that massage therapist 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. (Journal Entry – no hearing requested) Order effective 5/14/08.

FOWLER, Patricia Annette (LMT #33-007707) – Corinth, KY

Massage therapy license permanently revoked. Based on massage therapist having made a false, fraudulent, deceptive, or misleading statement in relation to the practice of massage therapy and having been found guilty of one count of prostitution, which is a misdemeanor involving moral turpitude. (Review and Journal Entry – no hearing requested) Order effective 5/15/08.

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

Massage therapy license suspended for an indefinite period of time; conditions for reinstatement established, and probationary terms, conditions, and limitations for a period of at least five years upon reinstatement of license established. Based on Board's determination that massage therapist 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. (Journal Entry – no hearing requested) Order effective 5/14/08.

CONSENT AGREEMENTS

CARRAN, Todd S. (MD #35-070896) – Crestview Hills, KY

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 5/14/08; agreement to remain in effect for at least five years prior to any request for termination.

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

Medical license permanently limited and restricted. Based on prior action by West Virginia's medical board in limiting and restricting doctor's medical license in that state and upon doctor's completion of course in controlled substance management and record keeping. Agreement effective 5/14/08. (See also: Court Action)

LEVE, Brian Edward (MD #35-082937) – Lancaster, 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 the ability to practice according to acceptable and prevailing standards of care due to habitual use or abuse of alcohol, for which doctor has sought treatment through a Board-approved provider. Agreement effective 5/14/08.

LISCH, Nancy Jayne (MD #35-061020) – Broadview Hts., 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 having been diagnosed with alcohol dependence and of being impaired in the ability to practice according to acceptable and prevailing standards of care due to habitual use or abuse of alcohol. Agreement effective 5/14/08.

MAYCON, Zev R. (MD #35-072264) – Canton, 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 impaired in the ability to practice according to acceptable and prevailing standards of care due to habitual use or abuse of drugs, obtaining drugs for self-use by writing prescriptions in the name of others and in the name of another physician, and having an inappropriate relationship with a patient. Agreement effective 5/14/08.

NAQVI, Imran Raza (MD Training Certificate #57-012522) – Cincinnati, OH

Training certificate 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 5/14/08; agreement applicable to all subsequent certificates granted until doctor completes at least five years of probation.

PLATT, William James (DO #34-004801) – Athens, 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 5/14/08; agreement to remain in effect for at least five years prior to any request for termination.

REIKOWSKI, Paul Daniel Jr. (LMT #33-012157) – Brecksville, OH

Massage therapy 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 massage therapist's impairment of ability to practice according to acceptable and prevailing standards of care due to use or abuse of drugs, alcohol, or other substances that

impair ability to practice and making a false, fraudulent, deceptive, or misleading statement in securing or attempting to secure a massage therapy license. Agreement effective 5/14/08.

SILK, Jon Berkeley, Jr. (MD Training Certificate #57-013225) – Cincinnati, OH

Medical license suspended for at least 90 days, during which suspension doctor shall be ineligible to hold any other license issued by the Board; 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 having been diagnosed with chemical dependency, with alcohol being doctor's drug of choice, for which doctor has sought treatment through a Board-approved provider, and on doctor's history of depression. Agreement effective 5/14/08.

SZOKOLOCZY-SYLLABA, Andreas Herbert (DO #34-007391) – Dayton, 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 5/14/08; agreement to remain in effect for at least five years prior to any request for termination.

TURNER, Ross Putman (DO applicant; DO Training Certificate #58-001438) – Canal Winchester, OH

Medical license granted upon receipt of all necessary and appropriate documentation, 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 5/14/08; agreement to remain in effect for at least five years prior to any request for termination.

APPLICATION WITHDRAWN

SORGER, James (MD applicant) – Maineville, OH

Request for permanent withdrawal of application for medical licensure accepted by Board in lieu of formal disciplinary proceedings related to applicant's failure to disclose on Ohio licensure application prior disciplinary action by New Jersey's medical board. Effective 5/14/08.

VOLUNTARY SURRENDERS/RETIREMENTS

BACCUS, Harry III (LMT #33-005251) – South Euclid, OH

Board Order permanently revoking massage therapy license as authorized by massage therapist in lieu of formal disciplinary proceedings based on massage therapist's failure to disclose criminal convictions and failure to appear for a Board-ordered 72-hour evaluation for possible impairment. Effective 5/14/08.

SINGH, Asim Ranjan (MD #35-067986) – Erie, PA

Doctor's permanent surrender of medical license accepted by Board in lieu of formal disciplinary proceedings 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 on doctor's voluntary surrender of DEA registration. Effective 5/14/08.

LICENSES REINSTATED

PHEN, Lovsho (MD #35-055007) – Portola, CA

Doctor's request for reinstatement approved by vote of the Board on 5/15/08, subject to probationary terms and conditions established by 4/14/07 Board Order. Reinstatement effective 5/15/08.

PROBATION COMPLETED

BRIGGS, Jeffrey Allen (MD #35-044176) – Powell, OH

Doctor's request for release from the terms of the 5/14/03 consent agreement granted by Board vote on 5/14/08. Release from probation effective 5/14/08.

PROBATION – MONITORING TERMS MODIFIED

CARVER, Joseph Claude (MD #35-062026) – Washington Court House, OH

Doctor's request to discontinue required chart review and reduce required personal appearances to an annual basis granted by Board vote on 5/15/08.

GUSTILO-ASHBY, Arlan Marcus (MD #35-084685) – Cleveland, OH

Monitoring physician approved and frequency and number of charts for review established by Board vote on 5/15/08.

HASSINK, George V. (MD #35-045682) – Van Buren, OH

Doctor's request to reduce required psychological counseling sessions to once every three months; reduce required psychiatric session to an annual basis; and reduce required alcohol and drug rehabilitation meetings to two per week, with a minimum of 10 per month, granted by Board vote on 5/15/08.

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

Doctor's request to eliminate required psychiatric sessions granted by Board vote on 5/15/08.

RATH, David A. (MD #35-057898) – Sunbury, OH

Doctor's request to reduce required drug screens to twice a month and reduce required personal appearances to every six months granted by Board vote on 5/15/08.

RENZ, Mark Allan (MD #35-087699) – Columbus, OH

Doctor's request to reduce required alcohol and drug rehabilitation meetings to two per week, with a minimum of 10 per month, granted by Board vote on 5/15/08.

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

Monitoring physician approved and frequency and number of charts for review established by Board vote on 5/15/08.

ROBINSON, Kent (MD #35-051764) – Cincinnati, OH

Doctor's request to eliminate required controlled substance log granted by Board vote on 5/15/08.

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

Doctor's request to reduce required number of psychiatric sessions for the months of November and December to once a week and to modify doctor's practice plan to add another practice location approved by Board vote on 5/15/08.

ZINNI, Richard Allan (DO #34-003785) – Madison, OH

Monitoring physician approved and frequency and number of charts for review established by Board vote on 5/15/08.

COURT ACTION UPDATE

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

By Entry and Order filed 4/14/08, the Franklin County Court of Common Pleas remanded the matter to the Board for consideration of the appropriate sanction in light of the 10/30/07 decision of the 10th District Court of Appeals. (See also: Consent Agreements)

D'SOUZA, Leo (MD #35-066032) – Cincinnati, OH

Notice of Appeal of Board's 5/14/08 Order filed by doctor with the Franklin County Court of Common Pleas on 5/19/08.

Motion for stay of Board's 5/14/08 Order pending disposition of appeal filed by doctor with the Franklin County Court of Common Pleas on 5/19/08.

GROSS, Robert (DO #34-005966) – Sterling Heights, MI

Notice of Appeal to the 10th District Court of Appeals of the 4/29/08 Decision and Entry of the Franklin County Court of Common Pleas, which affirmed the Board's 7/11/07 Order, filed by doctor on 5/23/08.

NUCKLOS, William W. (MD #35-058738) – Columbus, OH

By Decision and Entry filed on 5/16/08, the Franklin County Court of Common Pleas sustained the Board's motion to dismiss doctor's appeal of Board's 10/10/07 Order, which had summarily suspended doctor's medical license.

NON-DISCIPLINARY ADMINISTRATIVE ACTIONS

Denial of Application

ESLAMI-VARZANEH, Fatima (MD applicant) – Monroe, CT

Application for medical licensure denied based fact applicant has not passed an acceptable exam sequence. (Journal Entry – no hearing requested) Order effective 5/14/08. **(Non-disciplinary)**

Approval of Application

BOYD-LAWHORN, Susan Renee (MD applicant; MD Training Certificate # 57-000332) – Wilder, KY

Application for medical licensure approved, provided that applicant takes and passes SPEX or a specialty board recertification examination within six months of 3/20/08. Based on Board's finding that applicant had not engaged in the active practice of medicine for more than two years. (Journal Entry – no hearing requested) Order effective 5/14/08. **(Non-disciplinary)**

KRONENBERGER, Julie Catherine (LMT #33-012032) – Columbus, OH

Application for restoration of massage therapy license approved, provided that applicant takes and passes the limited branch portion of the massage therapy examination within six months of 3/20/08. Based on Board's determination that applicant had not engaged in the active practice of massage therapy for more than two years. (Journal Entry – no hearing requested) Order effective 5/14/08. **(Non-disciplinary)**

ROBISON, Robert Nelson (MD applicant) – Lewis Center, OH

Application for medical licensure approved, provided that applicant takes and passes SPEX or a specialty board recertification examination within six months of 12/20/07. Based on Board's finding that applicant had not engaged in the active practice of medicine for more than two years. (Journal Entry – no hearing requested) Order effective 5/14/08. **(Non-disciplinary)**

VARAKIS, Kaliope Eleftheria (MD applicant, MD Training Certificate #57-005321) – Columbus, OH

Application for medical licensure granted, provided that applicant otherwise meets all statutory and regulatory requirements. Based on Board's finding that applicant meets examination and postgraduate training requirements. Order effective 5/19/08. **(Non-disciplinary)**

Voluntary Surrender/Retirement

BROWN, Christina Marie (LMT #33-011149) - Salem, OH

Massage therapist's permanent surrender of massage therapy license accepted by Board in lieu of continuing compliance with the terms of the 2/13/08 consent agreement. Effective 5/14/08. **(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.