

**STATE MEDICAL BOARD OF OHIO
FORMAL ACTION REPORT – March 2009**

Prepared by: Sallie Debolt, General Counsel

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Listed below is a summary of the disciplinary actions taken or initiated by the State Medical Board of Ohio in March 2009 and an update of Board matters pending in courts as of the date of this document.

PRE-HEARING SUSPENSION

CORNICELLI, Samuel Francis, Jr. (MD #35-062164) – Fort Sill, OK

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 by reason of mental or physical illness and doctor's continued practice of medicine presents a danger of immediate and serious harm to the public. Suspension effective 3/11/09; Notice mailed 3/12/09. (See *also*: Citations/Proposed Denials *below*)

YOUNTS, Jerry Vann (LMT #33-005771) – Springfield, OH

Pursuant to Section 3719.121(C), O.R.C., message therapy license immediately suspended based on massage therapist having been found guilty of one third-degree felony count of Illegal Cultivation of Marihuana, one fifth-degree felony count of Possession of Cocaine; one third-degree felony count of Possession of Marihuana, one fifth-degree felony county of Possession of Marihuana, and three fifth-degree felony counts of Possession of Criminal Tools. Suspension effective 3/11/09; Notice mailed 3/12/09. (See *also*: Citations/Proposed Denials *below*)

CITATIONS & PROPOSED DENIALS

CAVIN, Daryl Edward (MT Applicant) – Columbus, OH

Based on massage therapy applicant's alleged impairment of ability to practice according to acceptable and prevailing standards of care due to diagnosis of alcohol dependence in partial remission, cocaine abuse, and cannabis dependence in full remission. Notice of opportunity for hearing mailed 3/12/09.

CORNICELLI, Samuel Francis, Jr. (MD #35-062164) – Fort Sill, OK

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 3/12/09. (See *also*: Pre-hearing Suspension)

GORDON, Julian A. (MD #35-040438) – Beachwood, OH

Based on doctor's first-degree misdemeanor conviction for one count of Assault, the underlying basis being doctor's conduct with a patient during a medical consultation in the course of practice. Notice of opportunity for hearing mailed 3/12/09.

HIVELY, Cherry Lynn (LMT #33-016236) – Westerville, OH

Massage therapist notified of right to request a hearing on the question of whether massage therapist's failure to submit to a mental or physical examination as ordered by the Board was due to circumstances beyond the massage therapist's control. Based on the legal presumption that massage therapist'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 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. Notice of opportunity for hearing mailed 3/12/09.

LANESE, Donald David (DO #34-001528) – Columbus, OH

Based on doctor's alleged failure to conform to the minimal standards of care with respect to treatment rendered to one specified patient, related to doctor's reading of a radiograph. Notice of opportunity for hearing mailed 3/12/09.

YOUNTS, Jerry Vann (LMT #33-005771) – Springfield, OH

Based on massage therapist's having been found guilty of a felony and of state laws regulating the possession, distribution, or use of any drug, the underlying basis being massage therapist having been guilty of one third-degree felony count of Illegal Cultivation of Marihuana, one fifth-degree felony count of Possession of Cocaine; one third-degree felony count of Possession of Marihuana, one fifth-degree felony count of Possession of Marihuana, and three fifth-degree felony counts of Possession of Criminal Tools. Notice of opportunity for hearing mailed 3/12/09. (See also: Pre-hearing Suspension)

FINAL DISCIPLINARY ORDERS

BROCKMAN, Joshua Forest (MT Applicant) – Mt. Orab, OH

Application for massage therapy license permanently denied. Based on the applicant's criminal history, including having been convicted of four counts of misdemeanors involving moral turpitude and one count of violating a state drug law, and the Board's determination that applicant failed to provide full and accurate information regarding applicant's criminal history on the licensure application. Order effective upon mailing.

JOHNSON, Gregory Gene (MD #35-048254) – Perrysburg, OH

Medical license 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 for at least five years. Based on Board's determination that doctor is impaired in the ability to practice

according to acceptable and prevailing standards of care due to alcohol dependence. Order effective 3/12/09.

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

Medical license permanently revoked. Based on Board's determination that doctor violated the minimal standards of care and the AOA Code of Ethics, the underlying basis being doctor's sexual misconduct involving four specified patients. Order effective 4/12/09, in the interim doctor not to undertake the care of any patient not already under doctor's care and shall at all times be accompanied by a third party when seeing female patients.

LANGSCHWAGER, Larson Frederick (MD #35-093132) – Marshall, MI

Application for medical license granted, doctor reprimanded and probationary terms, conditions, and limitations established for at least six months. Based on Board's determination that Michigan's board imposed disciplinary action on doctor's medical license in that state, the underlying basis being doctor's sexual relationship with a patient. Order effective 3/12/09.

MARTIN, Jay Weldon (MD #35-042566) – Lima, OH

Medical license suspended for 90 days, with all but 10 days of suspension stayed, completion of professional ethics and prescribing courses to be completed within 90 days. Based on Board's determination that doctor committed an act that constitutes the felony of Complicity in the Practice of Medicine without a License, permitted doctor's name or certificate to be used by a person or group when doctor was not actually directing treatment, and engaged in acts in the course of practice that constitute a misdemeanor, the underlying facts being doctor's pre-signing blank prescriptions for completion by the medical staff when doctor was out of town. Order effective upon mailing.

REQUEST FOR RECONSIDERATION

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

Doctor's request for reconsideration of the Board's 1/14/09 Order, which stayed the permanent revocation of doctor's medical license subject to suspension for at least one year and established interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms and conditions, denied by Board vote on 3/11/09.

CONSENT AGREEMENTS

BALL, Erin Kaye (MT Applicant) – Cincinnati, OH

Massage therapy license granted, with permanent revocation stayed subject to suspension of 90 days; probationary terms, conditions, and limitations established. Based on applicant's admission of having been convicted of one fourth-degree felony count of Trafficking in Cocaine. Agreement effective 3/12/09. Suspension effective from date of certificate issuance.

BLAIR, Mark Erik (MD #35-081181) – 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 3/12/09; agreement to remain in effect for at least five years prior to any request for termination.

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

Permanent revocation of physician assistant license stayed and license suspended for at least one year; 11/15/07 consent agreement terminated; 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. Agreement effective 3/12/09.

FRANKOWSKI, Deborah Lynne (MD #35-071191) – Loveland, 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 3/12/09; agreement to remain in effect for at least five years prior to any request for termination.

HOOGENDOORN, Kyle Elliott (DPM #36-003064) – Grove City, OH

Doctor reprimanded and probationary terms, conditions, and limitations established. Based on doctor's admission of having provided podiatric medical care below the minimal standard of care with respect to eight specified patients, including the use of rote documentation of progress notes and/or operative reports not appropriately specific to the patient care rendered. Agreement effective 3/12/09.

MENON, Aiyappan (MD #35-061918) – Solon, OH

Medical license 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 of having been diagnosed with alcohol dependence/withdrawal, Marijuana dependence/withdrawal, Depression/Anxiety, and Bipolar Disorder Type II and having relapsed on alcohol, for which doctor has sought treatment through a Board-approved provider. Agreement effective 3/12/09.

SCHERRY, Kimberly Marie – f.k.a. Telmanik, Kimberly M. (PA #50-000380) – Lorain, OH

Physician assistant license reinstated subject to probationary terms, conditions, and limitations imposed to monitor practice based on physician assistant 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 3/12/09; agreement to remain in effect for at least five years prior to any request for termination.

SHOOK, Jeffrey Edward (DPM #36-002904) – Huntington, WV

Probationary terms, conditions, and limitations imposed to monitor practice. Based on doctor having been found capable of practicing podiatric medicine according to acceptable and prevailing standards of care so long as certain treatment and monitoring requirements are in place. Agreement effective 3/12/09; agreement to remain in effect for at least three years prior to any request for termination.

APPLICATION WITHDRAWN

HRIESIK, Claudia (MD Applicant / MD Training Certificate #57-012821) – Pittsford, NY

Request for permanent withdrawal of application for medical licensure accepted by Board in lieu of further investigation of allegations that doctor failed to provide complete and accurate information on licensure application. Effective 3/12/09.

VOLUNTARY SURRENDER

KASER, Thomas William (LMT #33-012014) – Wooster, OH

Board Order permanently revoking massage therapist's license as authorized by massage therapist in lieu of further investigation of allegations that massage therapist is impaired in the practice of massage therapy because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. Effective 3/12/09.

LICENSES REINSTATED

CREPS, Philip L. (DO #34-005726) – Saginaw, MI

Doctor's request for restoration of medical license approved by 3/12/09 Board vote, subject to probationary terms and conditions outlined in the 2/8/06 Board Order.

PROBATION COMPLETED

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

Doctor's request for release from the terms of the 12/1/03 Board Order granted by 3/11/09 Board vote. Release from probation effective 3/11/09.

ROSSELIT, James M., Jr., (DO #34-005558) – Dayton, OH

Doctor's request for release from the terms of the 3/10/04 consent agreement granted by 3/11/09 Board vote. Release from probation effective 3/11/09.

SPIESS, Patricia Ann (MD #35-049816) – Bay Village, OH

Doctor's request for release from the terms of the 3/14/07 consent agreement granted by 3/11/09 Board vote. Release from probation effective 3/14/09.

PROBATION – MONITORING TERMS MODIFIED

BRANDT, Robert L., Jr., (MD #35-046724) – Dayton, OH

Doctor's request to reduce required screens to twice per month and reduce required psychiatric sessions to every four months granted by 3/12/09 Board vote.

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

Doctor's request to discontinue required chart review granted by 3/12/09 Board vote.

FURICCHIA, James Vincent (MD #35-065087) – Toledo, OH

Doctor's request to reduce required personal appearances to every six months; reduce required alcohol and drug rehabilitation meetings to two per week, with a minimum of 10 per month; and discontinue required chart review granted by 3/12/09 Board vote.

GIORDANO, Stephen Robert (DO #34-009089) – Mooresville, NC

Monitoring physician approved and frequency and number of charts for review established by 3/12/09 Board vote.

HARLAN, William Clark (DO #34-004345) – Dayton, OH

Doctor's request to reduce required drug screens to twice per month; reduce required alcohol and drug rehabilitation meetings to two per week, with a minimum of 10 per month; and reduce required personal appearances to every six months granted by 3/12/09 Board vote.

TIPPIE, Toby James (PA #50-001990) – Lima, OH

Physician assistant's request to reduce required drug screens to twice per month and reduce required alcohol and drug rehabilitation meetings to two per week, with a minimum of 10 per month, granted by 3/12/09 Board vote.

COURT ACTION UPDATE

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

By Judgment Entry filed 2/27/09, the 10th District Court of Appeals affirmed the judgment of the Franklin County Court of Common Pleas, which had upheld the Board's 11/14/07 Order permanently denying doctor's application for licensure.

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

By Journal Entry filed 2/25/09, the 10th District Court of Appeals dismissed doctor's appeal as not timely filed.

LITTLE, Larry John (MD #35-047090) – New Albany, OH

By Order filed 3/3/09, the Franklin County Court of Common Pleas granted doctor's motion for stay of license suspension, conditioned upon doctor's completion of a Post-Licensure Assessment and satisfactory completion of all recommendations resulting from the assessment; and terms and conditions for subsequent monitoring of doctor's practice during pendency of appeal established.

Non-Disciplinary Administrative Actions

Denial of Application

ABONYI, Eugenia Ukamaka (MD Applicant / MD Training Certificate #57-007853) – Bratenahl, OH

Application for medical licensure denied based on fact applicant has not passed an acceptable exam sequence. (Journal Entry – no hearing requested) Order effective 3/11/09. **(Non-disciplinary)**

DOBRE, Mirela Aurora (MD Applicant / MD Training Certificate applicant) – Westlake, OH

Application for medical license denied based on fact that applicant has not completed two years of graduate medical education through the second year level or its equivalent, as required by Ohio law. (Journal Entry – no hearing requested) Order effective 3/11/09. **(Non-disciplinary)**

HASHMI, Fatima (MD Applicant / MD Training Certificate #57-007936) – Perrysburg, OH

Application for medical licensure denied based on fact applicant has not passed an acceptable exam sequence. (Journal Entry – no hearing requested) Order effective 3/11/09. **(Non-disciplinary)**

Approval of Application

EBENEZER, Marjorie Rasilini (MD Applicant) – Westerville, OH

Application for medical license granted. Based on Board's determination that doctor engaged in the clinical practice of medicine in the two years prior to applying for licensure in Ohio. Order effective 3/12/09. **(Non-disciplinary)**

MILLS-HOOVER, Tabitha Y. (LMT #33-007105) – Perry, OH

Application for restoration of massage therapy license granted, provided applicant takes and passes the limited branch portion of the massage therapy exam within six months of January 27, 2009. Based on applicant not have been engaged in the active practice of massage therapy for

more than two years. (Journal Entry – no hearing requested) Order effective 3/11/09. **(Non-disciplinary)**

WILKINSON, LaRahn Michelle (LMT #33-013678) – Dayton, OH

Application for restoration of massage therapy license granted, provided applicant takes and passes the limited branch portion of the massage therapy exam within six months of January 27, 2009. Based on applicant not have been engaged in the active practice of massage therapy for more than two years. (Journal Entry – no hearing requested) Order effective 3/11/09. **(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.