



State Medical Board of Ohio
ANNUAL REPORT 2004

Thomas A. Dilling, J.D.
Executive Director

April 2005

Executive Summary:

The mission of the State Medical Board of Ohio is to protect and enhance the health and safety of the public through effective medical regulation. Programs and services provided by the Medical Board to carry out its public protection mandate are featured in this report.

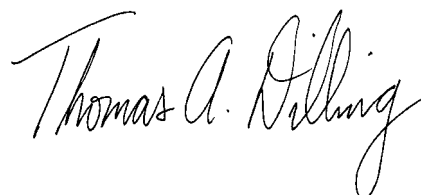
The Ohio Medical Board has a national reputation as a leader in medical regulation and has long been recognized among the top physician licensing boards in the country for disciplinary activity. The State Medical Board of Ohio has approximately 55,000 licensees of all types, 39,000 of whom are physicians – one of the largest licensee pools in the country – and receives well over 3,500 complaints each year. In April 2004, Ohio was third in terms of disciplinary sanctions imposed by medical licensing boards with a minimum of 15,000 in-state (physician) licensees according to reports provided by the Federation of State Medical Boards of the United States. Public Citizen Health Research Group, a national consumer advocacy organization, evaluates medical licensing boards in terms of “serious” disciplinary actions – defined as revocations, suspensions, surrenders, and probations/restrictions – imposed. Public Citizen listed Ohio first among the states responsible for regulating large physician populations. The Ohio Medical Board has ranked in Public Citizen’s top 10 since 1995.

Yet disciplinary activity is only one facet of the public protection efforts of the Medical Board. In this annual report, you’ll find out more about the range of activities undertaken in 2004 to fulfill the Board’s established goals:

- Ensure that persons practicing medicine meet sufficient standards of education, training, competence and ethics (see Licensure Activities, pages 7-10; and Appendix A)
- Define and advocate for standards of safe medical practice (see Board Committee Structure and Activities, pages 13-15; Publications, Website and Policy Statements, pages 15-17; and Ohio Administrative Code Rules, page 18)
- Rehabilitate, when possible, persons who are impaired or who practice medicine unethically or below minimal standards of care, and prohibit persons who have not been rehabilitated from practicing medicine (see Probationary Monitoring, page 11; Quality Intervention Program, pages 12-13; and Appendix E)
- Prohibit persons from practicing medicine whose violations are so egregious as to forfeit the privilege or who otherwise lack the legal authority (see Disciplinary Activity, pages 11-12; and Appendices B, C and D)
- Provide information about the licensees of the Medical Board, the Board’s functions and operations, and the laws governing the practice of medicine (see Publications, Website and Policy Statements, pages 15-17)
- Achieve and maintain the highest possible levels of organizational efficacy (see Leadership, pages 3-6; and Agency Operations page 6)

It is essential to recognize that the Medical Board’s accomplishments have been achieved without the expenditure of a single tax dollar, as Medical Board operations are funded exclusively through licensing-related fees. The Medical Board does not receive allocations from Ohio’s General Revenue Fund. Additionally, the Medical Board has not sought an increase in the fees paid by its licensees—which fund the Board operations in their entirety—since 1999.

I am pleased to present to you the State Medical Board of Ohio’s annual report for calendar year 2004. I encourage you to visit the Board’s website at www.med.ohio.gov to learn more about the Medical Board.



Executive Director

THE STATE MEDICAL BOARD OF OHIO

Protecting the public through effective medical regulation

ABOUT THE MEDICAL BOARD:

Under the authority of the Medical Practices Act and related law, the Medical Board licenses and oversees the practice of medicine and its branches within the state. The Board has jurisdiction over allopathic physicians (M.D.s), osteopathic physicians (D.O.s), podiatric physicians (D.P.M.s), physician assistants (P.A.s), anesthesiologist assistants (A.A.s), acupuncturists (R.A.C.s), as well as for practitioners of the limited branches of medicine such as massage therapists (L.M.T.s), cosmetic therapists (C.T.s), and mechanotherapists (D.M.s).

The Medical Board's regulatory responsibilities include investigating complaints against applicants and licensees, and taking disciplinary action against those who violate the public health and safety standards set by the General Assembly and the Medical Board.

AGENCY MISSION:

To protect and enhance the health and safety of the public through effective medical regulation.

AGENCY GOALS:

- Ensure that persons practicing medicine meet sufficient standards of education, training, competence and ethics
- Define and advocate for standards of safe medical practice
- Rehabilitate, when possible, persons who are impaired or who practice medicine unethically or below minimal standards of care, and prohibit persons who have not been rehabilitated from practicing medicine
- Prohibit persons from practicing medicine whose violations are so egregious as to forfeit the privilege or who otherwise lack the legal authority
- Provide information about the licensees of the Medical Board, the Board's functions and operations and the laws governing the practice of medicine
- Achieve and maintain the highest possible levels of organizational efficacy

The Medical Board is comprised of twelve members: nine physicians and three non-physician public members. All of the Board members are appointed by the Governor and serve five-year terms. Appointees' terms are staggered to provide continuity. Board members may be reappointed. Two members serve as the Board's Secretary and Supervising Member who oversee the Board's investigatory process. The Secretary is a physician member and the Supervising Member may be any other member of the Board. A consumer member of the Board has held this position since July 1993.

BOARD OFFICERS:

Those elected by the members of the Board to serve as officers in 2004 include:

Anquetette Sloan, President - consumer representative from Columbus; term concludes 7/31/07

Patricia J. Davidson, MD, Vice President - pediatric anesthesiologist from Gahanna; term concludes 3/18/07

Lance A. Talmage, MD, Secretary - obstetrician/gynecologist from Toledo; term concludes 3/18/09

Raymond J. Albert, Supervising Member - consumer representative from Amanda; term concludes 7/31/07

BOARD MEMBERS:

Others members of the Medical Board in 2004 include:

Anant R. Bhati, MD - obstetrician/gynecologist from Cincinnati; term concludes 3/18/05

R. Gregory Browning, Ph.D., - consumer representative from Columbus; term concludes 7/31/08

David S. Buchan, DPM - podiatric physician from Westerville; term concludes 12/26/07

Anand G. Garg, MD, - neurosurgeon from Avon; term concludes 3/18/06

Carol L. Egner, MD - obstetrician/gynecologist from Cincinnati; term concludes 3/18/09

Deepak Kumar, MD - colon/rectal surgeon from Dayton; term concludes 3/18/08

Andrew F. Robbins, Jr., MD - ophthalmologist from Cincinnati; term ends 3/18/08

Anita M. Steinbergh, DO - family practitioner from Westerville; term concludes 4/30/08

REAPPOINTMENTS TO BOARD:

Governor Taft reappointed Carol L. Egner, MD and Lance A. Talmage, MD. Their appointments continue until March 18, 2009.

BOARD MEETINGS:

The Medical Board meets monthly in the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio. Meeting agendas and minutes are available on the Board's website: www.med.ohio.gov . During calendar year 2004, the Board met on the following dates:

January 14 & 15
February 11 & 12
March 10 & 11
April 14 & 15

May 12 & 13
June 9 & 10
July 14 & 15
August 11 & 12

September 8 & 9
October 13 & 14 (retreat)
November 10
December 8 & 9

BOARD MEMBERS RECEIVE NATIONAL AWARD:

Raymond J. Albert and Anand G. Garg, MD were co-recipients of the John H. Clark M.D. Leadership Award bestowed by the Federation of State Medical Board of the United States at the Federation's 2004 annual meeting in April. The award recognizes individuals who have demonstrated outstanding leadership, a commitment to advancing the public good, and dedication to the field of medical licensure and discipline at the state and national level.

Mr. Albert and Dr. Garg have served in various capacities for the State Medical Board of Ohio and were honored for work in partnership as the Ohio Board's Secretary and Supervising Member. They are credited with fostering system improvements that streamlined processing for the Board's complaint and investigative processes.

INTER-AGENCY ACTIVITIES:

Members of the Board and its executive staff contributed to a number of Ohio public/private and inter-agency groups addressing a broad range of critical issues, including:

- The Patient Safety Discussion Forum facilitated by the Ohio Department of Health
- The Ohio Patient Safety Institute, a subsidiary of The Ohio Health Council
- The Compassionate Care Task Force, facilitated by the Ohio Department of Health
- The Committee on Prescriptive Governance facilitated by the Ohio Board of Nursing
- The Ohio Pain Advisory Committee of the Ohio Department of Health
- The Joint Regulatory Boards of Ohio
- The Physician and Professional Volunteer Committee, spearheaded by the Ohio Department of Health, which reports to the Lieutenant Governor's State Task Force on Terrorism

Committee for Prescriptive Governance:

Formed in August 2000, the interdisciplinary Committee on Prescriptive Governance (CPG) was established through a provision in Substitute HB 241, the prescriptive authority legislation for qualified certified nurse practitioners (CNP), certified nurse-midwives (CNM), and clinical nurse specialists (CNS).

The initial work of the CPG involved developing recommendations for rules to be adopted by the Ohio Board of Nursing to implement the prescriptive authority legislation. The resulting rules are found in Chapter 4723-9, and Chapter 4723-8, Ohio Administrative Code. The CPG continues to meet regarding the drug formulary and other issues relative to prescriptive authority for advanced practice nurses.

Patricia J. Davidson, MD, serves as the Medical Board's representative on this committee. Robert V. Axonovitz, MD, an internal medicine specialist from Toledo; Michael T. Gyves, MD, an obstetrician/gynecologist from Cleveland; and John M. Jonesco, DO, a specialist in geriatric medicine practicing in Oberlin, continue to serve as physician representatives on the Committee on Prescriptive Governance.

Compassionate Care Task Force:

Board member Patricia J. Davidson, MD, along with Executive Director Thomas A. Dilling, and Assistant Executive Director William J. Schmidt, serve as Medical Board representatives on the Compassionate Care Task Force, facilitated by the Ohio Department of Health. The Task Force, comprised of approximately 40 individuals, was created in HB 474 to study and make recommendations to the Governor and legislative leadership on a number of issues involving the treatment of pain in Ohio, including best practices, practice improvement, and service need and availability. The report of the Task Force was released in June 2004 and is now included on the Pain Management link of the Medical Board's website: www.med.ohio.gov.

LEADERSHIP AGENCY OPERATIONS

STAFFING:

The agency supports 80 full time position and one part-time staffer. The Executive Director oversees day-to-day operations. The 2004 table of organization includes:

| | |
|----------------------------------|------------------------|
| Executive Director | 1 full time position |
| Administrative Hearing Unit | 4 full time positions |
| Executive Staff | 5 full time positions |
| | 1 part-time position |
| Compliance & Investigations | 28 full time positions |
| Public Services & Enforcement | 23 full time positions |
| Licensure, CME & Renewal | 12 full time positions |
| Fiscal & Human Resources | 4 full time positions |
| Data Systems & Document Services | 3 full time positions |

FUNDING:

The State Medical Board of Ohio has established a history of fiscal responsibility and is consistently recognized nationally for its high level performance. The Medical Board's accomplishments have been achieved without the expenditure of a single tax dollar. Agency operations are funded exclusively through licensing-related fees that are non-general revenue fund sources. Additionally, the Medical Board has not sought an increase in the fees paid by its licensees—which fund the Board operations in their entirety—since 1999.

Actual disbursements for FY2004 increased by less than 2 percent over the disbursements for FY2003, despite the general increase in the cost of doing business and the fact that the Board added two new enforcement attorneys as authorized in the FY 2004-2005 budget. The addition of those two positions by itself added nearly 1.9% to the Board's total disbursements. When one factors out the effect of the two new FTEs, the Medical Board disbursements were virtually flat between FY2003 and FY2004. The following table illustrates the Medical Board's revenues and expenditures during fiscal year 2004 (July 1, 2003 through June 30, 2004):

| Medical Board Fund 5C6 | FY 2004 |
|------------------------|-------------|
| Revenues | \$7,395,681 |
| Expenditures | \$6,664,710 |
| Net | \$ 861,489 |

The licensure responsibilities of the Medical Board ensure that those practicing medicine and its limited branches meet sufficient standards of education, training, competency and ethics. Requirements are established through Ohio law and are available for quick reference on the Medical Board's website at www.med.ohio.gov by clicking the *Licensure Requirements* link.

LICENSEES REGULATED BY THE MEDICAL BOARD:

A chart illustrating the number and types of licensees regulated by the Medical Board is included as [APPENDIX A](#).

ONLINE LICENSE RENEWAL:

The conversion of the Medical Board's computer system to the CAVU system enabled the Board to offer online license renewal on November 1, 2004. The new program has been well received by licensees as approximately 90% of those due to renew their license have renewed online.

LICENSES ISSUED BY THE MEDICAL BOARD IN 2004:

The Board issued 2,992 new physician and limited branch practitioner licenses in 2004 and issued 2,917 in 2003. Additionally, the Board issued registrations to 183 Physician Assistants in 2004, and 194 Physician Assistants in 2003. The Medical Board participates in the Federation Credentials Verification Service (FCVS), which verifies the core credentials of physician applicants. The FCVS has increased the timeliness of the Board's licensure process and helped physicians achieve greater portability of licensure.

The following table illustrates the number and type of initial medical and limited branch licenses and PA registrations issued by the Medical Board in 2004:

| TYPE OF LICENSE | NUMBER ISSUED IN 2004 |
|----------------------------|--------------------------|
| MD | 1,746 |
| DO | 237 |
| DPM | 38 |
| Physician Assistants | 183 |
| Anesthesiologist Assistant | 3 |
| Massage Therapy | 946 |
| Cosmetic Therapy | 6 |
| Acupuncturist | 16 |
| Mechanotherapist | 0 |
| Naprapath | 0 |
| TOTAL | 3,175 |

- reflects those with an active Ohio license, both in and out-of-state

TRAINING CERTIFICATES & SPECIAL LICENSES:

Section 4731.291, Ohio Revised Code, requires those participating in a medical residency or fellowship training program to obtain a training certificate or a full license. In 2004, 1,729 training certificates were issued to physicians in residency or fellowship training in this state, and 1,755 were issued in 2003.

The Board, in accordance with Section 4731.296, Ohio Revised Code, issues Telemedicine Certificates to those practitioners who wish to practice telemedicine in Ohio. The "practice of telemedicine" means the practice of medicine in this state through the use of any communication, including oral, written, or electronic communication, by a physician located outside of this state." The Medical Board issued nine telemedicine certificates in 2004 and 16 telemedicine certificates in 2003.

Per Section 4731.294, Ohio Revised Code, special activity certificates are available to those practitioners licensed in another state who will be practicing in this state in conjunction with a special activity, program or event taking place in Ohio. Special activity certificates are valid for 30 days or the duration of the event, whichever is shorter. The Medical Board issued 36 special activity certificates in 2004, and 68 special activity certificates in 2003.

Visiting faculty certificates may be issued to those with a license in another state who have accepted an academic appointment in Ohio. The faculty certificate is valid for one year or the duration of the appointment, whichever is shorter. The qualifications for a visiting medical certificate are found in Section 4731.293, Ohio Revised Code. Three visiting faculty certificates were issued in 2004, while one visiting faculty certificate was issued in 2003.

LICENSURE EXAMINATIONS:

Licensure examinations for allopathic physicians (M.D.s), osteopathic physicians (D.O.s), and podiatric physicians (D.P.M.s) are administered by national examining boards and are offered throughout the year in a computerized format. In June and December of each year, the Medical Board administers examinations to candidates for licensure in Massage Therapy and Cosmetic Therapy.

LIMITED BRANCH LICENSURE EXAMINATIONS:

The number of licensure examinations administered by the Medical Board in 2004 totaled:

| | |
|------------------|------------------------------|
| Massage Therapy | 2076 (376 more than in 2003) |
| Cosmetic Therapy | 12 (3 more than in 2003) |

LIMITED BRANCH SCHOOLS APPROVED IN 2004:

In 2004, the Medical Board granted Certificates of Good Standing to offer courses in massage therapy to the following schools, thus allowing their students to sit for the massage therapy licensing examination in accordance with the requirements of Section 4731.19, Ohio Revised Code:

| | |
|---|------------------------|
| Antonelli College | Cincinnati, OH |
| Ohio Academy of Holistic Health | Xenia, OH |
| Sanford Brown Institute | Middleburg Heights, OH |
| Washington State Community College | Marietta, OH |
| Baum Healing Arts Center (12 month program) | Carson City, NV |
| Louisville School of Massage Therapy | Louisville, KY |
| Myotherapy College of Utah | Salt Lake City, UT |
| Ogden Institute of Massage Therapy | Ogden, UT |
| Rising Spirit School of Natural Health | Atlanta, GA |
| Tennessee School of Massage | Memphis, TN |
| Trocaire College | Buffalo, NY |

Through December 2004, the Board has reviewed and approved 56 Ohio massage therapy schools and 66 out-of-state massage therapy schools. Lists of approved schools are posted on the Massage Therapy subweb on the Medical Board website.

LIMITED BRANCH ADVISORY COMMITTEES:

In order to identify and address issues specific to Massage Therapy or Cosmetic Therapy, the Medical Board formed the **Massage Therapy Advisory Committee (MTAC)** and the **Cosmetic Therapy Advisory Committee (CTAC)**. These advisory committees concentrate on matters related to continuing education, curriculum and licensure examination and forward their recommendations to the Board's Limited Branch Committee. The advisory committees are composed of licensed practitioners who help give their professions a more active role in regulatory matters. The public and the profession benefit from the knowledge and viewpoints offered to the Board through the advice of these committees.

Members of the advisory committees serve because of a commitment to the continuing growth and development of the profession, as well as concern for safe and effective treatment of the patients served by massage therapists and cosmetic therapists.

The Medical Board website -- www.med.ohio.gov -- includes massage therapy and cosmetic therapy subwebs that enable users to quickly locate information about these practices and obtain agendas and minutes about the activities of the limited branch advisory committees.

MESSAGE THERAPY ADVISORY COMMITTEE:

The Massage Therapy Advisory Committee (MTAC) met quarterly during 2004. The Committee discussed education, testing, and registration requirements for LMT's; as well as proposed revisions to the rules pertaining to the practice of massage therapy.

The following professionals served on the Massage Therapy Advisory Committee in 2004:

Dennis J. Gibbons, LMT - Walton Hills
Richard A. Greely, BA, LMT - Reynoldsburg
Deborah Thorp Jewett, LMT - Blue Creek
Mark W. Melecki, LMT, PT, CFT - Yellow Springs
Richard M. Phillips, LMT - Vandalia

COSMETIC THERAPY ADVISORY COMMITTEE:

The Cosmetic Therapy Advisory Committee (CTAC) met two times during 2004 to discuss licensure and practice issues related to cosmetic therapy. In February 2004, the Board appointed Freda James Korpaka, CT, a cosmetic therapist from Strongsville, Ohio, to the advisory committee. She replaced Gayle M. Petty, MSN, CT, who had resigned from the committee due to a move out of state.

Others who served on the Cosmetic Therapy Advisory Committee in 2004 included:

Earl V. Butcher, RN, MS, CT, PhD - Columbus
Vickie L. Mickey, CT - Columbus
Mary Solanics, CT - Solon
Jeanne T. Sweeney, BS, CT - Westlake

MESSAGE THERAPY EXAM EVALUATION & PREPARATION COMMITTEE:

Since 2000, the Medical Board has noted a significant increase in the number of candidates sitting for the Massage Therapy examination. There were 1359 examinees in 2000, and 2076 examinees in 2004 - a 53% increase.

To help assure that the examination properly assesses the core curricular aspects related to the practice of Massage Therapy, the Medical Board formed the Massage Therapy Exam Evaluation and Preparation Committee to verify the clinical accuracy and psychometric validity of the examination. Committee members include:

Beth Wismar, Ph.D., Associate Professor (retired), Department of Anatomy, The Ohio State University College of Medicine
Virginia A. Wemmerus, Ph.D., LMT, an expert in industrial and organizational psychology, and psychometrics
Katherine C. Warner, M.A., LMT, an educator specializing in curricular design

NATIONAL RECOGNITION FOR DISCIPLINARY ACTIVITY:

Ohio maintained its place among the top physician licensing boards in the country for disciplinary activity. The State Medical Board of Ohio has approximately 55,000 licensees of all types, 39,000 of which are physicians—one of the largest licensee pools in the country—and receives approximately 3,500 complaints each year. In April 2004, the *Annual Report of Medical Board Actions* published by the Federation of State Medical Boards listed the State Medical Board of Ohio among the top three boards with a minimum of 15,000 in-state physician licensees based upon disciplinary sanctions imposed the previous year.

Public Citizen Health Research Group, a national consumer advocacy organization, compares medical licensing boards in terms of “serious” disciplinary actions—defined as revocations, suspensions, surrenders, and probations/restrictions—imposed. In April 2004, Public Citizen listed Ohio first among the states responsible for regulating large physician populations. The State Medical Board of Ohio has ranked in Public Citizen’s top 10 since 1995.

ADMINISTRATIVE HEARINGS INCREASED IN 2004:

The number of hearings, conducted through the efforts of its three-person Attorney Hearing Examiner staff, has steadily increased since 2000. The unit conducted 57 hearings in 2000 and 71 hearings in 2004. The Board's Attorney Hearing Examiners issue a Report & Recommendation for each of these hearings, including a summary and analysis of all evidence presented, findings of fact, conclusions of law, and a proposed Order. In compliance with statute and rule, each Report & Recommendation and complete copies of the related hearing record are forwarded to Board members for their review and final determination of appropriate action.

INCREASED DISCIPLINARY ACTION:

The Board issued 166 disciplinary sanctions during calendar year 2000 and 202 disciplinary sanctions in 2004. Impairment of the ability to practice safely due to chemical dependency or mental illness, criminal activity, and actions by other regulatory boards, were the most frequent causes for disciplinary intervention during 2004.

PROBATIONARY MONITORING INCREASED IN 2004:

The Board expanded and expedited its handling of cases of impaired licensees, removing many from practice in a timely manner without a hearing, by consent agreement or immediate or summary suspension, until such time as the licensee is able to assure the Board that appropriate treatment and monitoring have been established and they no longer pose a threat to the public. These process changes have almost doubled the number of licensees monitored by the Board – from 136 in 2000 to 269 in 2004 with the average length of monitoring after license reinstatement being five years. Of those on probation with the Medical Board, approximately 70% are monitored due to chemical or psychiatric impairment. This enhanced emphasis on probationary monitoring is a result of the Board's commitment, as demonstrated in its mission and goals, to provide opportunities for rehabilitation of impaired physicians, providing additional, safe sources of medical care to the citizens of Ohio.

2004 SANCTION LISTING:

APPENDIX B provides an alphabetical summary of disciplinary actions imposed by the Medical Board during calendar year 2004. Licensure status updates, including any court appeal actions, are available by clicking on the *Licensee Profile and Status* link on the Board's website, www.med.ohio.gov.

2004 SANCTIONS IMPOSED:

The following table illustrates the number and type of disciplinary sanctions imposed by the Medical Board in 2004:

| | Calendar Year 2004 |
|---|--------------------|
| Total Disciplinary Actions by type of sanction | 202 |
| Revocations | 38 |
| Indefinite Suspensions | 57 |
| Definite Suspensions | 10 |
| Probations | 30 |
| Reprimands | 12 |
| Limitations | 1 |
| Surrenders/Retirements | 19 |
| Licensure/Reinstatement Denials or Withdrawals | 10 |
| Summary Suspensions | 15 |
| Automatic Suspensions | 2 |
| Immediate Suspensions | 5 |
| Application conditionally approved | 0 |
| Interim Agreement | 3 |

APPENDIX C contains a glossary of the disciplinary terms used by the Medical Board.

APPENDIX D is a chart summarizing disciplinary actions imposed by the Board between 2000 and 2004.

The Ohio Medical Board's Quality Intervention Program (QIP) is designed to address quality of care complaints that do not warrant formal disciplinary action. An educational intervention may be all that is needed to correct the identified practice deficiency. With a successful intervention, the licensee benefits by improving his/her practice pattern and providing valued medical care to patients. Through the Quality Intervention Program, the Medical Board, in furtherance of its stated mission and goals, continues to protect the public without adversely impacting the availability of care.

A key component of the program is the use of Quality Intervention Panels, two groups comprised of physicians and consumer members who are responsible for assessing the practice of the licensee referred to the program and making recommendations to the Board's Secretary and Supervising Member based upon their peer assessment. Their time and commitment to this model program is invaluable.

Courses related to improving medical record keeping practices and prescribing controlled substances were the most frequent referrals suggested by the QIP panels. Section 4731.22(O), Ohio Revised Code, requires licensees participating in an individual education program recommended by the QIP to pay any costs related to that educational program.

The following persons served on the QIP panels in 2004:

Quality Intervention Panel 1:

Carla S. O'Day, MD, Chair
Emergency Medicine
Rocky River

Michael L. Amalfitano, DO
Cardiovascular & Critical Care Medicine
Mansfield

Regina Hill, MD
Obstetrics/Gynecology
Cleveland

Ranjit Rath, MD
Cardiothoracic Surgery
Cincinnati

Elvena Stranahan
Consumer Representative
Delaware

Randall K. Wexler, MD
Family Practice
Columbus

Quality Intervention Panel 2:

Timothy L. Stephens, Jr., MD, Chair
Orthopedic Surgery
Cleveland

Michael S. Baggish, MD
Obstetrics/Gynecology
Cincinnati

Anil Jinda
Consumer Representative
Cincinnati

Mamta K. Singh, MD
Internal Medicine
Cleveland

Howard G. Slemons, DO
Family Practice
Hubbard

John C. Stephens, DPM
Podiatric Medicine & Surgery
Hilliard

QIP ACTIVITY REPORT:

During calendar year 2004, the Quality Intervention Panels reviewed 72 cases and recommended action to the Secretary and Supervising Member as described below:

| NUMBER OF CASES – 2004 | DISPOSITION OF CASES FOLLOWING QIP PANEL REVIEW |
|-------------------------------|--|
| 47 cases | Case closed. No quality of care concerns identified by QIP panel; no further action needed by Board. |
| 11 cases | Physician referred for remedial education. The panel identified remediable practice deficiencies; doctor is notified of outcome of panel review and directed to appropriate educational program. |
| 4 cases | Referred to the Medical Board's Secretary & Supervising Member for further action. The panel found practice deficiencies that did not appear to be remediable through the Quality Intervention process. |
| 10 cases | Caution letter sent to licensee – Licensee advised of practice concerns but remedial education not applicable and no other action needed by the Board. |

A chart illustrating the disposition of QIP cases between 2000-2004 is included in [APPENDIX E](#).

deficiencies identified through expert panel review.

STANDING COMMITTEES:

The Medical Board addresses a vast array of policy issues through its 13 standing committees. Committees formulate recommendations that are forwarded to the full Board for action.

The committee structure includes two committee groups composed of six board members each. The Executive Director and members of the Executive staff conduct research and provide support to the committees. Committee meetings are held prior to the monthly Board meetings. Agendas for committee meetings are posted on the Medical Board's website. Committee actions are included in the Board meeting minutes which may also be viewed on the website. The Standing Committees and their responsibilities include:

Executive Committee:

The committee is composed of the President, Vice President, Secretary, Supervising Member and the Immediate Past President. The committee addresses agency budget preparation; long range planning; agency operations and personnel issues.

Committee Group 1 – 2004:

The following Board members served on the committees listed below as Committee Group 1 during 2004:

Raymond J. Albert
R.Gregory Browning, Ph.D.
Patricia A. Davidson, MD
Carol L. Egner, MD
Anand G. Garg, MD
Andrew F. Robbins, Jr., MD

Consent Agreement Committee - focuses on content of consent agreements and the development of standardized terms in consent agreements.

Education, Public Relations & Risk Management Committee - focuses on oversight of newsletter and Board publications; Board member orientation; oversight of content of agency website; and coordination of educational initiatives.

Impairment Committee - reviews applications for approved treatment providers; reviews applicable statutes and rules; and interacts with the professional treatment community.

Legislative Liaison and Rules Committee - reviews state and federal legislation, administrative law and court decisions affecting the Board's operation and mission; reviews agency rules and recommends revisions as applicable.

Prescribing & Pain Management Committee - reviews issues related to physician prescribing and dispensing practices; pain management; related statutes and rules; related physician and patient education.

Quality Assurance Committee - reviews the Board's complaint management process.

Committee Group 2 – 2004:

The following Board members served on the committees listed below as Committee Group 2 during 2004:

Anant R. Bhati, MD
David S. Buchan, DPM
Deepak Kumar, MD
Anquetette Sloan
Anita M. Steinbergh, DO
Lance A. Talmage, MD

Disciplinary Policy & Guidelines Committee - focuses on review and revision of a comprehensive disciplinary policy and review and update of the disciplinary guidelines.

Licensure Committee - reviews licensure application issues; related statutes and rules; licensure processing components and timeframes.

Limited Branch and Alternative Medicine Committee - oversees limited branches of medicine; approves limited branch schools; serves as liaison between the Board and the Massage Therapy Advisory Committee and the Cosmetic Therapy Advisory Committee; reviews alternative medicine issues.

Minimal Standards Committee - reviews practices by licensees that may present competency issues or which may fail to meet minimal standards of care; recommends methods of intervention to protect the public from practices below minimal standards.

Physician Assistant Committee - reviews PA registration, training and supervision issues; reviews recommendations submitted by the Physician Assistant Advisory Committee.

Scope of Practice Committee - reviews medical related practices of individuals who are not licensed by the Medical Board that may present issues concerning the unlicensed practice of medicine or the inappropriate delegation of medical tasks.

PHYSICIAN ASSISTANT POLICY COMMITTEE (PAPC):

The Physician Assistant Policy Committee (PAPC) is the only statutorily required committee of the Medical Board. In compliance with Section 4730.05, Ohio Revised Code, the PAPC meets at least four times per year to review education and registration requirements for physician assistants; review existing rules and recommend applicable revisions; review application procedures and forms; review criteria to be included in standard and supplemental utilization plans and in supervision agreements; review PA supplemental plan applications; and adopt model utilization plans. Recommendations made by the PAPC are forwarded to the Board's Physician Assistant Committee for further review and recommendation to the full Board.

The Medical Board's website – www.med.ohio.gov – includes a Physician Assistant subweb that enables users to quickly locate information about physician assistant registration and the activities of the Physician Assistant Policy Committee.

During 2004, the PAPC met in the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio on:

| | |
|-------------|------------|
| February 12 | July 15 |
| May 13 | August 12 |
| June 10 | December 9 |

The Medical Board acknowledges the efforts of those serving on the Physician Assistant Policy Committee. Members of the PAPC committee in 2004 included:

Michael Bowen, PA-C - Cincinnati
Katherine A. Clark, DO - Beavercreek
David P. Keseg, MD - Blacklick
Thomas G. Parish, PA-C, MPH - Toledo
Anquetette Sloan - Columbus (Board member)
Lance A. Talmage, MD - Toledo (Board member)
Robert W. Zaayer, Jr., PA-C, - Stoutsville, Chair

The Medical Board newsletter and policy statements related to medical practice are available on the Board's website: www.med.ohio.gov

YOUR REPORT - THE BOARD'S NEWSLETTER

One issue of **Your Report**, the Medical Board's newsletter, was published in 2004. The newsletter is posted on the Board's website and is mailed to all of the Board's licensees, as well as to interested persons who have asked to be included on the mailing list.

Topics included in the Summer / Fall 2004 newsletter were:

- A Word from the President regarding online licensure renewal
- Report from the Board Secretary regarding "Minding Your Manners"
- MTAC Answers Challenges
- Massage Therapy Scope of Practice Rule Updated
- Compassionate Care Task Force Report
- Correction: Light-Based Medical Devices
- Disciplinary Actions
- Changes to Medical Board Rules

WEBSITE: www.med.ohio.gov

E-business enhancements were added to the Medical Board's website in 2004. An online complaint form was added in January that enables users to file complaints with the Board through the Internet. Of the 3995 complaints received in 2004, 16% (655) were filed electronically. The conversion of the Board's master record information from the VAX mainframe licensing/renewal system to the CAVU-based SRS e-system in April 2004 enabled the Board to offer online license renewal as of November 1, 2004. This feature has been well received by users.

In response to requests from many hospitals and other state licensing boards to assist in credentialing and privileging, pre-hearing suspension actions issued by the Board are posted as an *Alert* on the Board's website (www.med.ohio.gov) immediately following imposition. Such actions include summary suspensions, immediate suspensions and automatic suspensions. This new service went into effect on October 13th.

A pain management subweb was added to help licensees quickly navigate the site to obtain resource information.

POLICY STATEMENT REVISIONS:

The Medical Board revised three long-standing policy statements during 2004. "*Podiatric Advertising*" was updated to accurately reflect recent statutory changes. "*Release of Spectacle Prescriptions*" was revised to reflect the findings of the Federal Trade Commission's Ophthalmic Practice Rules released in February 2004. "*Release of Vision Prescriptions*" was updated to include release of contact lens prescriptions. The documents may be accessed through the "policies" link on the Medical Board's website: www.med.ohio.gov

The Board also updated discussion papers related to enforcement activities. "*Reinstatement Following Disciplinary Action*" is an updated version of the 1999 procedure that outlines the steps to be taken for a licensee disciplined by the Board to request reinstatement of their license. The updated policy: reflects current statutory references; clarifies staff responsibilities; defines the processing sequence; includes timeframes for completion of the reinstatement process, and includes the Board's decision to authorize the Secretary and Supervising Member to review and approve remedial coursework that had been previously determined by the Board as acceptable.

The “*Probationary and Interim Monitoring*” discussion paper, originally adopted in 1988, was revised and approved by the Board in July 2004. The updated version consolidates operational practices and reflects the broadened scope of monitoring activities overseen by the Medical Board.

SPEAKING ENGAGEMENTS:

Medical Board members and executive staff gave 21 presentations to a variety of audiences throughout Ohio during calendar year 2004. Topics ranged from an overview of the Medical Board and its responsibilities to legal aspects of controlled substance prescribing.

H.B. 215: MEDICAL MALPRACTICE CLAIM REVIEW:

Effective September 13, 2004

The legislation addresses some professional liability reform efforts and establishes qualifications for expert witnesses who provide testimony. The legislation also clarifies that the State Medical Board’s jurisdiction over out-of-state doctors who testify as experts in malpractice trials extends beyond the time of their actual testimony as the doctor licensed in another state is “deemed to have a temporary license” in this state solely for the purpose of providing testimony.

Sub. H.B. 126, RU-486

Effective September 23, 2004

Permits physicians to provide this medication to induce abortions only in compliance with federal law. The law requires physicians who prescribe RU-486 to report any serious medical events to the Medical Board. Such reports are considered public records, although the name and other patient identifying information are not released. Any violation of this section of the law is considered a fourth degree felony.

The law also mandates that the Board automatically suspend the physician’s license for a minimum of one year if the physician is found guilty of a second or subsequent violation of the requirements of this law.

RULES ADOPTED DURING 2004:

All Medical Board rules are found in Chapter 4731, Ohio Administrative Code (OAC). Links on the Medical Board’s website provide quick access to current rules as well as any proposed draft rules under consideration by the Board.

The Medical Board updated several rules in 2004 as part of the agency’s scheduled review of its rules required by Ohio law, including:

Chapter 4731-1: Limited Practitioners (massage therapists and cosmetic therapists)

Revised rules address failure of limited branch examination; massage therapy curriculum requirements; and determining the status of a limited branch school.

Chapter 4731- 6: Licensure

Clarifies the types of licensure exams that qualify an applicant for licensure in Ohio. Of note to the osteopathic community is the revision permitting the Board to accept the COMLEX-USA directly as an Ohio licensing examination. Prior to this change, the Board required diplomate status by the National Board of Osteopathic Medical Examiners. Additionally, language in Rule 4731-6-14 for the COMLEX-USA mirrors that of the USMLE limitations. All three components of the COMLEX-USA must be completed within seven years, unless the candidate meets specified exemptions related to pursuit of dual degree programs or significant health conditions.

Additionally, a change of language in Rule 4731-6-16(B) specifies that endorsement of licenses that are "current and in good standing," for licensing purposes in Ohio, may include those applicants who are on probation in another state if the appropriate probationary terms are implemented.

Chapter 4731- 9: Record of the Board meeting

States that audiotapes used to transcribe minutes are transitory documents.

Chapter 4731-12: Podiatry Licensure

Updates statutory references included throughout the rules, and reflects the recent change in the name of the podiatric licensure examination.

Chapter 4731-13: Conduct of Hearings

Updates administrative hearing procedures related to Medical Board disciplinary actions.

Chapter 4731-14: Pronouncement of Death

Removes funeral directors and embalmers from those defined as competent observers.

Chapter 4731-15: Mandatory Reporting

Includes reporting requirements for anesthesiologist assistants and acupuncturists; updates statutory references; and clarifies reportability of summary actions taken by a healthcare facility.

Chapter 4731-17: HIV and Hepatitis B Virus Exposure Precautions

Chapter 4731-19: Licensees Infected with HIV or HBV: Reporting Requirements and Duty of Care

Includes anesthesiologist assistants and acupuncturists; updates statutory references.

Chapter 4731-20: Podiatry

Updates statutory references.

APPENDIX A

LICENSEES REGULATED BY THE MEDICAL BOARD

The number and type of licensees regulated by the State Medical Board of Ohio are listed below:

APPENDIX B

Disciplinary actions taken by the State Medical Board of Ohio between January 1 and December 31, 2004 are listed below. Licensure status updates, including any court appeal actions related to Medical Board Orders, are available on the Board's website: www.med.ohio.gov by clicking on the *LICENSEE PROFILE AND STATUS* link.

ADAMS, Michael Todd (MD training certificate #57-009057) - Cleveland

Consent Agreement: Medical training certificate 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 history of chemical dependency and relapse, for which he has sought treatment through a Board-approved provider. Agreement effective 11/12/04.

AHMED, Azzam Nimer (MD #35-040283) - Moreland Hills

Pre-hearing Suspension: Pursuant to §4731.22(I), O.R.C., medical license automatically suspended effective 2/11/04 based on doctor having been found guilty of two counts of Rape and seven counts of Sexual Battery. Notice mailed 2/12/04. **Board Order:** Medical license permanently revoked based on doctor having been found guilty of two counts of Rape, seven counts of Sexual Battery, and eleven counts of Sexual Imposition. (Journal Entry - hearing not timely requested) Order mailed 4/27/04; Order effective 4/27/04.

ALBOM, Jerrold Raphael (MD applicant) - Dallas, TX

Board Order: Application for medical licensure denied. Order entered due to doctor's failure to submit to a Board-ordered psychiatric evaluation, which by law constitutes an admission that he is unable to practice according to acceptable and prevailing standards of care by reason of mental or physical illness (Journal Entry). Order mailed 10/14/04; Order effective 10/14/04. **Court Action:** Notice of appeal of Board's 10/13/04 Order denying medical licensure filed by doctor with Franklin County Court of Common Pleas on or about 10/28/04.

ALLEN, Mark L. (MD #35-063078) - Warrensville Heights

Board Order: Medical license indefinitely suspended; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on impairment of ability to practice according to acceptable and prevailing standards of care due to alcohol dependence. Order

mailed 1/16/04, Order effective 1/16/04. **Court**

Action: Notice of appeal of Board's 1/14/04 suspension Order filed by doctor with Franklin County Court of Common Pleas on 1/29/04. Doctor's appeal of Board's 11/12/03 summary suspension Order dismissed with prejudice pursuant to Agreed Entry of Dismissal filed on 2/13/04. By Order and Entry filed 3/19/04, Franklin County Court of Common Pleas granted doctor's motion for a stay of 1/14/04 indefinite suspension Order, subject to interim monitoring conditions.

AMPS, Jeremy (MD training certificate #57-000801) - Cleveland

Board Order: Suspension of training certificate for thirty days stayed; probationary terms, conditions, and limitations for at least one year established. Based on doctor having been found guilty of two felony counts of Theft of Services, the facts underlying which involved his issuance of prescriptions for Percocet and Oxycontin to his fiancée, in a manner that exceeded the authority granted by his medical training certificate. Order mailed 8/9/04; Order effective 9/9/04.

ARKO, Richard A. (LMT #33-006785) - Barberton

Pre-Hearing Suspension: Pursuant to §3719.121(C), O.R.C., certificate to practice massage therapy immediately suspended based on massage therapist having been found guilty of felony counts of Illegal Cultivation of Marijuana and Possession of Criminal Tools. Notice mailed 8/12/04. **Board Order:** Certificate to practice massage therapy permanently revoked based on massage therapist having been found guilty of felony counts of Illegal Cultivation of Marijuana and Possession of Criminal Tools. (Journal Entry - no hearing requested) Order mailed 10/14/04; Order effective 10/14/04.

ARUMUGAM, Subramaniam (MD #57-006776) - Cleveland

Voluntary Surrender: Revocation of medical training certificate authorized by doctor in lieu of formal disciplinary proceedings based on his having falsely represented in conjunction with his training certificate application that he had obtained a valid medical degree from the University of Illinois at Chicago when, in fact, he has not obtained a valid medical degree from any institution. Effective 12/17/04.

BAJPAI, Manju (MD applicant) - Sylvania
Board Order: Application for medical license denied based on applicant's failure to provide complete and accurate information concerning residency training history, and her failure to pass all three steps of the USMLE licensing examination within seven years, as required by Ohio law. Order mailed 12/22/04; Order effective 12/22/04.

BANAGA, Rogelio Ainza (MD #35-043037) - Lorain
Voluntary Surrender: Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on doctor's admission that he plead guilty to four felony counts of Attempted Corrupting Another with Drugs, and four felony counts of Illegal Processing of Drug Documents. Effective 10/12/04.

BANKS, Mark Andrew (MD #35-071099) - Lancaster
Consent Agreement: 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 admission that he has been diagnosed as opiate dependent and has sought treatment through a Board-approved provider. Agreement effective as of 8/11/04.

BAUTISTA, Marciano David (DO #34-006986) - La Junta, CO
Consent Agreement: Doctor reprimanded based on prior action against his license by Alaska's medical board, the conduct underlying which involved his having written prescriptions for controlled substances in Alaska after he inadvertently allowed his U.S. DEA Controlled Substance Registration Certificate to expire. Effective 2/11/04.

BERKMAN, Robert Allen (MD #35-044695) - Columbus
Board Order: Medical license suspended for at least 180 days; conditions for reinstatement and subsequent probationary terms, conditions, and limitations established. Based on doctor's plea of guilty in U.S. District Court to one felony count of Conspiracy to Violate the Prescription Marketing Act, the acts underlying which involved doctor's receipt of more than \$84,448.06 from billing for free or sample doses of Zoladex he prescribed for prostate cancer patients. Order mailed 8/9/04; Order effective 9/9/04.

BIERER, Craig Lindsay (DO training certificate #58-000448) - Cuyahoga Falls
Consent Agreement: Medical training certificate suspended for at least 90 days; interim monitoring conditions and conditions for reinstatement, renewal or issuance of any other certificate 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 alcohol dependence and relapse. Agreement effective 1/14/04. **Consent Agreement:** Medical training certificate reinstated subject to probationary terms, conditions and limitations based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long a certain treatment and monitoring conditions are in place. Agreement effective 6/9/04; agreement to remain in effect until doctor has completed at least a five year probationary period prior to any request for termination.

BISHOP, Marcia K. (LMT #33-008999) - Bucyrus
Pre-hearing Suspension: Pursuant to Section 3719.121(C), O.R.C., massage therapy license immediately suspended based on massage therapist's pleas of guilty to one felony count of Theft of Drugs, and one felony count of Attempted Tampering with Drugs. Notice mailed 12/11/03. **Voluntary Surrender:** Permanent voluntary surrender of certificate authorized by massage therapist in lieu of formal disciplinary proceedings pursuant to Sections 4731.22(B)(9) and (B)(26), O.R.C. Effective 4/1/04.

BLAHNIK, Gary (LMT applicant) – Cincinnati
Board Order: Application for massage therapy certificate permanently denied based on applicant's inability to practice according to acceptable and prevailing standards of care by reason of mental illness. Order mailed 6/14/04; Order effective 6/14/04.

BLAIR, Mark Erik (MD #35-081181) - Dayton
Consent Agreement: Probationary terms, conditions and limitations established to monitor practice based on determination, following a Board-ordered examination, that doctor has the mental disorders of Bipolar I Disorder (in Full Remission) and Social Phobia, and that he is currently able to practice according to acceptable and prevailing standards of care so long as certain treatment and monitoring conditions are in place. Agreement effective 10/15/04; agreement to remain in effect for a minimum of five years prior to any request for termination.

BRIGHTWELL, Robert Russell (DO #34-003008) - Hilliard
Pre-hearing Suspension: 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 according to acceptable and prevailing standards of care is impaired due to 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 3/11/04; suspension effective upon service of notice on doctor on 3/19/04. **Court Action:** Notice of appeal of Board's 3/10/04 summary suspension Order filed by doctor in Franklin County Court of Common Pleas

on or about 3/15/04. **Consent Agreement:** 3/10/04 summary suspension Order terminated; medical license indefinitely suspended; 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 impairment of ability to practice according to acceptable and prevailing standards of care due to alcohol dependence. Agreement effective 4/15/04. **Court Action:** By Entry filed on 4/26/04, Franklin County Court of Common Pleas dismissed doctor's appeal of Board's 3/10/04 summary suspension Order with prejudice based on Board's ratification of 4/15/04 consent agreement that terminated summary suspension and made appeal moot. **Consent Agreement:** Medical license reinstated, subject to probationary terms, conditions and limitations based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring requirements are in place. Agreement effective 6/10/04; agreement to remain in effect for at least five years prior to any request for termination.

BRINDLE, Fred A. (MD #35-052438) - Sandusky
Dismissal: 7/14/04 Notice of Opportunity for Hearing dismissed on 9/7/04 without prejudice to future action, based on doctor having been acquitted by Erie County Court of Common Pleas of a crime for which he had been previously convicted, which conviction had served as the sole basis of Board's 7/14/04 Notice. **Board Order:** Medical license suspended for at least 90 days; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on violation of conditions of limitation imposed on doctor's license by 8/01 consent agreement due to failure to comply with random urine screen requirements and submission of false declarations of compliance. Order mailed 12/3/04; Order effective 12/3/04. **Court Action:** Notice of appeal of Board's 11/10/04 suspension Order filed by doctor with Franklin County Court of Common Pleas on or about 12/14/04.

BRUMFIELD, Daniel H. (MD #35-065317) - Springfield
Consent Agreement: Medical license reinstated subject to probationary terms, conditions and limitations 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 1/16/04; agreement to remain in effect for at least five years prior to any request for termination **Pre-Hearing Suspension:** 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 (1) doctor

violated conditions of limitation imposed on his license by 1/16/04 consent agreement and (2) his ability to practice according to acceptable and prevailing standards of care is impaired, as evidenced by his submission of a urine screen that tested positive for cocaine; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 12/9/04.

CARRINGTON, Victoria Lynn (MD #35-072057) - Richmond Heights
Voluntary Surrender: Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on her having prescribed, on approximately 6000 occasions over the course of approximately six months, psychotropic medications and other dangerous drugs, via the internet, to patients whom she neither saw in person nor with whom she ever spoke. Effective 12/20/04.

CHATFIELD, Robert H. (DO #34-002208) - Port Huron, MI
Board Order: Medical license suspended indefinitely for at least ninety days; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on doctor's inability to practice according to acceptable and prevailing standards of care due to history of alcohol dependence and relapse, and mental illness, including major depression; prior action by Michigan's medical board based on doctor's mental and physical impairment; and doctor's alleged failure to self-report relapses as required by Ohio law. (Review and Journal Entry - no hearing requested) Order mailed 6/10/04; Order effective 6/10/04.

CHECK, Lynne Ellen Zegib (MD #35-033827) - Richfield
Consent Agreement: Doctor reprimanded for failing to cooperate in a Medical Board investigation; probationary terms, conditions and limitations established based on doctor's admissions that her diagnoses include major depression and adjustment disorder, and that an evaluating psychiatrist has opined that she is able to practice medicine according to acceptable and prevailing standards of care based upon the fact that her major depressive disorder is reasonably controlled with treatment. Agreement effective 3/10/04; agreement to remain in effect for a minimum of two years prior to any request for termination.

COBB, Marcus Lillard (MD #35-060320) - Fairfield
Consent Agreement: Doctor reprimanded based on his continued employment and supervision of a physician assistant after the P.A.'s certificate of registration had expired and after doctor's Board-approved Physician Assistant Supervision Agreement with the P.A. had expired. Agreement effective 4/15/04.

COCKERILLE, Lawrence Lee, Jr. (MD #35-027302) - Litchfield

Voluntary Surrender: Doctor's permanent voluntary surrender of medical license accepted by Board in lieu of formal disciplinary proceedings based on doctor's plea of guilty to one felony count of Conspiracy. Effective 8/11/04.

CONNORS, Jason Dean (DO #34-007046) - Huber Heights

Voluntary Surrender: Revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on his having plead guilty to seven counts of Trafficking in Drugs. Effective 12/17/04.

DAHLQUIST, Glenda Mae (MD #35-061900) - Dayton

Board Order: Medical license permanently revoked based on inappropriate prescribing and failure to conform to minimal standards of care in the course of treatment of sixteen specified patients. Order mailed 2/3/04; Order effective 3/5/04. **Court Action:** Notice of appeal of Board's 1/14/04 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on 2/13/04. By Order filed 3/3/04, Franklin County Court of Common Pleas stayed Board's 1/14/04 permanent revocation Order, subject to requirements that doctor (1) notify all patients of the Board's permanent revocation order, the basis therefore, and the issuance of the court's stay order; and (2) obtain a signed waiver from each patient verifying that they have been so advised and consent to treatment by doctor. By Entry filed 8/5/04, Franklin County Court of Common Pleas denied doctor's motion for a continuation of the stay granted by Court on 3/3/04. Notice of appeal to Tenth District Court of Appeals filed by doctor on 8/12/04. By Entry filed on 8/18/04, Tenth District Court of Appeals denied doctor's motion for a stay of Board's 1/14/04 permanent revocation Order pending her appeal in that court.

DANIACHEW, Anthony Emmanuel (MD training certificate #57-002448/MD #35-083935) - Bedford Heights

Consent Agreement: Application for medical license granted, subject to probationary terms, conditions and limitations based on doctor's admission that he has been diagnosed with Generalized Anxiety Disorder that is amenable to treatment. Agreement effective 2/11/04; agreement to remain in effect for a minimum of five years prior to any request for termination.

DAWSON, Robert David Jr. (PA #50-001587) - Willowood

Child Support Default Suspension: Pursuant to determination by Lawrence County Child Support Enforcement Agency that physician assistant is in default under a child support order, physician assistant registration immediately suspended until such time as Board receives notice from Lawrence

County Child Support Enforcement Agency that physician assistant is no longer determined to be in default. Notice mailed 5/28/04; Suspension effective 5/28/04.

DESHMUKH, Minakshi B. (MD #35-070751) - Midland, MI/Indor, INDIA

Board Order: Medical license suspended for at least 180 days; conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least ten years established. Based on action against doctor's license by Michigan's medical board in resolution of previously issued allegations and an order of summary suspension by that state; and on doctor's violation of conditions of limitation imposed on her Ohio medical license by an 8/8/01 consent agreement. Order mailed 4/15/04; Order effective 4/15/04.

DIAMANTIS, Nicholas Constantine (MD #35-069292) - Middleburg Heights

Consent Agreement: Medical license suspended for thirty days; subsequent probationary terms, conditions and limitations for at least five years established. Based on doctor's admission that he performed dental procedures without holding a license to do so, and that insurance carriers were billed for and issued payment for dental procedures in the name of his business partner, a licensed physician/dentist, when doctor had actually rendered those services. Agreement ratified by Board on 9/8/04; agreement effective on 9/30/04.

DICKSON, Stephen Lynn, Jr. (MD #35-074569) - Newburgh, IN

Consent Agreement: Doctor reprimanded based on prior action against his resident physician registration by Florida's medical board for inappropriately inserting a chest tube into the wrong lung of a specified patient. Effective 3/10/04.

DINTIMAN, Peter Evans (MD #35-048364) - Alliance

Voluntary Surrender: Doctor's voluntary surrender of medical license accepted by Board in lieu of further formal proceedings, based on doctor's admissions to factual allegations set forth in 2/11/04 notice of opportunity for hearing. Doctor ineligible for licensure in the future. Effective 5/11/04.

DIPIETRO, John Joseph (LMT #33-006449) - East Canton

Voluntary Surrender: Permanent revocation of certificate to practice massage therapy authorized by massage therapist in lieu of further formal investigation and/or formal disciplinary proceedings based upon his inability to practice due to various medical conditions, including chronic pain. Effective 5/11/04.

DUNCAN, Gregory David (LMT applicant) - Batavia

Board Order: Application for certificate to practice massage therapy denied based on impairment of

ability to practice according to acceptable and prevailing standards of care due to alcohol dependency. Order mailed 8/31/04; Order effective 8/31/04.

EATON, Lynne Antoinette (MD #35-060149) - Columbus

Consent Agreement: Medical license suspended for at least 60 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 that she self-reported that she had entered treatment for chemical dependency through a Board-approved provider, and that her drug of choice is Percocet, which she began abusing during or about 11/03 related to migraine headache pain. Effective 6/9/04. **Consent Agreement:** Medical license reinstated, subject to probationary terms, conditions and limitations based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring requirements are in place. Agreement effective 10/15/04; agreement to remain in effect for at least five years prior to any request for termination.

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

Board Order: Medical license suspended for at least 180 days; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least two years established. Based on denial of doctor's application for licensure in Arizona by that state's osteopathic medical board following its determination that doctor's conduct constituted "procuring or attempting to procure a license to practice osteopathic medicine by fraud or misrepresentation." Order mailed 12/22/04; Order effective 12/22/04.

ERNST, David Carl (MD #35-060456) - Sandusky

Consent Agreement: 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 admission that he has sought treatment for chemical dependency through a Board-approved provider, and that his drug of choice is Vicodin, upon which he became dependent during or about 2/01 when he endeavored to self-treat pain from a knee injury. Effective 8/11/04.

ESSA, Yazeed Mansi (MD #35-072322) - Akron

Consent Agreement: Medical license indefinitely suspended; 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 that, following a Board-ordered evaluation, he was determined to be alcohol dependent and impaired in his ability to practice according to acceptable and prevailing standards of care due to the habitual or excessive use or abuse of alcohol. Agreement effective 4/15/04. **Consent Agreement:** Medical license reinstated subject to probationary terms, conditions and limitations 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 5/12/04; agreement to remain in effect for at least five years prior to any request for termination.

FAUST, James Thomas (PA #50-001214) - Cincinnati

Voluntary Surrender: Permanent revocation of certificate of registration to practice as a physician assistant authorized by P.A. in lieu of formal disciplinary proceedings based upon facts including that he suffers from inability to practice as a P.A. due to chemical dependency. Effective 10/14/04.

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

Board Order: Physician assistant's certificate of registration suspended for at least ninety days; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least three years established. Based on physician assistant having been found guilty in North Carolina of seven misdemeanor counts of Common Law Forgery for forging a physician's signature to prescriptions issued to a false name; and his failure to advise Ohio Medical Board of same on his application for renewal of physician assistant registration. Order mailed 2/12/04; Order effective 2/12/04.

FITZ, Charles Raymond (MD #35-074542) - Pittsburgh, PA

Board Order: Medical license revoked based on doctor's failure to cooperate with a Medical Board investigation about malpractice awards that were made on his behalf. (Review and Journal Entry - no hearing requested) Order mailed 4/15/04; Order effective 4/15/04.

FOOTE, Mary Jo (PA #50-000864) - Martins Ferry

Consent Agreement: Permanent revocation of physician's assistant certificate of registration stayed, subject to indefinite suspension for at least three years; interim monitoring conditions and conditions for reinstatement established, including requirement that P.A. enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on impairment of ability to practice according to acceptable and prevailing standards of care and violation of conditions of limitation imposed on certificate by 7/01 consent agreement due to relapse. Agreement effective 8/11/04; suspension time to be calculated

from 1/1/04, the most recent dated of licensee's sobriety.

FULTZ, Barry (LMT #33-011323) - Bellevue
Board Order: Medical license indefinitely suspended; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on impairment of ability to practice according to acceptable and prevailing standards of care due to alcohol dependency. Order mailed 10/19/04; Order effective 10/19/04.

GAINEY, Michael Shane (MD #35-048972) - Loveland/Park Hills, KY
Board Order: Medical license suspended for ninety days; subsequent probationary terms, conditions and limitations for at least two years established. Based on doctor's failure to conform to minimal standards of care and violation of Code of Professional Ethics due to his having engaged in oral sex with a patient he had treated in the hospital emergency department. Order mailed 5/4/04; Order effective 6/5/04.

GALANG, Lamberto T. R., Jr. (MD training certificate #57-004620) - Cincinnati
Consent Agreement: Probationary terms, conditions and limitations established to monitor practice based on doctor's admission that he has been in treatment for dysthymia, social phobia and voyeurism, and on his having been deemed capable of practicing medicine according to acceptable and prevailing standards of care so long as he continues his current treatment for his psychiatric diagnoses. Agreement effective 9/9/04; agreement to remain in effect for at least five years prior to any request for termination.

GARADA, Hazem (MD #35-070905) – Vienna, VA
Voluntary Surrender: Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on his plea of guilty to one felony count of Health Care Fraud and prior action by Virginia's medical board; and in resolution of all obligations arising from 5/13/98 Ohio Board Order. Effective 5/27/04.

GERACI, Thomas L. (DPM #36-002265) - Columbus
Pre-hearing Suspension: Pursuant to §3719.121(C), O.R.C., podiatry license immediately suspended based on doctor having been found eligible for intervention in lieu of conviction of seven felony counts of Illegal Processing of Drug Documents and three felony counts of Deception to Obtain Dangerous Drugs. Notice mailed 1/15/04; suspension effective 2/17/04 (notice by publication). **Board Order:** Podiatry license permanently revoked based on doctor's pleas of guilty to ten felony counts, including seven felony counts of Illegal Processing of Drug Documents and three felony counts of Deception to Obtain Dangerous Drugs, for which he was found eligible for intervention in lieu of conviction. (Review

and Journal Entry - no hearing requested) Order mailed 5/13/04; Order effective 5/13/04.

GIORDANO, Stephen Robert (DO training certificate #58-001345) - Cleveland
Pre-Hearing Suspension: Pursuant to §4731.22(G), O.R.C., medical training certificate 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 due to chemical dependency; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 10/14/04.

GOODEN, Timothy Alwyn (MD #35-048868) - Mentor
Board Order: Medical license suspended for one year; all probationary terms imposed by 2/02 consent agreement shall continue. Based on doctor having engaged in sexual activity with the mother of two of his pediatric patients, in violation of a provision of a code of professional ethics and minimal standards of care. Order mailed 2/3/04; Order effective 3/5/04.

GREER, Steven Franklin (MD training certificate #57-007242) - Cleveland
Consent Agreement: Medical training certificate indefinitely suspended; 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 that, following a Board-ordered evaluation, he was determined to be chemically dependent and impaired in his ability practice according to acceptable and prevailing standards of care due to the habitual or excessive use of alcohol. Agreement effective 4/15/04. **Consent Agreement:** Medical training certificate reinstated subject to probationary terms, conditions and limitations 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 6/9/04; agreement to remain in effect until doctor has completed at least a five year probationary period prior to any request for termination. **Pre-Hearing Suspension:** 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 violated conditions of limitation imposed by 4/04 consent agreement and that his ability to practice is impaired due to relapse; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice of suspension effective upon service of notice on doctor on 7/19/04.

GUIDI, Claude Bernard (MD #35-064995) - Tampa, FL
Voluntary Surrender: Doctor's permanent voluntary surrender of medical license accepted by Board,

based on doctor's admission that a Final Order entered by Florida's medical board in 6/01 constituted a violation of Ohio Revised Code 4731.22(B)(22). Doctor ineligible for licensure in the future. Effective 6/7/04. **Court Action:** Pursuant to terms of 6/9/04 settlement agreement, pending appeal in the Tenth District Court of Appeals dismissed on 6/11/04, doctor's permanent voluntary surrender of medical license accepted by Board on 6/7/04, and Board's 5/14/03 Order vacated upon Board's acceptance of surrender.

HAJ-HAMED, Ghassan (MD #069745) - Cincinnati
Pre-hearing Suspension: 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 violated conditions of limitation imposed on his license by 11/14/03 consent agreement; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 4/30/04; suspension effective upon personal service of notice on doctor on 4/30/04.

HAREWOOD, Sandra Kay (MD #35-045538) - Kettering
Board Order: Medical license revoked based on impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs/alcohol, as evidenced by doctor having been found guilty in 11/03 of Driving Under the Influence of Alcohol and Drugs; and violation of conditions of limitation imposed on license by 6/03 consent agreement. Order mailed 10/19/04; Order effective 10/19/04.

HELPHENSTINE, James Charles (DO #34-004200) - Franklin
Voluntary Surrender: Permanent voluntary surrender of medical license accepted by Board in lieu of further formal disciplinary proceedings, based on doctor's admitted impairment of ability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs/alcohol, as evidenced by urine screen reflecting the presence of THC; and his violation of conditions of limitation imposed on his license by 12/03 Board Order. Doctor ineligible for licensure in the future. Effective 6/9/04.

HEYSE, Paul Frank (MD #35-043188) - Dayton
Consent Agreement: Probationary terms, conditions and limitations imposed to monitor practice based on doctor's admission that he has been diagnosed with alcohol dependency, for which he received treatment through a Board-approved provider, and based on his having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring requirements are in place. Agreement effective 7/14/04; agreement to

remain in effect for at least five years prior to any request for termination.

HILL, Sam (DO #34-003607) - Hillsboro
Board Order: Medical license permanently revoked based on impairment of ability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs/alcohol, as evidenced by urine screen reflecting the presence of benzodiazepines; and violation of conditions of limitation imposed on license by 5/03 Board Order. Order mailed 10/19/04; Order effective 10/19/04.

HOLLADAY, Jeffrey Scott (LMT #33-011044) - Napoleon
Consent Agreement: Massage therapist reprimanded for failing to advise Board on certificate renewal application that he had been treated for and diagnosed as suffering from drug and alcohol dependency and abuse. Certificate to practice massage therapy indefinitely suspended; interim monitoring conditions and conditions for reinstatement established, including requirement that massage therapist enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice, based on his admitted history of alcohol dependence and marijuana abuse, treatment and relapse. Agreement effective 4/15/04.
Voluntary Surrender: Permanent revocation of massage therapy certificate authorized by massage therapist in lieu of formal disciplinary proceedings based upon his lack of compliance with the terms of his 4/14/04 consent agreement. Effective 10/28/04.

HOPKINS, Jordan Eric (MD training certificate #57-005132) - Columbus
Consent Agreement: Medical training certificate indefinitely suspended; interim monitoring conditions and conditions for reinstatement, renewal or issuance of any other certificate established, including requirement that doctor enter into subsequent consent agreement incorporating probationary terms, conditions and limitations to monitor practice. Based on doctor's admission that he has been diagnosed as alcohol dependent and has sought treatment through a Board-approved provider. Agreement effective 5/12/04.
Consent Agreement: Application for full medical license granted subject to probationary terms, conditions and limitations based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring requirements are in place. Agreement effective 8/11/04.

HOXIE, David Albert (MD #35-071037) - Waverly
Board Order: Medical license permanently revoked based on doctor's failure to provide complete and accurate information pertaining to past drug-related arrests and/or convictions on applications for Ohio and Virginia licensure, an application for DEA registration, and in response to questions from DEA

and Ohio medical board staff; his violation of Board rules by prescribing controlled substance anorectics to a family member in an improper manner; and his issuance of postdated prescriptions to three specified patients. Order mailed 7/15/04; Order effective 7/15/04. **Court Action:** Notice of appeal of Board's 7/14/04 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on 7/19/04. By Order filed 7/27/04, Franklin County Court of Common Pleas granted doctor's motion for a stay of Board's 7/14/04 permanent revocation Order pending the court's decision on the merits of doctor's appeal.

HUMES, Katherine Alicia (MD #35-068502) - Lancaster

Consent Agreement: Medical license suspended for at least 120 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 impairment of ability to practice according to acceptable and prevailing standards of care due to alcohol dependence, for which doctor has sought treatment through a Board-approved provider. Agreement effective 9/9/04.

HUMPHREY, Stephen Henry (DPM #36-002754) - Bryan

Interim Agreement: By Interim Agreement effective 12/13/04, doctor agreed not to practice podiatric medicine and surgery in Ohio in any form until allegations contained in 8/11/04 notice of opportunity for hearing have been fully resolved.

HUNTER, Brian John (DO #34-004610) - Youngstown

Voluntary Surrender: Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on doctor's non-compliance with the terms of 8/13/03 Board Order. Effective 11/23/04.

JHANGIANI, Anil H. (MD #35-072547) - Dayton

Consent Agreement: Probationary terms, conditions and limitations imposed to monitor practice based on doctor's admissions that he was diagnosed, following a Board-ordered psychiatric evaluation, with Personality Disorder Not Otherwise Specified. Agreement effective 12/9/04; agreement to remain in effective for at least five years prior to any request for termination.

JIRKA, Gerard M. (PA applicant) - Avon Lake

Application Withdrawn: Applicant's request to permanently withdraw application for certificate of registration as a physician assistant accepted by the Board in lieu of formal disciplinary proceedings based upon 12/10/03 notice of opportunity for hearing. Effective 2/25/04.

JONES, Jeffrey Thomas (PA #50-001782) - Canton

Pre-hearing Suspension: Pursuant to §3719.121(C), O.R.C., physician assistant's certificate of registration immediately suspended based on his having been found eligible for intervention in lieu of conviction of one felony count of Possession of Drugs (Anabolic Steroids). Notice mailed 2/12/04; suspension effective upon service of notice on physician assistant on 2/17/04. **Board Order:** Certificate to practice as a physician assistant suspended for 150 days, such time to be calculated from 2/17/04, the effective date of P.A.'s summary suspension; subsequent probationary terms, conditions and limitations for at least three years established. Based on physician assistant's plea of guilty to one felony count of possession of drugs (anabolic steroids), for which he was found eligible for intervention in lieu of conviction. Order mailed 7/15/04; Order effective 7/15/04.

JONES, Miles James (MD #35-079363) - Lee's Summit, MO

Board Order: Medical license permanently revoked based on prior actions against doctor's medical licenses in North Dakota, Wisconsin, Missouri, New York, Alabama and Oklahoma, following conclusions by one or more of the medical boards in those states that doctor had prescribed over the Internet without prior patient examination or establishment of a legitimate physician-patient relationship; and that he had been subject to discipline in other states based on those acts. Order mailed 2/12/04; Order effective 2/12/04. **Court Action:** Notice of appeal of Board's 2/11/04 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on 2/27/04. Voluntary dismissal of notice of appeal filed on behalf of doctor on 3/24/04 to permit Board to obtain service of notice of 2/11/04 permanent revocation Order on doctor. Notice of appeal of Board's 2/11/04 Order, which was served on doctor via publication effective 7/9/04, filed by doctor with Franklin County Court of Common Pleas on 7/26/04.

JONES, William Warren (MD #35-027330) - Cincinnati

Voluntary Retirement: Doctor's permanent voluntary retirement of medical license accepted by Board in lieu of formal disciplinary proceedings pursuant to §4731.22(A), (B)(5) and (B)(20), Ohio Revised Code. Effective 7/29/04.

JOSEY, Willie Leroy (MD #35-055467) - Portsmouth; South Shore, KY

Board Order: Permanent revocation of medical license stayed, subject to indefinite suspension for at least two years, such suspension to be retroactive to 3/15/02, the date of the previous Board Order that suspended doctor's certificate; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least ten years established. Based on doctor's plea of guilty to thirteen felony counts of Deception to Obtain a Dangerous Drug, for which he was granted intervention in lieu of conviction. Order

mailed 2/12/04; Order effective 2/12/04. **Interim Agreement:** By Interim Agreement effective 9/3/04, doctor agreed not to practice medicine and surgery in Ohio in any form until allegations contained in 11/12/03 notice of opportunity for hearing have been fully resolved.

JUNGBLUT, Melanie E. (MD #35-062650) - Norwalk
Consent Agreement: Probationary terms, conditions and limitations imposed to monitor practice based on doctor's admission that she has been diagnosed with and is being treated for mental illness, including intermittent major depression, attention deficit hyperactivity disorder, and bipolar disorder; and 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 4/15/04; agreement to remain in effect for at least five years prior to any request for termination.

KALIA, Jitander M. (MD #35-066425) - Warren
Board Order: Medical license permanently revoked based on improper prescribing and/or failure to conform to minimal standards of care with respect to treatment of four specified pediatric patients. Order mailed 8/12/04; Order effective 8/12/04. **Court Action:** Notice of appeal of Board's 8/11/04 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on 8/26/04. By Decision filed on 10/7/04 and documented by Entry filed on 11/16/04, Franklin County Court of Common Pleas denied doctor's motion for a stay of Board's 8/11/04 permanent revocation Order.

KANNAPIRAN, Kandhasamy (MD #35-048702) - Mansfield
Pre-hearing Suspension: 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 according to acceptable and prevailing standards of care is impaired due to habitual or excessive use or abuse of drugs/alcohol; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 2/12/04; suspension effective upon service of notice on doctor on 2/12/04. **Consent Agreement:** 2/12/04 summary suspension Order terminated; medical license suspended for at least ninety days; interim monitoring 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 impairment of ability to practice according to acceptable and prevailing standards of care due to alcohol dependence and possible benzodiazepine abuse/dependence. Agreement effective 5/12/04. **Consent Agreement:** Medical license reinstated, subject to probationary terms, conditions and limitations based on doctor having been deemed capable of practicing according

to acceptable and prevailing standards of care so long as certain treatment and monitoring requirements are in place. Agreement effective 8/11/04; agreement to remain in effect for at least five years prior to any request for termination.

KAREL, Douglas B. (MD #35-071689) - Lima
Consent Agreement: Doctor reprimanded and probationary terms, conditions and limitations established based on doctor's admission that he engaged in behaviors involving several hospital coworkers that constituted inappropriate boundary crossings or otherwise unethical conduct in violation of the AMA's Principles of Medical Ethics, including making inappropriate social comments and offensive humorous remarks. Effective 2/11/04; probation to remain in effect for a minimum of one year prior to any request for modification/termination.

KIRKLAND, Jeanne Marie (MD #35-045543) - Dayton
Board Order: Medical license indefinitely suspended; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on improper prescribing of controlled substances to ten specified patients, in violation of minimal standards of care and Medical Board rules. Order mailed 10/19/04; Order effective 10/19/04. **Court Action:** Notice of appeal of Board's 10/13/04 indefinite suspension Order filed by doctor with Franklin County Court of Common Pleas on or about 11/2/04. By Order and Entry filed on 11/2/04, Franklin County Court of Common Pleas granted doctor's motion for a stay of Board's 10/13/04 indefinite suspension Order pending disposition of this appeal, provided that doctor not prescribe any of the medications at issue in this matter, or their generic equivalent, while stay order is in effect.

KOHER, Grant F. (DO #34-006892) – Highpoint, NC
Board Order: Medical license suspended for one year, with all but six months stayed; subsequent probationary terms, conditions, and limitations for at least three years established. Based on prior action against doctor's license by North Carolina's medical board, following findings by that board that doctor provided medical services through a corporation via the Internet, and that he prescribed Propecia and Viagra to patients without a physical examination and without any prior physician-patient relationship. Order mailed 7/2/04; Order effective 7/2/04.

KUNKEL, John Fitzgerald (MD #35-076546) - Santa Rosa, CA
Consent Agreement: Probationary terms, conditions and limitations established based on California Medical Board's issuance of a probationary medical license to doctor in view of doctor's history of treatment for major depressive disorder and bipolar disorder, and recommendation by psychiatrist who evaluated doctor on behalf of Ohio medical board that

doctor undergo a period of probation with required treatment and monitoring. Agreement effective 5/12/04; agreement to remain in effect for at least five years prior to any request for termination.

LEON, Alberto A. (MD #35-046211) - Xenia

Pre-hearing Suspension: Pursuant to §3719.121(C), medical license immediately suspended based on doctor's pleas of guilty to four felony counts of Deception to Obtain a Dangerous Drug. Notice mailed 4/15/04; suspension effective upon service of notice on doctor. **Board Order:** Medical license suspended for at least two years; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on doctor's commission of acts that would constitute felonies (to wit: Trafficking in Drugs, Deception to Obtain a Dangerous Drug, Illegal Processing of Drug Documents), stemming from his having prescribed controlled substances to five specified patients, including a family member, without complying with Medical Board rules requiring examination, evaluation and documentation to support such prescribing; doctor's alleged diversion of controlled substances for his own use, and on doctor's pleas of guilty to four felony counts of Deception to Obtain a Dangerous Drug, for which he was found eligible for intervention in lieu of conviction. Order mailed 12/3/04; Order effective 12/3/04.

LEVY, David J. (MD# 35-052773) – Erie, PA

Consent Agreement: Medical license reinstated subject to probationary terms, conditions and limitations based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care provided that treatment and monitoring conditions are in place, including psychiatric follow-up to monitor psychotropic medication. Agreement effective 6/9/04; agreement to remain in effect for at least five years prior to any request for termination.

LING, Louis August (MD #35-068329) - Porterville, CA

Board Order: Doctor reprimanded based on prior action against his Alaska medical license following his admission that he had failed to notify the Alaska board in a timely manner of a malpractice claim in the amount of \$24,000 that had been paid on his behalf; and on prior action against doctor's California medical license based on the Alaska Board's action. Order mailed 4/15/04; Order effective 4/15/04.

LISS, Richard W. (MD #35-047064) - Columbus

Board Order: Medical license permanently revoked based on doctor's failure to conform to minimal standards of care and violation of the American Medical Association's Principles of Medical Ethics by engaging in sexual conduct with a patient, failing to maintain complete records of that patient's care, and failing to document specified controlled substance

prescriptions he wrote for that patient. Order mailed 1/16/04; Order effective 1/16/04.

LITTLE, Larry John (MD #35-047090) - Columbus

Board Order: Medical license suspended for at least 180 days; conditions for reinstatement and subsequent probationary terms, conditions, and limitations for at least three years established. Based on doctor's improper provision of controlled substances to a family member and to five other specified patients without maintaining adequate medical records to justify such provision, as required by Board rule. Order mailed 1/16/04; Order effective 1/16/04.

LUTZ, Gary Ray (DO #34-003249) - Las Vegas, NV

Interim Agreement: Probationary terms that were established by 11/16/98 Board Order to remain in effect; doctor's practice limited such that he will not practice osteopathic medicine and surgery in any form in Ohio. Based on Emergency Order of Summary Suspension of doctor's Nevada license issued by that state's medical board in 2/04. Agreement effective 4/15/04.

MACLEAN, Bruce F. (MD# 35-027583) Springfield

Voluntary Surrender: Permanent voluntary surrender of medical license accepted by Board effective 5/26/04; doctor ineligible for licensure in the future.

MALKIN, Walter (DPM #36-001201) - Youngstown

Consent Agreement: Permanent revocation of license to practice podiatric medicine authorized by doctor in lieu of formal disciplinary proceedings based on his plea of guilty to Health Care Fraud and/or his commission of acts constituting Health Care Fraud. Effective 7/29/04.

MARSICO, Robert Edward, Jr. (MD #35-064913) - Akron

Consent Agreement: Medical license indefinitely suspended; 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 impairment of doctor's ability to practice according to acceptable and prevailing standards of care due to cocaine dependence, for which he has sought treatment through a Board-approved provider; and his failure to advise the Board on his application for license renewal that he had pled guilty in 1996 to misdemeanor counts of Criminal Damaging and Assault. Agreement effective 10/15/04.

MASLYK, Benton Matthew (LMT applicant) - Columbus

Board Order: Application for massage therapist licensure granted provided that applicant successfully completes the massage therapy licensing examination, and subject to probationary terms,

conditions, and limitations for at least three years. Based upon applicant having been found guilty in 1999 of one misdemeanor count of Corrupting Another with Drugs; and his having been found guilty in 2000 of one felony count of Robbery. Order mailed 2/12/04; Order effective 2/12/04.

MASON, Ulysses G. III (MD #35-036253) - Denver, CO

Voluntary Surrender: Doctor's permanent voluntary surrender of medical license accepted by Board in lieu of formal proceedings based on prior action against doctor's license by Colorado's medical board. Doctor ineligible for licensure in the future. Effective 1/12/04.

MCALLISTER, Mark Stephen (MD #35-072741) - North Olmsted

Consent Agreement: 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 impairment of ability to practice according to acceptable and prevailing standards of care due to relapse, violation of conditions of limitation imposed on license by May 2001 consent agreement, and commission of an act that constitutes a felony in this state, to wit: Theft of Drugs. Agreement effective 5/12/04.

MCGINNIS, James Martin (DO #34-005660) - Wheelersburg

Consent Agreement: 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 admitted history of alcohol dependence, for which he has sought treatment through a Board-approved provider. Agreement effective 4/15/04.

Consent Agreement: Medical license reinstated subject to probationary terms, conditions and limitations 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 6/9/04; agreement to remain in effect until doctor has completed at least a five year probationary period prior to any request for termination.

MCLAUGHLIN, Rosemary W. (MD #35-025953) - Columbus

Voluntary Surrender: Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on her non-compliance with terms of 10/10/01 Board Order. Effective 2/10/04.

MCLEAN, Conway Thoreau (DPM applicant) - Brookfield, IL

Board Order: Application for podiatric medical licensure permanently denied based on action against applicant's Iowa license in 1999 following his admission to allegations that he had committed professional incompetence and negligence in performing unindicated and/or negligent and/or excessive and/or premature surgeries on four patients; action against his Illinois license in 2000 based on a finding that his educational loan was in default; action against his Wisconsin license in 2001 based on Iowa's 1999 action; and on applicant's failure to advise the Ohio Medical Board on his 2003 application for licensure that his hospital privileges at Burlington Medical Center (Iowa) had been restricted. (Review and Journal Entry - no hearing requested) Order mailed 3/11/04; Order effective 3/11/04.

MCNAMEE, Brian F. (MD #35-035216) - Cleveland

Board Order: Medical license permanently revoked based on impairment of ability to practice and violation of conditions of limitation imposed on license by 11/02 consent agreement due to relapse on alcohol. Order mailed 5/4/04; Order effective 5/4/04.

MCSURDY, Bruce J. (MD #35-065913) - North Platte, NE

Board Order: Medical license revoked based on prior action against doctor's license by North Dakota's medical board following conclusions of law that doctor had failed to furnish information requested about his compliance with continuing medical education requirements. (Journal Entry - no hearing requested) Order mailed 5/13/04; Order effective 5/13/04.

METZ, Claudia (MD #35-044436) - Cleveland

Consent Agreement: Doctor reprimanded and required to complete course in controlled substance management based on her admission that she failed to maintain appropriate medical records to support her prescribing of Ritalin to a colleague since 1995 and her prescribing of medication for a two or three month period to treat the colleague's depression. Agreement effective 10/15/04.

MILLER, Lynn Ye (MD training certificate #57-006043) - Boardman

Board Order: Medical training certificate permanently revoked based on doctor's provision of false information on her Ohio training certificate application and a St. Elizabeth Health Center (Youngstown, OH) training program application; her admission to officials at St. Elizabeth that she altered two letters of recommendation in connection with the latter application; and her failure to advise the Medical Board on her training certificate application that she had been placed on probation and had been counseled on several occasions during an undisclosed residency at Wright State University (Dayton, OH). (Review and Journal Entry - no

hearing requested) Order mailed 4/15/04; Order effective 4/15/04.

MOSLEY, Francine Robinson (MD training certificate #57-005226/MD #35-085080) - London, KY

Consent Agreement: Medical license granted subject to probationary terms, conditions and limitations to monitor practice based on doctor's history of recurrent Major Depressive Disorder, which is currently in full remission. Agreement effective 9/9/04; agreement to remain in effect for at least five years prior to any request for termination.

MURTAGH, William O. Jr. (MD#35-047907) Maumee

Consent Agreement: 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 history of alcohol addiction and relapse, for which doctor has sought treatment through a Board-approved provider. Agreement effective 6/10/04.

NEIDHART, Jeffrey D. (MD #35-071376) - Farmington, NM

Board Order: Medical license indefinitely suspended and conditions for reinstatement established; probationary terms, conditions, and limitations of 11/99 Step II Consent Agreement maintained. Based on action against doctor's New Mexico license by that state's medical board related to his failure to timely advise a patient and a collateral treating physician that the patient had erroneously been given a medication overdose. Order mailed 12/22/04; Order effective 12/22/04.

NICHOLS, Billy Michael (MD #35-057408) - Cincinnati/Grovetown, GA

Consent Agreement: Doctor reprimanded based on his continued employment and supervision of a physician assistant after the P.A.'s certificate of registration had expired and after doctor's Board-approved Physician Assistant Supervision Agreement with the P.A. had expired. Agreement effective 4/15/04.

PAAT, Erdulfo Paz (MD #35-034225) - North Olmsted

Board Order: Medical license suspended for ninety days; subsequent probationary terms, conditions, and limitations for at least three years established. Based on doctor having been found guilty of one misdemeanor count of Attempted Sexual Imposition, the acts underlying which involved his conduct toward a female patient. Order mailed 3/31/04; Order effective 3/31/04. **Court Action:** Notice of appeal of Board's 3/10/04 suspension Order filed by doctor on or about 3/16/04 with Franklin County Court of Common Pleas. By Decision and Entry filed on 3/26/04, the Court dismissed doctor's appeal as being premature. Notice of appeal of Board's 3/10/04 suspension Order refiled by doctor on or about 4/1/04

with Franklin County Court of Common Pleas. By Order filed 4/1/04, the Court granted doctor's motion for a stay of Board's suspension Order until filing of a final decision or order by Common Pleas Court in the appeal, conditioned upon doctor having a chaperone present in the room with him during all of his examinations of female patients.

PARADIES, Karen Mary (MD #35-081388) - Cincinnati

Board Order: Medical license permanently revoked based on impairment of ability to practice according to acceptable and prevailing standards of care and violation of conditions of limitation imposed on certificate by 4/03 Board Order due to relapse. (Review and Journal Entry - no hearing requested) Order mailed 7/15/04; Order effective 7/15/04.

PARKER, Michael Paul (MD #35-053127) - Columbus

Board Order: Medical license suspended for at least one year; conditions for reinstatement and subsequent probationary terms, conditions, and limitations for at least five years established. Based on doctor's prescribing of controlled substances to a specified patient in a manner that failed to comply with Medical Board rules; and doctor having made false statements in interrogatories related to the Medical Board's investigation of that prescribing. Order mailed 11/5/04; Order effective 11/5/04.

PAYNE, Frederic J. (MD# 35-057794) Wheeling, WV

Voluntary Surrender: Permanent voluntary surrender of medical license accepted by Board in lieu of formal disciplinary proceedings based on prior actions against doctor's licenses by medical boards in Kentucky and North Dakota. Doctor ineligible for licensure in the future. Effective 5/26/04.

PORTER, Stephen Randall (MD #35-069802) - Metamora, IN/Harrison, OH

Pre-Hearing Suspension: Pursuant to §4731.22(G), O.R.C., medical training certificate 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 due to relapse on alcohol; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 10/14/04.

PRADA, German Virgilio (MD #35-039814) - Kettering

Board Order: Medical license suspended for at least 180 days; subsequent probationary terms, conditions, and limitations for at least three years established. Based on doctor having been found guilty of one misdemeanor count of Sexual Imposition, the acts underlying which involved his conduct toward a female psychiatric patient. Order mailed 3/31/04; Order effective 3/31/04. **Court Action:** Notice of

appeal of Board's 3/10/04 indefinite suspension Order filed by doctor with Franklin County Court of Common Pleas on 4/2/04. By Entry filed 8/9/04, Franklin County Court of Common Pleas granted doctor's motion for a stay of Board's 3/10/04 indefinite suspension Order, subject to requirements that (1) doctor notify each patient seen during the period of stay that he pled no contest to and was convicted of sexual imposition involving a patient, that his license was suspended, and that the suspension has been stayed pending an appeal; and (2) prior to resuming practice under the stay, doctor shall obtain evaluation and finding from a board-certified psychiatrist that he is capable of practicing in accordance with accepted standards of care. License returned to active status on 8/9/04. By Decision filed 9/14/04, Franklin County Court of Common Pleas affirmed Board's 3/10/04 indefinite suspension Order. Entry filed 9/28/04. By Journal Entry filed on 10/21/04, Tenth District Court of Appeals denied doctor's motion for a stay of Board's 3/10/04 indefinite suspension Order as being prematurely filed in that Court. By Judgment Entry filed on 10/21/04, Franklin County Court of Common Pleas denied doctor's motion for a stay due to the nature of the Board's findings. Notice of voluntary dismissal of appeal filed by doctor with Tenth District Court of Appeals on 11/2/04.

PRATT-HARRINGTON, Dale (DO#34-006970) - Athens

Pre-hearing Suspension: 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 according to acceptable and prevailing standards of care is impaired due to habitual or excessive use or abuse of drugs/alcohol; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 2/12/04; suspension effective upon service of notice on doctor on or about 2/17/04.

RAMIREZ, Roque Joel (MD #35-068714) - Mexia, TX
Voluntary Surrender: Doctor's permanent voluntary surrender of medical license accepted by Board in lieu of further formal proceedings based on doctor's admission to prior action against his Texas medical license following conclusions by that state's medical board that he had failed to practice medicine in an acceptable professional manner. Doctor ineligible for licensure in the future. Effective 1/13/04.

RAMSEY, Katrina (LMT #33-011171) Irondale
Consent Agreement: Massage therapist reprimanded based on her plea of guilty to Theft, a fifth degree felony, the acts underlying which involved her having taken \$3,672.61 in 10/01 from a store at which she was employed. Agreement effective 6/9/04.

RANK, Douglas Holland (MD applicant) - Lexington, KY

Board Order: Application for medical license granted, subject to immediate suspension for at least six months; conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least two years established. Based on applicant's failure to provide complete and accurate information on licensure application pertaining to action against his license by Kentucky's Medical Board; and on prior actions against doctor's licenses by medical boards in Kentucky and New York. Order mailed 8/31/04; Order effective 8/31/04.

RAUS, Russell James (DPM #36-001512) - Garfield Heights

Pre-Hearing Suspension: Pursuant to §4731.22(G), O.R.C., license to practice podiatric medicine 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 due to vascular dementia; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 10/14/04.

REED, Barbara Anne (MD #35-016377) - Mansfield

Board Order: Medical license permanently revoked; doctor given option of permanent surrender of license if accomplished within two weeks of June 9, 2004. Based on improper prescribing and/or failure to conform to minimal standards of care with respect to treatment of eleven specified patients. Order mailed 7/2/04; Order effective 7/16/04. **Court Action:** Notice of appeal of Board's 6/9/04 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on 7/13/04. By Order filed 7/15/04, Common Pleas Court granted doctor's motion for a stay of Board's Order until the filing of court's final decision or order, provided that doctor close her medical office, not evaluate or treat any patients, and limit her practice to activities necessary to fulfill her duties as Deputy Coroner of Richland County, Ohio.

REEVES, Robert S., Jr. (MD #35-050586) - Norwalk

Board Order: Permanent revocation of medical license stayed, subject to indefinite suspension for at least 180 days, such suspension to be retroactive to 9/5/03, the date the doctor terminated his employment based on concerns expressed by the Supervising Member of the Board and Board staff; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least seven years established; license permanently limited in that doctor shall refrain from self-treating and from treating family members except in the event of a life-threatening emergency. Based on doctor's violation of conditions of limitation imposed on license by 5/14/03 consent agreement due to his failure to comply with practice monitoring

and psychiatric treatment requirements. Order mailed 2/12/04; Order effective 2/12/04. Doctor's request for reinstatement granted by vote of the Board on 3/10/04, subject to probationary terms, conditions and limitations established by 2/11/04 Board Order.

RICH, Craig Louis (MD #35-064127) - Canton
Pre-hearing Suspension: 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 according to acceptable and prevailing standards of care is impaired due to habitual or excessive use or abuse of drugs/alcohol; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 2/12/04; suspension effective upon service of notice on doctor on 2/14/04.

RICHARDS, Philip O. (MD #35-030329) - Jackson, MI
Voluntary Surrender: Doctor's permanent voluntary surrender of medical license accepted by Board in lieu of formal disciplinary proceedings based on prior action against doctor's license by Michigan's medical board. Effective 9/8/04.

ROBERTSON, William Denny (MD #35-031038) - Medina
Consent Agreement: 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 impairment of ability to practice according to acceptable and prevailing standards of care due to alcohol dependence, and on doctor's admission that he failed to advise the Board on his license renewal application that he had been diagnosed as alcohol dependent, despite the fact that the facility where he had received treatment was not approved by the Board. Effective 6/9/04. **Consent Agreement:** Medical license reinstated, subject to probationary terms, conditions and limitations based on doctor having been deemed capable of practicing according to acceptable and prevailing standards of care so long as certain treatment and monitoring requirements are in place. Agreement effective 11/12/04; agreement to remain in effect for at least five years prior to any request for termination.

ROBINSON, Kent (MD #35-051764) - Cincinnati
Consent Agreement: 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 he is impaired due to chemical dependence (cocaine), for which he has sought treatment through a Board-approved provider; and that he obtained Viagra by deception, in that he

wrote or called in prescriptions for Viagra in the name of a relative, but obtained and kept the medication for his personal use. Agreement effective 12/8/04.

ROSSITER, Lawrence (DO #34-001933) - Alliance
Voluntary Surrender: Doctor's voluntary surrender of medical license accepted by the Board in lieu of his further compliance with 7/10/02 Board Order, which became effective on 2/14/04 following court appeals. Doctor ineligible for Ohio licensure in the future. Effective 12/29/04.

ROSSELIT, James M., Jr. (DO #34-005558) - Dayton
Consent Agreement: Medical license reinstated subject to probationary terms, conditions and limitations 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 3/10/04; agreement to remain in effect for at least five years prior to any request for termination.

RUBIN, Joel H. (DO #34-002084) - Flower Mound, TX
Board Order: Probationary terms, conditions and limitations imposed until doctor submits acceptable documentation that he has completed all requirements imposed by the Texas State Board of Medical Examiners' Medicated Agreed Order, and that doctor holds a full and unrestricted license to practice medicine and surgery in the State of Texas. Based on prior action against doctor's license by Texas' medical board following findings that doctor's emergency room treatment of two specified patients constituted a failure to practice medicine in a professional manner consistent with public health and welfare. Order mailed 2/12/04; Order effective 2/12/04.

RUFFIN, Julia (DPM #36-002249) - Cincinnati
Pre-Hearing Suspension: Pursuant to Section 4731.22(G), O.R.C., podiatry 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 due to mental illness, and that her continued practice presents a danger of immediate and serious harm to the public. Suspension effective upon mailing of notice on 9/9/04. **Consent Agreement:** 9/8/04 summary suspension terminated; license to practice podiatric medicine indefinitely suspended; 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 impairment of ability to practice according to acceptable and prevailing standards of care due to mental illness. Agreement effective 11/16/04.

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

Board Order: Medical license limited and restricted to require doctor to refrain from practice in Ohio until specified conditions are satisfied; subsequent probationary terms, conditions and limitations for at least three years established. 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. Order mailed 5/6/04; Order effective 5/6/04.

SANTANELLO, Thomas Michael (DO #34-003569) - St. Mary's

Voluntary Surrender: Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on doctor having been found guilty of felony counts of Trafficking in Drugs, Illegal Processing of Drug Documents, Theft, and Workers Compensation Fraud. Effective 7/29/04.

SAWKAR, Raghunath T. (MD #35-041647) - Napa, CA

Voluntary Surrender: Doctor's permanent voluntary surrender of medical license accepted by Board in lieu of doctor's appearance at an investigatory office conference for which he had been subpoenaed. Effective 7/14/04.

SCHECHTER, John Michael (MD #35-061517) - Solon

Board Order: Medical license permanently revoked based on doctor's treatment of a psychiatric patient; his having engaged in sexual relations with said patient fell below minimal standards of care and violated the AMA Code of Professional Ethics. Order mailed 3/12/04; Order effective 3/12/04. **Court Action:** Notice of appeal of Board's 3/10/04 permanent revocation Order filed by doctor in Franklin County Court of Common Pleas on or about 3/15/04. By Decision filed on 9/2/04 and documented by Entry filed on 9/15/04, Franklin County Court of Common Pleas affirmed Board's 3/10/04 permanent revocation Order. Notice of appeal to Tenth District Court of Appeals filed by doctor on 10/12/04.

SCHNEIDER, Andrew (MD #35-053843) - Powell

Pre-hearing Suspension: Pursuant to §4731.22(G), O.R.C., medical license summarily suspended based on determination that there is clear and convincing evidence that doctor's ability to practice according to acceptable and prevailing standards of care is impaired due to chemical dependency; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 11/1/04. **Court Action:** Notice of appeal of 11/1/04 Order of Summary Suspension filed by doctor with Franklin County Court of Common Pleas on 11/12/04.

SCHULTE, Gregory Todd (MD #35-063923) - Columbus

Consent Agreement: Probationary terms established by 12/14/01 consent agreement and 2/13/02 addendum terminated; 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 impairment of doctor's ability to practice according to acceptable and prevailing standards of care, and his violation of conditions of limitation imposed on his license by 12/14/01 consent agreement and 2/13/02 addendum to that agreement. Agreement effective 11/12/04.

SCHWACHTER, Marc H. (#35-080114) Dayton

Consent Agreement: 11/03 consent agreement terminated; medical license suspended until at least 12/31/04; 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, in addition to the alcohol and Aderrall abuse to which he previously admitted, he also engaged in the illegal use of cocaine while in residency training, and that he pled guilty in 12/03 to four drug-related counts, including Illegal Processing of Drug Documents and Deception to Obtain a Dangerous Drug, for which he was granted intervention in lieu of conviction. Effective 6/9/04.

SEILER, Patricia Anne (MD #35-050364) - Grand Rapids, MI

Consent Agreement: Doctor reprimanded based on prior action against doctor's license by Michigan's medical board following findings by that board that doctor's conduct in the treatment of a specified patient constituted negligence. Effective 3/11/04.

SEYMOUR, Robert Floyd (MD #35-020874) - Cleveland

Voluntary Surrender: Doctor's permanent voluntary surrender of medical license accepted by Board in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(6), O.R.C., related to inappropriate prescribing involving one patient. Effective 7/14/04.

SHAFFER, Jay H. (MD# 35-036369) La Jolla, CA

Consent Agreement: Permanent revocation of medical license stayed, subject to suspension for at least one year; conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least three years established. Based on prior action against doctor's California medical license in resolution of allegations by that state's medical board that he engaged in a personal and sexual relationship with a patient while he was her treating psychiatrist. Agreement effective 6/9/04;

agreement to remain in effect for at least one year prior to any request for termination.

SHAHAMAT, Ahmad (MD #35-039134) - Westlake

Board Order: Medical license suspended for at least 90 days; conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least three years established. Based on doctor having been found guilty of one felony count of Worker's Compensation Fraud. Order mailed 5/4/04; Order effective 6/5/04.

SHAW, Christopher (MD training certificate #57-006421) Akron

Consent Agreement: Medical training certificate suspended for at least 120 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 history of polysubstance dependence and relapse on cocaine, for which he is pursuing evaluation and treatment. Agreement effective 10/15/04.

SHEDLOCK, Marie Therese (PA #50-000789) - Middleburg Heights

Consent Agreement: - Certificate to practice as a physician assistant reinstated subject to probationary terms, conditions and limitations based on P.A. having been deemed capable of practicing according to acceptable and prevailing standards of care. Agreement effective 1/14/04; agreement to remain in effect for at least five years prior to any request for termination.

SHERMAN, Christopher John (MD #35-054258) - Warren

Pre-hearing Suspension: 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 according to acceptable and prevailing standards of care is impaired due to habitual or excessive use or abuse of drugs/alcohol; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 2/12/04; suspension effective upon service of notice on doctor on 2/14/04. **Board Order:** Medical license revoked based on impairment of ability to practice according to acceptable and prevailing standards of care due to habitual or excessive use or abuse of drugs/alcohol due to relapse, as evidenced by doctor's admission that he self-administered Fentanyl and Versed and consumed alcoholic beverages. (Review and Journal Entry - no hearing requested) Order mailed 6/10/04; Order effective 6/10/04. **Court Action:** Notice of voluntary dismissal of appeal filed by doctor in Franklin County Court of Common Pleas on 8/9/04.

SHETH, Neel (MD applicant) - Saline, MI

Application Withdrawn: Applicant's request to permanently withdraw application for medical license accepted by Board in lieu of further formal disciplinary proceedings based on allegations issued by the Board on 12/10/03. Effective 3/31/04.

SHIN, Cheung Soo (MD #35-033143) - Middlesboro, KY

Board Order: Medical license revoked based on prior action against doctor's license by Kentucky's medical board following Agreed Findings relative to doctor's inadequate supervision of a physician assistant. (Journal Entry - no hearing requested) Order mailed 5/13/04; Order effective 5/13/04 **Voluntary Surrender:** Doctor's permanent voluntary surrender of medical license accepted by Board, based on prior action against doctor's license by Kentucky's medical board following Agreed Findings relative to doctor's inadequate supervision of a physician assistant. Doctor ineligible for licensure in the future. Effective 7/28/04. **Court Action:** Pursuant to terms of 7/28/04 settlement agreement, pending appeal in the Tenth District Court of Appeals dismissed on 8/2/04, doctor's permanent voluntary surrender of medical license accepted by Board on 7/28/04, and Board's 5/12/04 Order vacated upon Board's acceptance of surrender.

SIEGEL-SCHAEFER, Luke A. (LMT applicant) - Columbus

Board Order: Application for certificate to practice massage therapy granted, provided that applicant successful completes massage therapy licensing examination and subject to probationary terms, conditions and limitations for at least three years. Based on applicant having been found guilty in 1999 of one felony count of Trafficking in Drugs, the acts underlying which involved his having knowingly sold or offered to sell a controlled substance, to wit: mescaline mushrooms. Order mailed 4/15/04; Order effective 4/15/04.

SINGH, Paramjit (MD #35-066022) - East Liverpool

Voluntary Surrender: Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on his plea of guilty to felony drug counts. Effective 1/13/04.

SKOBLAR, Richard (MD #35-038099) Akron

Consent Agreement: 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 impairment of ability to practice according to acceptable and prevailing standards of care due to alcohol dependence, for which doctor has sought treatment through a Board-approved provider. Agreement effective 10/15/04.

SLINGLUFF, Jack Edwin (DO #34-001265) - Canton
Board Order: Medical license suspended for one year; subsequent probationary terms, conditions, and limitations for at least one year established. Based on doctor's plea of guilty to one misdemeanor count of Introduction or Delivery for Introduction into Interstate Commerce of an Unapproved Drug, to wit: 30 vials of Laetrile to be shipped from West Palm Beach, Florida to Salem, Ohio in violation of federal law. Order mailed 12/6/04; Order effective 12/6/04. **Court Action:** Notice of appeal of Board's 11/10/04 suspension Order filed by doctor with Franklin County Court of Common Pleas on or about 12/10/04. By Order filed on 12/13/04, Court granted doctor's motion to stay Board's suspension Order pending appeal, subject to conditions, including that doctor not 1) prescribe, purchase, order, administer or treat patients with Laetrile; 2) counsel or advise patients on the use of Laetrile; or 3) refer patients to another facility or physician for Laetrile treatment.

SNYDER, Geoffrey D. (MD #35-068971) - Lewisville
Board Order: Medical license permanently revoked based on doctor having been convicted of one felony count of Importuning, the conduct underlying which involved his soliciting, via the internet, a law enforcement officer posing as a minor to engage in sexual activity; and based upon doctor's failure to advise Board, during processing of his initial application for licensure, that he had been requested to appear at a General Court-Martial to answer charges that ultimately resulted in his dismissal from the United States Army. Order mailed 1/16/04; Order effective 1/16/04. **Court Action:** Notice of appeal of Board's 1/14/04 permanent revocation Order filed by doctor with Franklin County Court of Common Pleas on 1/16/04. By Order filed on 1/16/04, Franklin County Court of Common Pleas stayed Board's permanent revocation Order pending the final disposition of doctor's appeal. Upon State's motion for reconsideration, Franklin County Court of Common Pleas modified its stay of Board's 1/14/04 permanent revocation Order on 2/5/04 to require that doctor comply with certain conditions, including that he accept no new patients, continue with psychological counseling, complete sex offender evaluation, not see female patients and patients under the age of eighteen (male or female) except in the presence of another medical professional, maintain a log of third party attendance at any medical visits with female patients and all patients under the age of eighteen, have no access to the internet, and not possess, in any manner, any pornographic materials.

SOLIMAN, Hisham H. (MD applicant) - Orangevale, CA
Board Order: Application for medical licensure permanently denied based on applicant's failure to provide complete and accurate information on Ohio and FCVS applications, and/or in investigatory

deposition, pertaining to his psychiatric residency training program and his employment with the Fresno County, California Department of Adult Services. Order mailed 11/5/04; Order effective 11/5/04.

SOUTHERN, Brian Derris (MD training certificate #57-008187) - Cleveland
Pre-hearing Suspension: Pursuant to Section 4731.22(G), O.R.C., medical training certificate 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 due to habitual or excessive use or abuse of drugs/alcohol; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Notice mailed 2/12/04; suspension effective upon service of notice on 2/14/04. **Board Order:** Permanent revocation of training certificate stayed, subject to indefinite suspension; Board shall not consider renewal of training certificate or issue any other certificate for at least one year; interim monitoring conditions, conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least five years established. Based on impairment of ability to practice according to acceptable and prevailing standards of care due to history of substance abuse and relapse. Order mailed 9/24/04; Order effective 9/24/04.

SOUTHIERE, George Armand, Jr. (MD #35-070885) - Andover, KS
Consent Agreement: Medical license restored, subject to probationary terms, conditions and limitations to monitor practice. Based on prior actions against doctor's licenses in Kansas and New York; history of chemical dependency, treatment and relapse; and 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 5/12/04; agreement to remain in effect for at least three years prior to any request for termination.

SPEARS, David Paul (DO training certificate #58-001123) - Marietta
Consent Agreement: Medical training certificate 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 admitted history of opiate dependence, treatment and relapse. Agreement effective 4/15/04.

SPRICH, William W. (MD #35-044332) - Belleville, IL
Voluntary Surrender: Doctor's permanent voluntary surrender of medical license accepted by Board in lieu of further formal proceedings and in resolution of doctor's pending appeal before Franklin County Court of Common Pleas of 10/8/03 Board Order. Based on

doctor's admission to prior action against his license by Illinois Medical Board following his stipulation that he had failed to notice a mechanical malfunction in a piece of equipment during surgery, and that the patient had suffered non-fatal injuries as a result. Effective 1/28/04.

STANOS, Peter Steven (DO #34-006030) - Columbus
Board Order: Permanent revocation of medical license stayed, subject to indefinite suspension for at least twelve months; conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least three years established. Based on doctor's practice of medicine while his license was in a suspended status. Order mailed 12/3/04; Order effective 1/3/05. **Court Action:** Notice of appeal of 11/10/04 suspension Order filed by doctor with Franklin County Court of Common Pleas on 12/20/04. By Decision and Entry filed 12/22/04, Franklin County Court of Common Pleas granted doctor's request for a stay of Board's 11/10/04 suspension Order during the pendency of this appeal.

STARR, Tom Reutti (MD #35-026557) - Dayton
Board Order: Medical license suspended for 15 days; all terms and limitations imposed by 8/8/01 Board Order to remain in effect. Based on doctor's violation of conditions of limitation imposed on license by 8/01 Board Order and impairment of ability to practice according to acceptable and prevailing standards of care due to his use of a medication containing phenobarbital. Order mailed 7/15/04; Order effective 7/15/04.

STEPHENSON, Jeffrey Scott (DO #34-005693) - South Point
Voluntary Surrender: Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based on doctor having been found guilty of multiple felony drug counts and violation of 3/14/02 consent agreement. Effective 2/9/04.

STOCKSLAGER, Viki Lynn (MD #35-058800) - Sylvania
Voluntary Surrender: Doctor's voluntary surrender of medical license accepted by the Board in lieu of formal disciplinary proceedings based upon doctor's inability to engage in the practice of medicine and surgery due to Major Depressive Disorder, recurrent, severe. Effective 12/14/04.

TATE, Larry Raymont (MD #35-035815) - Columbus
Pre-Hearing Suspension: 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 due to alcohol dependence; and that doctor's continued practice presents a danger of immediate and serious harm to the public. Suspension effective 10/14/04.

TAYLOR, Deborah Lynn (MD #35-051038) - Columbus

Consent Agreement: 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 admitted history of chemical dependence and relapse, for which she has sought treatment through a Board-approved provider. Agreement effective 12/8/04.

THOMAS, Richard Wallace (MD #35-047608) - Minerva

Dismissal: By Order and Entry filed on 12/8/04, Medical Board dismissed 6/9/04 Notice of Opportunity for Hearing without prejudice to further action.

THOMAS, Walter (MD #021901) Columbus

Voluntary Retirement: Permanent voluntary retirement of medical license accepted by Board in lieu of further investigation and/or disciplinary proceedings pursuant to Sections 4731.22(B)(6) and (19), O.R.C.; doctor ineligible for licensure in the future. Effective 5/27/04.

THOMPSON, Richard Arthur (LMT #33-013696) - Parma

Board Order: Allegations set forth in 4/14/04 Notice of Opportunity for Hearing dismissed following Board's determination that evidence did not demonstrate that applicant had intended to deceive the Board; application for certificate to practice massage therapy granted. Order mailed 8/12/04; Order effective 8/12/04.

TIDMORE, Hollis Daniel (MD applicant) - Youngstown
Application Withdrawn: Request to permanently withdraw application for medical licensure accepted in lieu of formal disciplinary proceedings pursuant to Sections 4731.22(B)(22) and/or 4731.29, O.R.C.; applicant ineligible for Ohio licensure in the future. Effective 11/9/04.

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

Consent Agreement: Certificate of registration to practice as a physician assistant suspended for at least 180 days; interim monitoring 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 physician assistant having pled guilty to two felony counts of Forgery, for which he was found eligible for intervention in lieu of conviction; and impairment of ability to practice according to acceptable and prevailing standards of care due to chemical dependency. Agreement effective 5/12/04.

TOMCZAK, Rodney Louis (DPM #36-001889) - Columbus

Voluntary Surrender: Permanent revocation of license to practice podiatric medicine authorized by doctor in lieu of formal proceedings pursuant to §§4731.22(B)(19) and (26), O.R.C., and in resolution of all obligations arising from doctor's 6/02 consent agreement. Effective 6/8/04.

TSENG, Hsiang Lee (MD training certificate #57-007720) - Cincinnati

Board Order: Doctor required to complete an ethics course to be approved by the Board, and to complete 100 hours of community service to be approved by the Board, prior to submitting any future application for training certificate or other license issued by the Board. Based on applicant's failure to provide complete and accurate information to Ohio Medical Board pertaining to his having been found guilty in 1996 of Petty Theft. Order mailed 12/15/04, Order effective 12/15/04.

VASIC, Vladimir (MD #35-078402) - Niagara Falls, Ontario, CANADA

Board Order: Medical license permanently revoked based on doctor's failure to provide complete and accurate information on hospital privilege applications pertaining to a prior hospital privileges action; prior action against his medical license in Ontario, Canada; and his having made a false statement regarding the latter to the Ohio Medical Board. Order mailed 2/12/04; remailed 2/25/04; effective 2/25/04.

VOLSKY, Michael (MD #35-036938) Beachwood

Voluntary Retirement: Permanent voluntary retirement of medical license accepted by Board in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(19), O.R.C.; doctor ineligible for licensure in the future. Effective 5/27/04.

WANKEWYCZ, Kristopher (LMT #33-013247) Parma

Board Order: Application for massage therapy certificate granted subject to suspension for at least ninety days; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least five years established. Based on applicant's failure to provide on licensure application complete and accurate information pertaining to past convictions; and based on impairment of ability to practice according to acceptable and prevailing standards of care due to chemical dependency, which was diagnosed pursuant to a Board-ordered examination and for which applicant has sought treatment through a Board-approved provider. Order mailed 6/14/04; Order effective 6/14/04.

WARREN, Michael Craig (DO #34-008173) - Toledo

Consent Agreement: Medical license suspended for at least 270 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 according to acceptable and prevailing standards of care is impaired due to chemical dependency, for which he has sought treatment through a Board approved provider; that he committed acts that constitute felonies in this state, to wit: Deception to Obtain a Dangerous Drug, and/or Illegal Processing of Drug Documents; and that he failed to advise the Board on his licensure application that he was engaged in the illegal use of controlled substances. Agreement effective 5/12/04.

WEBSTER, Joseph Curley (MD applicant) - Columbus

Board Order: Application for medical licensure permanently denied based on applicant's failure to provide complete and accurate information on Ohio licensure application pertaining to the suspension of his clinical privileges at a state psychiatric facility in Middletown, CT, and the suspension of his clinical privileges while in the U.S. Air Force at Eglin Air Force Base (Florida) for inability to practice safely due to physical illness or impairment and alcohol or other substance abuse. Order mailed 8/12/04; Order effective 8/12/04.

WEISS, Richard Alan (MD #35-074955) - Beachwood

Board Order: Permanent revocation of medical license stayed, subject to indefinite suspension for at least one year; conditions for reinstatement and subsequent probationary terms, conditions and limitations for at least five years established. Based on doctor's failure to advise Ohio Medical Board on licensure renewal application that California's medical board had filed an accusation against him. (Review and Journal Entry - no hearing requested) Order mailed 10/14/04; Order effective 10/14/04.

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

Board Order: Certificate to practice massage therapy permanently revoked based on based on massage therapist's submission of false statements of compliance and violation of conditions of limitation imposed on his certificate by 5/8/02 consent agreement. (Review and Journal Entry - no hearing requested) Order mailed 8/12/04; Order effective 8/12/04.

WILLINGHAM, Tamara Deanne (LMT #33-011291) - Perrysburg

Interim Agreement: Pursuant to interim agreement effective 2/26/04, massage therapist agreed not to practice massage therapy in Ohio in any form until allegations contained in 2/11/04 notice of opportunity for hearing have been fully resolved. **Consent**

Agreement: Permanent revocation of certificate to practice massage therapy stayed, subject to suspension for ninety days, such period to be calculated from 2/26/04, the effective date of massage therapist's interim agreement not to practice; probationary terms, conditions and limitation for at least five years established. Based on massage therapist's admission that she was found guilty of one felony count of Aggravated Vehicular Assault. Agreement effective 5/12/04; agreement to remain in effect for a minimum of five years prior to any request for termination.

WRIGHT, Lance Paul (MD #35-053065) - Lebanon
Voluntary Surrender: Permanent revocation of medical license authorized by doctor in lieu of formal disciplinary proceedings based upon doctor's admission that he engaged in a sexual relationship with a patient. Effective 3/31/04.

YUN, Mary Mei-Ling (MD #35-072128) - Cincinnati
Board Order: Medical license indefinitely suspended; interim monitoring conditions, conditions for reinstatement, and subsequent probationary terms, conditions, and limitations for at least ten years established. Based on impairment of ability to practice according to acceptable and prevailing standards of care due to mental illness, and failure to comply with conditions of limitation imposed on license by 7/03 consent agreement. Order mailed 11/5/04; Order effective 11/5/04.

ZAK, John F. III (MD #35-073277) - Middleburg Heights

Consent Agreement: Medical license suspended for thirty days; subsequent probationary terms, conditions and limitations for at least five years established. Based on doctor's admission that he allowed his business partner to perform dental procedures without holding a license to do so, and that insurance carriers were billed for and issued payment for dental procedures in his name when his business partner, a licensed physician, had actually rendered those services. Agreement ratified by Board on 9/8/04; agreement effective on 9/30/04.

ZINNI, Gregory Stephen (MD #35-049784) - Canfield
Consent Agreement: Medical license suspended for at least 180 days or until all criminal charges relating to acts underlying this agreement have been fully and finally 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 admission that he was diagnosed as chemically dependent, and has sought treatment through a Board-approved provider. Agreement effective 8/11/04. **Pre-Hearing Suspension:** Pursuant to §3719.121(C), O.R.C., medical license immediately suspended based on doctor's pleas of guilty to three felony counts of Illegal Processing of Drug Documents. Notice mailed 12/9/04

CONTINUING MEDICAL EDUCATION ACTIONS

BURDGE, Jeremy John (MD #35-042744) - Hilliard
Board Order: Doctor reprimanded and \$1000 fine imposed; doctor required to document compliance with outstanding Continuing Medical Education obligation and to document compliance for two additional CME acquisition periods thereafter. Based on doctor's failure to comply with Continuing Medical Education requirements. Order mailed 7/15/04; Order effective 8/15/04

CONNORS, Garrett Michael (DPM #36-003117) - Youngstown
Board Order: Doctor reprimanded; \$5000 fine imposed; medical license suspended for an indefinite term and conditions for reinstatement established; thereafter, doctor required to document compliance with CME requirements for two additional license registration periods. Based on doctor's failure to comply with Continuing Medical Education requirements. (Review and Journal Entry - no hearing requested) Order mailed 11/12/04; Order effective 12/13/04.

DOAK, Scott A. (MD #35-063604) - Xenia
Consent Agreement: Doctor reprimanded; subject to mandatory CME audits for three biennial registration periods. Based on doctor's admission that, although he certified on his application for renewal that he had completed the requisite hours of Continuing Medical Education, he had failed to maintain documentation of such completion as required by Board rule. Documentation of completion of additional hours has since been provided. Agreement effective 5/12/04.

CONTINUING MEDICAL EDUCATION ACTIONS

ERIKSEN, David Edwin (MD #35-028222) - Toledo

Consent Agreement: Doctor reprimanded and \$5000 fine imposed; doctor required to document compliance with outstanding Continuing Medical Education obligation and to document compliance for two additional CME acquisition periods thereafter. Based on doctor's failure to comply with Continuing Medical Education requirements. Agreement effective 7/15/04.

ESPINOSA, Emilio Aldo (MD #35-033789) - Temperance, MI

Board Order: Doctor reprimanded; \$5000 fine imposed; medical license suspended for an indefinite term and conditions for reinstatement established; thereafter, doctor required to document compliance with CME requirements for two additional license registration periods. Based on doctor's failure to comply with Continuing Medical Education requirements. (Review and Journal Entry - no hearing requested) Order mailed 3/11/04; Order effective 4/11/04.

HENDRIXSON, Michael L. (DO #34-006425) - Cincinnati

Consent Agreement: Doctor reprimanded; subject to mandatory CME audits for three biennial registration periods; \$1000 fine imposed. Based on doctor's admission that he certified on license renewal application that he had completed required CME hours when, in fact, those hours had not been timely completed. (Remaining hours have since been completed.) Agreement effective 4/15/04.

HUNTER, William Ward, Jr. (MD #35-040186) – Columbus

Board Order: Doctor reprimanded; \$5000 fine imposed; medical license suspended for an indefinite term and conditions for reinstatement established; thereafter, doctor required to document compliance with CME requirements for two additional license registration periods. Based on doctor's failure to comply with Continuing Medical Education requirements. Order mailed 11/17/04; Order effective 12/18/04.

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APPENDIX C

State Medical Board of Ohio DISCIPLINARY SANCTION DEFINITIONS

Disciplinary sanctions that may be imposed by the Medical Board include the following:

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| PERMANENT REVOCATION | The permanent loss of a certificate to practice in Ohio and the inability, at any time, to reapply for or hold any certificate to practice in Ohio. An individual whose certificate has been permanently revoked shall forever thereafter be ineligible to hold any certificate to practice, and the board shall not accept from that individual an application for reinstatement or restoration of the certificate or for issuance of a new certificate. (Chapter 4731-13-36 (A), Ohio Administrative Code) |
| REVOCATION | The loss of a certificate to practice in Ohio. An individual whose certificate has been revoked shall be eligible to submit an application for a new certificate. All disciplinary action taken by the board against the revoked certificate shall be made a part of the board's records for any new certificate granted under this rule. (Chapter 4731-13-36 (B), Ohio Administrative Code) |
| SUSPENSION | The temporary loss of a certificate to practice in Ohio. A suspension shall be imposed for either a definite or an indefinite period of time. (Chapter 4731-13-36 (C), Ohio Administrative Code) |
| LIMITATION | Precludes the certificate holder from engaging in a particular conduct or activity, to impose conditions on the manner in which that conduct or activity may be performed, or to require the certificate holder to abide by specific conditions in order to continue practicing medicine. A limitation shall be either temporary or permanent. (Chapter 4731-13-36 (D), Ohio Administrative Code) |
| PROBATION | A situation whereby the certificate holder shall continue to practice only under conditions specified by the board. Failure of the certificate holder to comply with the conditions of probation may result in further disciplinary action being imposed by the board. The probation period shall be for either a definite or indefinite term. If probation is for an indefinite term, the board shall establish a minimum probation period and the board shall release the certificate holder from the conditions of probation upon completion of the minimum probation period and upon the board's determination that the purpose of probation has been fulfilled. (Chapter 4731-13-36 (E) Ohio Administrative Code) |
| PERMANENT DENIAL | The permanent denial of an application for a certificate to practice in Ohio. An individual whose application for a certificate has been permanently denied shall forever thereafter be ineligible to apply to the board for any certificate to practice, and the board shall not accept from that individual an application for issuance of a certificate. (Chapter 4731-13-36 (J), Ohio Administrative Code) |
| DENIAL | The denial of an application for a certificate to practice in Ohio. An individual whose application for a certificate has been denied shall be eligible to submit a new application for a certificate. In determining whether to grant a new application, the board may consider any statutory violations that were committed by the individual before or after the denial of the individual's previous application, including those that formed the basis for the denial. (Chapter 4731-13-36 (K), Ohio Administrative Code) |

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| REPRIMAND | The certificate holder is formally and publicly reprimanded in writing. (Chapter 4731-13-36 (F), Ohio Administrative Code) |
| CONSENT AGREEMENT | Conditions and limitations placed on licensee's practice by mutual agreement with the Medical Board. |
| VOLUNTARY SURRENDER | Practitioner surrenders license to practice in lieu of further disciplinary proceedings; may authorize the Board to revoke the practitioner's license without further legal proceedings. |
| DISMISSAL | The board finds that no violation has occurred. (Chapter 4731-13-36 (H), Ohio Administrative Code) |
| SUMMARY SUSPENSION | License to practice is suspended prior to a hearing based on clear and convincing evidence that continued practice by the licensee poses a danger of immediate and serious harm to the public. (Section 4731.22 (G), Ohio Revised Code) |
| AUTOMATIC SUSPENSION | License to practice is suspended prior to a hearing when a licensee pleads guilty to, is found by a judge or jury to be guilty of, or is found eligible for treatment in lieu of conviction of specified crimes of violence. (Section 4731.22 (I), Ohio Revised Code) |
| IMMEDIATE SUSPENSION | License to practice is suspended prior to a hearing pursuant to Section 3719.121, Ohio Revised Code, when a licensee pleads guilty to, is found by a judge or jury to be guilty of, or is found eligible for treatment in lieu of conviction of a felony drug abuse offense. |
| APPLICATION CONDITIONALLY APPROVED | License approved subject to satisfaction of specific requirements(s) ordered by the Board, such as successful completion of an examination measuring current clinical abilities. |
| INTERIM AGREEMENT | Licensee agrees to cease practice or to practice with limitations until the administrative hearing process is completed and the Board issues a Final Order imposing a disciplinary sanction. |

APPENDIX D

**State Medical Board of Ohio
SUMMARY OF DISCIPLINARY ACTIONS
2000 - 2004**

APPENDIX E

State Medical Board of Ohio DISPOSITION OF QUALITY INTERVENTION PROGRAM (QIP) CASES 2000 - 2004