

July 8, 2015

MINUTES**THE STATE MEDICAL BOARD OF OHIO****July 8, 2015**

Donald R. Kenney, Sr., President, called the meeting to order at 10:00 a.m. in the Administrative Hearing Room, 3rd Floor, the James A. Rhodes Office Tower, 30 E. Broad Street, Columbus, Ohio 43215, with the following members present: Michael L. Gonidakis, Vice President; Kim G. Rothermel, M.D., Secretary; Bruce R. Saferin, D.P.M., Supervising Member; Amol Soin, M.D.; Sushil Sethi, M.D.; Robert P. Giacalone; Andrew P. Schachat, M.D.; and Michael Schottenstein, M.D. The following member did not attend: Anita M. Steinbergh, D.O.

Also present were: Anthony J. Groeber, Executive Director; Kimberly Anderson, Assistant Executive Director; David Fais, Assistant Executive Director; Michael Miller, Assistant Executive Director for Licensure and Renewal; Susan Loe, Director of Human Resources and Fiscal; Sallie J. Debolt, Senior Counsel; William Schmidt, Senior Counsel for Investigations; David Katko, Assistant Legal Counsel; Joan K. Wehrle, Education and Outreach Program Manager; Jonithon LaCross, Public Policy & Governmental Affairs Program Administrator; Rebecca Marshall, Chief Enforcement Attorney; Marcie Pastrick, Mark Blackmer, Angela McNair, Cheryl Pokorny, James Roach, and Kimberly Lee, Enforcement Attorneys; Kyle Wilcox, Melinda Snyder, and James Wakley, Assistant Attorneys General; R. Gregory Porter, Chief Hearing Examiner; Danielle Blue, Hearing Examiner; Danielle Bickers, Compliance Supervisor; Annette Jones and Angela Moore, Compliance Officers; Chantel Scott, Chief of Renewal; Stuart Nealis, Project Manager; Christine Schwartz, Legal and Policy Staff Attorney; Jacqueline A. Moore, Legal/Public Affairs Assistant; and Benton Taylor, Board Parliamentarian.

MINUTES REVIEW

Dr. Saferin moved to approve the draft minutes of the June 10, 2015, Board meeting, as written. Dr. Rothermel seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- aye
	Dr. Saferin	- aye
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- abstain
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion carried.

APPLICANTS FOR LICENSURE

Dr. Saferin moved to approve for licensure, contingent upon all requested documents being received and approved in accordance with licensure protocols, the acupuncturist applicants listed in Exhibit “A,” the anesthesiologist assistant applicants listed in Exhibit “B,” the genetic counselor applicants listed in Exhibit “C,” the massage therapist applicants listed in Exhibit “D,” the physician assistant applicants listed in Exhibit “E,” and the physician applicants listed in Exhibit “F” Dr. Sethi seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- aye
	Dr. Saferin	- aye
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion carried.

REPORTS AND RECOMMENDATIONS

Mr. Kenney announced that the Board would now consider the Reports and Recommendations appearing on its agenda.

Mr. Kenney asked whether each member of the Board had received, read and considered the hearing records, the Findings of Fact, Conclusions of Law, Proposed Orders, and any objections filed in the matters of: Syed Jawed Akhtar-Zaidi, M.D.; Andrew John Beistel, D.O.; Stranton Browning, Jr.; John E. Ratliff, D.O.; Florencia A. Riel-Guzman, M.D.; and Sergei Shushunov, M.D.

A roll call was taken:

ROLL CALL:	Dr. Rothermel	- aye
	Dr. Saferin	- aye
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

Mr. Kenney asked whether each member of the Board understands that the disciplinary guidelines do not

limit any sanction to be imposed, and that the range of sanctions available in each matter runs from dismissal to permanent revocation. A roll call was taken:

ROLL CALL:	Dr. Rothermel	- aye
	Dr. Saferin	- aye
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

Mr. Kenney noted that, in accordance with the provision in section 4731.22(F)(2), Ohio Revised Code, specifying that no member of the Board who supervises the investigation of a case shall participate in further adjudication of the case, the Secretary and Supervising Member must abstain from further participation in the adjudication of any disciplinary matters. In the matters before the Board today, Dr. Rothermel served as Secretary and Dr. Saferin served as Supervising Member.

Mr. Kenney reminded all parties that no oral motions may be made during these proceedings.

The original Reports and Recommendations shall be maintained in the exhibits section of this Journal.

RESPONDENT ADDRESSES TO THE BOARD

Mr. Kenney stated that requests to address the Board have been timely filed on behalf of Dr. Beistel and Dr. Riel-Guzman. Ms. Anderson stated that Mr. Browning, who did not file a request to address, is present at today's meeting and has asked permission to address the Board.

Mr. Gonidakis moved to grant Mr. Browning's request to address the Board. Dr. Sethi seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion carried.

STRANTON BROWNING, JR.

Mr. Kenney stated that five minutes will be allowed for Mr. Browning's address to the Board.

Mr. Browning stated that his opportunity to practice as a massage therapist is very important to him and his family. Mr. Browning stated that he had attended massage therapy school while working two jobs in order to continue his education. Mr. Browning stated that it has been many years since he has been in any kind of trouble and he felt that he should not be denied a massage therapy license because of events that occurred fifteen years ago. Mr. Browning stated that he has four children including an adopted child and he needs a massage therapy license in order to move forward in something he loves to do.

Mr. Kenney asked if the Assistant Attorney General would like to respond. Mr. Wilcox stated that he did not wish to make a response.

FLORENCIA A. RIEL-GUZMAN, M.D.

Mr. Kenney stated that five minutes will be allowed for Dr. Riel-Guzman's address to the Board.

Dr. Riel-Guzman was represented by her attorney, James McGovern.

Mr. McGovern stated that Dr. Riel-Guzman, who was unable to attend today's proceedings, has asked him to read a letter to the Board:

Dear State Medical Board Members: I, Florencia R. Guzman, aged 74, have been in medical practice for 40 years. Before these violations I did not have any blemishes on my career. I respectfully request your mercy in sanctioning me for the violations that I have committed. I've always strived to be very compassionate and very aware of my patients' safety and satisfaction. I have always tried to do the right thing. Along those lines, I never intended to defy the Board's laws and rules. I deeply regret and apologize for my mistakes. I stopped doing the i-Lipo after the inspection and I have more recently stopped doing all laser procedures. This process has impacted me tremendously. I want to move forward. My plea to the Board is to please grant me, at this age and at this stage of my long career, the favor of putting this solitary incident behind me so that I can continue serving my core group of patients. Thank you for your kindest consideration, Florencia R. Guzman, M.D.

Mr. McGovern noted that the core group of patients to which Dr. Riel-Guzman referred is, in fact, obstetrical patients.

Mr. Kenney asked if the Assistant Attorney General would like to respond. Mr. Wilcox stated that he would like to respond.

Mr. Wilcox stated that Dr. Riel-Guzman is the sole person responsible for her medical practice, including the hiring and oversight of her office staff. Mr. Wilcox stated that Dr. Riel-Guzman failed to know that

Mary Caudill-Hall, who was working in her office as a nurse, did not have a nursing license. Mr. Wilcox noted that it is very simple to go to the website of the Ohio Board of Nursing and verify a license. Since Ms. Caudill-Hall was not a licensed nurse, Dr. Riel-Guzman was not allowed to delegate the task of hair removal to her. Mr. Wilcox also stated that Ms. Caudill-Hall should not have used the i-Lipo laser machine, which is a light-based medical device and can only be used by a physician under the Board's rules.

Mr. Wilcox stated that Dr. Riel-Guzman was called into a meeting in September 2011 to discuss these procedures and the Board's rules with Dr. Talmage, who was the Medical Board's Secretary at that time, and members of the Medical Board staff. Dr. Riel-Guzman was given a copy of the Board's rules at that meeting. However, Dr. Riel-Guzman failed to learn from that experience. In 2013 a Board investigator found that unlicensed persons were performing these procedures in violation of the Board's rules.

Mr. Wilcox stated that the Hearing Examiner's Proposed Order would suspend Dr. Riel-Guzman's medical license for a minimum of 60 days. Mr. Wilcox agreed that a suspension is warranted and suggested that a suspension of greater than 60 days would be appropriate.

ANDREW JOHN BEISTEL, D.O.

Mr. Kenney stated that five minutes will be allowed for Dr. Beistel's address to the Board.

Dr. Beistel stated that he is before the Board today due to some deficiencies in his compliance with his Consent Agreement. Dr. Beistel stated that in 2014 he missed three drug and alcohol rehabilitation meetings and three daily call-ins for random drug screening. Dr. Beistel stated that he submitted to drug and alcohol screens following his missed call-ins. Dr. Beistel stated that he realizes how these incidents occurred and he has taken steps to minimize any future lapses.

Dr. Beistel stated that as a result of these deficiencies six months were added to his probationary period. Dr. Beistel noted that the Hearing Examiner's Proposed Order, if adopted by the Board, would add yet another six months. Dr. Beistel stated that his probationary term has been an obstacle to his ability to receive privileges in other hospitals. For this reason, Dr. Beistel asked the Board to consider leniency in adding any further time to his probationary period. Dr. Beistel stated that he will attend Alcoholics Anonymous meetings for the rest of his life and will probably be subject to random drug screens as well. Dr. Beistel realized that these problems are a consequence of his license revocation and the substance abuse issues he has had.

Mr. Kenney asked if the Assistant Attorney General would like to respond. Mr. Wakley stated that he did not wish to make a response.

RECESS

Dr. Schachat moved to recess the meeting for the purpose of deliberating on cases before the Board today, which is in the exercise of the Board's quasi-judicial function. Mr. Gonidakis seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion carried.

The Board went into recess with Mr. Groeber, Ms. Anderson, Mr. Fais, Ms. Debolt, Mr. Katko, Ms. Marshall, Mr. LaCross, Ms. Schwartz, and Mr. Taylor in attendance.

The Board returned to public session.

SYED JAWED AKHTAR-ZAIDI, M.D.

Mr. Kenney directed the Board's attention to the matter of Syed Jawed Akhtar-Zaidi, M.D. Objections were filed and were previously distributed to Board members. Ms. Clovis was the Hearing Examiner.

Dr. Sethi moved to approve and confirm Ms. Clovis' Findings of Fact, Conclusions of Law, and Proposed Order in the matter of Syed Jawed Akhtar-Zaidi, M.D. Dr. Soin seconded the motion.

Mr. Kenney stated that he will now entertain discussion in the above matter.

Dr. Sethi stated that on October 8, 2013, the Drug Enforcement Agency (DEA) issued an order immediately suspending Dr. Akhtar-Zaidi's DEA certificate based on 32 separate instances in which he prescribed controlled substances to undercover law enforcement officers posing as patients. According to the DEA's order, Dr. Akhtar-Zaidi wrote these prescriptions without legitimate purpose and outside the usual course of professional practice. Dr. Sethi stated that the Hearing Examiner's Proposed Order would suspend Dr. Akhtar-Zaidi's Ohio medical license indefinitely, impose a fine of \$5,000, and set forth conditions for reinstatement which require Dr. Akhtar-Zaidi to complete a course in prescribing controlled substances, provide evidence of having an unrestricted DEA certificate, and provide certification of compliance with any order issued by the Ohio Board of Pharmacy. Upon reinstatement, the Proposed Order would impose probationary terms for at least five years.

Dr. Soin stated that this is the first case to come before the Board involving a physician who has a terminal distributor's license with a pain management classification issued by the Ohio Board of Pharmacy. Dr. Soin asked the Board to consider whether it will treat similar cases in the manner proposed by the Hearing Examiner in the matter of Dr. Akhtar-Zaidi, or if Dr. Akhtar-Zaidi should be required to appear before the Board or undergo an evaluative process before having his medical license reinstated.

Mr. Gonidakis agreed with Dr. Soin's comments and further asked if the Board should consider permanently revoking Dr. Akhtar-Zaidi's license given the fact pattern of this case and the significant drug abuse problem in this state. Dr. Sethi noted that the DEA has suspended Dr. Akhtar-Zaidi's certificate to prescribe controlled substances. Mr. Giacalone observed that the immediate suspension of Dr. Akhtar-Zaidi's DEA certificate is not the DEA's final action in Dr. Akhtar-Zaidi's case, which is still pending.

Mr. Giacalone opined that if the facts presented in the DEA's case against Dr. Akhtar-Zaidi are shown to be true, then his Ohio medical license should be permanently revoked. However, it is not known when the DEA will make its final determination and Dr. Akhtar-Zaidi's DEA certificate may be reinstated. Mr. Giacalone commented that an immediate suspension of a DEA certificate is unusual and is only done when the DEA determines that the respondent is a danger to the public. Dr. Soin expressed concern that Dr. Akhtar-Zaidi would have his medical license reinstated simply by having his DEA certificate reinstated, showing compliance with the Ohio Board of Pharmacy's order, and taking a prescribing course. Dr. Schottenstein agreed and opined that due to the egregiousness of this case the Board should be able to reassess this situation prior to reinstating Dr. Akhtar-Zaidi's medical license.

Mr. Giacalone suggested that a non-permanent revocation of Dr. Akhtar-Zaidi's medical license would be appropriate. Mr. Giacalone stated that a non-permanent revocation would afford the Board an opportunity to reexamine the facts of this case should Dr. Akhtar-Zaidi reapply for his license in the future. Mr. Gonidakis stated that he could support a non-permanent revocation of Dr. Akhtar-Zaidi's license.

Mr. Giacalone moved to amend the Hearing Examiner's Proposed Order to revoke Dr. Akhtar-Zaidi's license to practice medicine and surgery in Ohio. Mr. Gonidakis seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion to amend carried.

Following a brief discussion, the Board determined that the fine in the Hearing Examiner's Proposed Order should be included in the final Order.

Dr. Sethi moved to amend the Order to include a fine, in addition to revocation of license, of \$5,000.00 to the State Medical Board of Ohio. This fine shall be paid no later than 30 days after the Board's mailing of the notification of approval of the Order. Mr. Gonidakis seconded the motion. A

vote was taken:

ROLL CALL:

Dr. Rothermel	- abstain
Dr. Saferin	- abstain
Mr. Giacalone	- aye
Mr. Gonidakis	- aye
Mr. Kenney	- aye
Dr. Sethi	- aye
Dr. Soin	- aye
Dr. Schachat	- aye
Dr. Schottenstein	- aye

The motion to amend carried.

Dr. Sethi moved to approve and confirm Ms. Clovis' Findings of Fact, Conclusions of Law, and Proposed Order, as amended, in the matter of Syed Jawed Akhtar-Zaidi, M.D. Dr. Soin seconded the motion. Dr. Soin seconded the motion. A vote was taken:

ROLL CALL:

Dr. Rothermel	- abstain
Dr. Saferin	- abstain
Mr. Giacalone	- aye
Mr. Gonidakis	- aye
Mr. Kenney	- aye
Dr. Sethi	- aye
Dr. Soin	- aye
Dr. Schachat	- aye
Dr. Schottenstein	- aye

The motion to approve carried.

ANDREW JOHN BEISTEL, D.O.

Mr. Kenney directed the Board's attention to the matter of Andrew John Beistel, D.O. No objections have been filed. Ms. Shamansky was the Hearing Examiner.

Mr. Giacalone moved to approve and confirm Ms. Shamansky's Findings of Fact, Conclusions of Law, and Proposed Order in the matter of Andrew John Beistel, D.O. Dr. Sethi seconded the motion.

Mr. Kenney stated that he will now entertain discussion in the above matter.

Mr. Giacalone briefly reviewed Dr. Beistel's career, noting that he is certified by the American Board of Family Medicine and is currently employed with a national firm that provides emergency department staffing to hospitals. Dr. Beistel also practices as a solo practitioner in Columbiana, Ohio. In 2006, Dr.

Beistel sought treatment for chemical dependency at Glenbeigh Hospital. At that time Dr. Beistel's drug of choice was alcohol, though he occasionally used marijuana. Later in 2006, Dr. Beistel relapsed on alcohol, marijuana, Percocet, Xanax, and valium. Mr. Giacalone noted that Dr. Beistel obtained some of these medications by writing prescriptions for co-workers, friends, or family members, who would return the medications to Dr. Beistel for his personal use. Dr. Beistel was arrested twice in 2006 for operating a vehicle while under the influence of alcohol or drugs. Dr. Beistel failed to disclose these events on the license renewal application he submitted to the Board in June 2007. Dr. Beistel entered into treatment for chemical dependency at the Cleveland Clinic in July 2008 and was discharged in August 2008. Dr. Beistel's medical license was revoked in June 2009.

Mr. Giacalone continued that as a result of a 2010 Consent Agreement, Dr. Beistel's medical license was reinstated. The Consent Agreement required Dr. Beistel to fulfill certain conditions for a minimum of five years, including providing documentation of attending at least three meetings of a 12-step program per week and complying with a monitoring program which used a random screening process and a daily call-in procedure. Mr. Giacalone noted that in April 2014 the Board issued a tolling letter to Dr. Beistel extending his probationary period an additional 150 days as a result of his failure to comply with the daily call-in procedure on two occasions, as well as a failure to document participation in a least three meetings on the weeks of July 14, 2013, July 21, 2013, and September 22, 2013. In his testimony, Dr. Beistel admitted that he had previously been warned about his compliance issues through meetings and interactions with the Board's staff.

Mr. Giacalone stated that despite this history, Dr. Beistel is now appearing before the Board due to additional instances of non-compliance with his Consent Agreement. Specifically, Dr. Beistel failed to follow the daily call-in procedure on September 4, 2014, October 13, 2014, and December 14, 2014, though there is evidence that Dr. Beistel voluntarily submitted to screenings on the subsequent days for two of the three missed call-ins. Dr. Beistel also failed to attend or to correctly document his attendance at three meetings during the weeks of May 18, 2014, June 22, 2014, and July 6, 2014.

Mr. Giacalone stated that Dr. Beistel has provided a number of reasons why he failed to comply with the requirements of his Consent Agreement. These reasons included not having the "best organizational skills," his busy work schedule at the hospital and in his office practice, strictly relying on his memory which sometimes fails, and issues he may have had with lingering guilt about the time when his alcoholism caused him to be absent from his wife and children which prompted him to neglect going to meetings so he could be with them.

Mr. Giacalone found Dr. Beistel's progress regarding his sobriety to be laudable, but he struggled with the fact that Dr. Beistel chose not to comply with his Consent Agreement even after being put on notice by the Board staff and having his probationary term extended by an additional 150 days. Mr. Giacalone stated that the Board's primary objective is to protect the public and ensure that practitioners with substance abuse problems who the Board allows to reenter practice adhere to the promises they made to the Board to regain their licenses. Mr. Giacalone stated that in the case of Dr. Beistel, those promises were repeatedly broken. Based on the evidence and testimony, Mr. Giacalone suggested that the Proposed Order be amended to include a ten-day suspension of Dr. Beistel's medical license, to stay five of those ten days of suspension, and to extend Dr. Beistel's probationary period by an additional 90 days.

Mr. Giacalone moved to amend the Hearing Examiner's Proposed Order to include a ten-day suspension of Dr. Beistel's license to practice osteopathic medicine and surgery in Ohio, to stay five of those ten days of suspension, and to extend Dr. Beistel's probationary period by an additional 90 days. Mr. Gonidakis seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion to amend carried.

Dr. Sethi moved to approve and confirm Ms. Shamansky's Findings of Fact, Conclusions of Law, and Proposed Order, as amended, in the matter of Andrew John Beistel, D.O. Mr. Gonidakis seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- nay
	Dr. Schachat	- nay
	Dr. Schottenstein	- nay

The motion to approve, having failed to gain six affirmative votes, did not carry.

Mr. Giacalone moved to approve and confirm Ms. Shamansky's Findings of Fact, Conclusions of Law, and Proposed Order in the matter of Andrew John Beistel, D.O. Mr. Gonidakis seconded the motion.

Mr. Kenney stated that he will now entertain discussion in the above matter.

Mr. Giacalone stated that his concern with the Proposed Order is that it simply extends Dr. Beistel's probationary period again. Mr. Giacalone noted that Dr. Beistel's probationary period had been extended previously and his issues with non-compliance had continued. Dr. Schottenstein suggested that a ten-day suspension of Dr. Beistel's medical license without staying a portion of the suspension would be

appropriate. Dr. Schachat agreed and stated that a straightforward ten-day suspension with no stay would be a stronger action and would be less complex. Dr. Soin agreed with these comments and stated that he completely agrees with the spirit of what Mr. Giacalone is trying to accomplish.

Dr. Schachat moved to amend the Proposed Order to add a definite ten-day suspension of Dr. Beistel's license to practice osteopathic medicine and surgery, and to leave all other aspects of the Proposed Order intact. Dr. Schottenstein seconded the motion.

Dr. Schottenstein opined that despite his long-standing abstinence, Dr. Beistel is at substantial risk for relapse. Dr. Schottenstein based this comment on the red flags that are present in this case, including repeated non-compliance with the terms of his Consent Agreement and rationalizing his non-compliance. Dr. Schottenstein stated that it is a short step from rationalizing non-compliance to rationalizing that it would be okay to drink alcohol. Dr. Schottenstein opined that it would make sense to continue Dr. Beistel's probationary terms.

Ms. Anderson asked if the Board wished to consider including a 30-day wind-down period prior to the suspension of Dr. Beistel's medicine license. Dr. Schachat opined that that would be appropriate.

Dr. Schachat wished to change his motion to amend so that the ten-day suspension of Dr. Beistel's license to practice osteopathic medicine and surgery will become effective on the thirty-first day following the effective date of the Order. No Board member objected to the change in the motion to amend. The change to the motion to amend was accepted.

A vote was taken on Dr. Schachat's motion to amend:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion to amend carried.

Dr. Sethi moved to approve and confirm Ms. Shamansky's Findings of Fact, Conclusions of Law, and Proposed Order, as amended, in the matter of Andrew John Beistel, D.O. Dr. Soin seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye

Mr. Gonidakis - aye
Mr. Kenney - aye
Dr. Sethi - aye
Dr. Soin - aye
Dr. Schachat - aye
Dr. Schottenstein - aye

The motion to approve carried.

STRANTON BROWNING, JR.

Mr. Kenney directed the Board's attention to the matter of Stranton Browning, Jr. No objections have been filed. Ms. Blue was the Hearing Examiner.

Dr. Soin moved to approve and confirm Ms. Blue's Findings of Fact, Conclusions of Law, and Proposed Order in the matter of Stranton Browning, Jr. Dr. Sethi seconded the motion.

Mr. Kenney stated that he will now entertain discussion in the above matter.

Mr. Gonidakis stated that Mr. Browning is about 38 years old and is a husband and a father to four children. Mr. Browning is currently employed part-time working the front desk at a spa and also has a job at a Pizza Hut. Mr. Browning graduated from the Dayton School of Medical Massage in 2014. This matter has come before the Board because in July 1999 Mr. Browning pled No Contest to and was found guilty of Corruption of a Minor, a fourth-degree felony. Mr. Browning was sentenced to one year in prison, was designated a sexually-oriented offender, and was required to meet specific registration duties for ten years, including annual address verification.

Mr. Gonidakis continued that in October 2007, Mr. Browning pled guilty to the offense of Failure to Verify, a fourth-degree felony, due to his failure to register with the sheriff or local law enforcement about his whereabouts and/or employment. Mr. Browning was sentenced to five years of community control and 40 hours of community service. Mr. Gonidakis noted that the Court terminated Mr. Browning's community control after only one year.

Mr. Gonidakis stated that Mr. Browning was honest and forthright on his massage therapy license application and he fully disclosed his history. At his hearing, Mr. Browning testified that in his opinion sexual intercourse was not involved on the night in question. Mr. Gonidakis stated that Mr. Browning is no longer designated as a sexual offender. Mr. Gonidakis noted that the Dayton School of Medical Massage informed Mr. Browning at the time of his enrollment that there was no guarantee that he would be granted a massage therapy license following graduation.

Mr. Gonidakis stated that Mr. Browning gives the appearance of someone who has moved forward with his life and he is focused on taking care of his children. Should he receive his massage therapy license, Mr. Browning testified that already has a full-time job waiting for him in the spa where he currently works and, as a safeguard, he will see no client under the age of 18. Mr. Gonidakis stated that this begs the question

of why such a safeguard would be necessary.

Mr. Gonidakis stated that this is a nation of second chances. However, Mr. Gonidakis stated that this matter involves a very serious issue. Mr. Gonidakis reiterated that the underlying fact of Mr. Browning's plea of No Contest was his sexual conduct with a 13-year-old female when he was 22 years old. Mr. Gonidakis stated that while it is good to see people pay their debt to society and move on with their lives, a license to practice massage therapy is a privilege and not a right. Based on the facts of this case, Mr. Gonidakis agreed with the Hearing Examiner's Proposed Order of permanent denial of Mr. Browning's application.

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion to approve carried.

JOHN E. RATLIFF, D.O.

Mr. Kenney directed the Board's attention to the matter of John E. Ratliff, D.O. No objections have been filed. Ms. Clovis was the Hearing Examiner.

Dr. Sethi moved to approve and confirm Ms. Clovis' Findings of Fact, Conclusions of Law, and Proposed Order in the matter of John E. Ratliff, D.O. Dr. Soin seconded the motion.

Mr. Kenney stated that he will now entertain discussion in the above matter.

Dr. Soin stated that the matter of Dr. Ratliff revolves around pain management and prescribing. Dr. Ratliff is alleged to have failed to maintain minimal standards of care in the treatment he provided to Patients 1 through 11 from 2000 to 2012. Dr. Soin noted that Dr. Ratliff practices in an underserved area and provides significant services to his community. Dr. Ratliff has admitted that from 2000 to 2012 he had not been aware of Rules 4731-11-02 and 4731-21-02. Dr. Ratliff has further admitted that in the regular course of practice with these 11 patients and potentially others, he forgot to detail the side-effects and potential for addiction of the narcotics he was prescribing and he did not document conversations with patients on those topics. Dr. Ratliff testified that he had been reluctant to require urine drug screens because his patients were unlikely to be able to afford them.

Dr. Soin stated that he wished to highlight the care of some of the 11 patients discussed in the Report and Recommendation. Dr. Soin commented that several of Dr. Ratliff's patients were prescribed multiple

short-acting opioids, which is not standard practice or consistent with the standard of medical practice in pain management. Dr. Soin further commented that several of Dr. Ratliff's patients did not have diagnostic tests, only some subjective findings and palpations of the spine to form the basis of Dr. Ratliff's diagnoses.

Dr. Soin stated that Patient 4, who had been diagnosed with mental retardation, had been prescribed Vicodin, Tylenol #3, and Tramadol. Dr. Ratliff did not document any discussion with the patient about the potential for abuse or addiction or the patient's substance abuse history.

Dr. Soin continued that Patient 6, a 16-year-old male, was diagnosed by Dr. Ratliff with lumbosacral strain/sprain and back pain. Dr. Ratliff prescribed Vicodin, Lortab, and Ativan for Patient 6.

Dr. Soin continued that Patient 7 was prescribed Tramadol, Vicodin, and Percocet. Patient 7 was subsequently discharged from Dr. Ratliff's practice after members of his office staff overheard Patient 7 having a conversation about selling his prescription medications. Dr. Soin stated that there was also a report that Patient 7 had been treated for episodic non-dependent cocaine use.

Dr. Soin continued that Patient 8, a 28-year-old male, was prescribed Vicodin, Roxicet, and Percocet for chronic back pain and chronic knee pain. It was documented in the patient record that Patient 8 occasionally used marijuana. Dr. Ratliff had stated that during his treatment of Patient 8 he may not have given much consideration to his marijuana abuse.

Dr. Soin continued that Patient 10 was a 39-year-old female who had initially treated with Dr. Ratliff's colleague, Dr. Cristales. Dr. Cristales had ordered a report from the Ohio Automated Rx Reporting System (OARRS) and noted that Patient 10 had recently received pain medications from three other physicians. Consequently, Dr. Cristales did not prescribe any pain medications to Patient 10. Dr. Ratliff has admitted that he failed to document any discussion with Patient 10 regarding the OARRS report before prescribing additional narcotics.

Dr. Soin stated that he agrees with the Hearing Examiner's Findings of Fact and Conclusions of Law. Dr. Soin stated that the Board has been rather aggressive in removing physicians from practice in order to protect the public. In this case, Dr. Soin looked at this scenario and saw a physician who is serving an underserved community and that it would be difficult to find another physician to treat these patients. Dr. Soin stated that one of the problems currently in the field of pain management is that some physicians may not keep up with the changing rules, regulations, and laws. Dr. Soin stated that when these physicians' licenses are revoked or suspended it generally has a chilling effect on how pain patients are managed.

Dr. Soin stated that he supports the Proposed Order of a suspension of Dr. Ratliff's license of at least 90 days with conditions for reinstatement. However, Dr. Soin stated that he would appreciate hearing from other Board members who may favor a more aggressive order given that this was an egregious case. Dr. Soin noted that Dr. Ratliff will no longer prescribe narcotics or other controlled substances and will not be treating pain patients in the future.

Mr. Giacalone observed that Dr. Ratliff has stated that he will no longer prescribe narcotics or controlled

substances, but that limitation is voluntary and is not included in the Proposed Order. Mr. Giacalone suggested amending the Proposed Order to include such a limitation. Otherwise, Mr. Giacalone stated that he struggles with the Proposed Order because Dr. Ratliff has shown that he cannot prescribe appropriately, especially when he is informed that the patient is abusing drugs. Mr. Giacalone agreed that it is good to practice medicine in an underserved area, but expressed concern about the implication that if Dr. Ratliff had been practicing in an affluent area then he would be facing harsher sanctions. Dr. Soin stated that Mr. Giacalone has made a good point.

Dr. Schottenstein agreed with Mr. Giacalone and stated that physicians should be held to a high standard no matter where they practice. Dr. Schottenstein also stated that Dr. Ratliff's lapses were not only failing to keep up with the latest prescribing rules, but also failing in very basic areas of medicine such as performing physical examinations and discussing risks, benefits and alternatives with patients. Dr. Soin agreed.

Mr. Giacalone moved to amend the Proposed Order to add a permanent limitation/restriction prohibiting Dr. Ratliff from prescribing, dispensing, or administering narcotic analgesics and benzodiazepines. Dr. Schachat seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion to amend carried.

Mr. Gonidakis moved to approve and confirm Ms. Clovis' Findings of Fact, Conclusions of Law, and Proposed Order, as amended, in the matter of John E. Ratliff, D.O. Dr. Sethi seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion to approve carried.

SERGEI SHUSHUNOV, M.D.

Mr. Kenney directed the Board's attention to the matter of Sergei Shushunov, M.D. Objections to Ms. Shamansky's Report and Recommendation have been filed and were previously distributed to Board members. Mr. Kenney stated that this matter was tabled at the Board's June 10, 2015 meeting

Dr. Schachat moved to move the matter of Sergei Shushunov, M.D., from the table. Dr. Sethi seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion to remove from the table carried.

Dr. Sethi moved to approve and confirm Ms. Shamansky's Findings of Fact, Conclusions of Law, and Proposed Order in the matter of Sergei Shushunov, M.D. Dr. Soin seconded the motion.

Mr. Kenney stated that he will now entertain discussion in the above matter.

Dr. Sethi noted that this case had been previously discussed at the Board's June 10, 2015 meeting. In summary, Dr. Sethi stated that in September 2012 Dr. Shushunov pled guilty to and was convicted of one count of attempted armed robbery, a Class 1 felony, and one count of aggravated battery, a Class 3 felony. Dr. Shushunov was sentenced to six months in jail followed by three years of probation. In December 2013 the Kansas State Board of Healing Arts concluded that revocation of Dr. Shushunov's license to practice medicine in that state was warranted given the circumstances surrounding his guilty plea. Dr. Sethi stated that Dr. Shushunov had had sufficient time to consider his criminal acts and they were therefore premeditated.

Dr. Sethi recounted that Dr. Shushunov had enrolled his wife on Match.com to find a boyfriend while he continued to have relationships with other people. On an occasion when Dr. Shushunov returned home and overheard his wife speaking on the telephone with her boyfriend, he took his gun, drove to the man's house, and entered the man's bedroom. Dr. Sethi stated that Dr. Shushunov had no right to enter the man's house and assault and terrorize him, particularly in his bedroom which should be considered a sanctuary.

Dr. Sethi noted that the Kansas Board's final order revoking Dr. Shushunov's Kansas medical license

stated that conduct such as Dr. Shushunov's erodes public trust in the healthcare profession and is antithetical to the most basic promise a physician makes to do no harm. Dr. Sethi agreed with the Hearing Examiner's recommendation to permanently revoke Dr. Shushunov's license to practice medicine and surgery in Ohio.

Mr. Giacalone stated that the pertinent aspect of this case for him is whether Dr. Shushunov's actions were premeditated or a crime of passion; if it is the former, Mr. Giacalone would favor permanent revocation, but if it is the latter he would favor non-permanent revocation. Mr. Giacalone stated that he struggles with this question. Dr. Schottenstein observed that what seemed to instigate Dr. Shushunov's actions was overhearing his wife on the telephone. Dr. Schottenstein stated that this seems to have inflamed Dr. Shushunov's emotions, as opposed to Dr. Shushunov having planned his actions in advance. Dr. Schottenstein stated that one could envision this as a crime of passion even though there was sufficient time for Dr. Shushunov to cool down.

Mr. Giacalone stated that he was disturbed by the facts that led to this incident, namely that Dr. Shushunov set up his wife's profile on Match.com knowing that she will have an affair. Mr. Giacalone stated that Dr. Shushunov should not have been surprised that his wife had a boyfriend, while a normal crime a passion involves being confronted with a total surprise. Dr. Schottenstein opined that it is conceivable that Dr. Shushunov had been trying to manage and save his relationship with his wife, but when Dr. Shushunov directly encountered the situation he had enabled he found it highly unacceptable. Dr. Shushunov's actions could therefore still be considered a crime of passion. Dr. Schottenstein also stated that he is being careful not to impose his own value system on Dr. Shushunov's behaviors.

Dr. Schachat stated that when the Board first reviewed this matter last month he had voted against a permanent revocation. Upon reflection, however, Dr. Schachat opined that physicians are not supposed to assault people and threaten them with guns. Dr. Schachat stated that he is comfortable with a permanent revocation of Dr. Shushunov's Ohio medical license.

A vote was taken on Dr. Sethi's motion to approve:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- nay
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion to approve carried.

PROPOSED FINDINGS AND PROPOSED ORDERS

Mr. Kenney stated that in the following matter, the Board issued a Notice of Opportunity for Hearing. No timely request for hearing was received. The matter was reviewed by a Hearing Examiner, who prepared Proposed Findings and Proposed Orders, and is now before the Board for final disposition. This item is disciplinary in nature, and therefore the Secretary and Supervising Member cannot vote. In this matter, Dr. Rothermel served as Secretary and Dr. Saferin served as Supervising Member.

AMANDA ELIZABETH ALLEN, M.T.

Dr. Soin moved to find that the allegations as set forth in the October 8, 2014 Notice of Opportunity for Hearing in the matter of Ms. Allen have been proven to be true by a preponderance of the evidence and to adopt Ms. Blue's Proposed Findings and Proposed Order. Mr. Giacalone seconded the motion.

Mr. Kenney stated that he will now entertain discussion in the above matter.

Mr. Kenney stated that on September 23, 2013, the Board ordered Ms. Allen to submit to an examination at Glenbeigh Hospital. Following the examination on December 5, 2013, Glenbeigh Hospital determined that Ms. Allen was impaired and incapable of practicing massage therapy at the acceptable and prevailing standards of care. Following this determination, Ms. Allen knowingly and voluntarily entered into a Step I Consent Agreement with the Board in February 2014, which imposed certain terms, conditions, and limitations on Ms. Allen's license.

Mr. Kenney continued that on October 8, 2014, the Board issued a Notice of Opportunity for Hearing to Ms. Allen due to allegations that she had failed to fulfill certain stipulations of her Consent Agreement. Specifically, the Board alleged that Ms. Allen failed to submit quarterly declarations, failed to make personal appearances, failed to enter into a contract with a Board-approved testing facility, and failed to provide documentary evidence that she had participated in drug and alcohol rehab program and an aftercare program.

Mr. Kenney stated that it is clear that Ms. Allen has violated the terms and conditions of her Consent Agreement, as attested by an affidavit from Danielle Bickers, the Board's Compliance Supervisor. Mr. Kenney stated that the Board has spent a great deal of time and effort on Ms. Allen and she is either unwilling or unable to respond to the Board. Mr. Kenney noted that the Hearing Examiner has proposed a revocation of Ms. Allen's license to practice massage therapy. Due to the preceding facts, Mr. Kenney opined that a permanent revocation is warranted in this matter.

Mr. Gonidakis moved to amend the Proposed Finding and Proposed Order in the matter of Ms. Allen to a permanent revocation. Dr. Soin seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye

July 8, 2015

Mr. Gonidakis	- aye
Mr. Kenney	- aye
Dr. Sethi	- aye
Dr. Soin	- aye
Dr. Schachat	- aye
Dr. Schottenstein	- aye

The motion to approve carried.

Mr. Gonidakis moved to find that the allegations as set forth in the October 8, 2014 Notice of Opportunity for Hearing in the matter of Ms. Allen have been proven to be true by a preponderance of the evidence and to adopt Ms. Blue's Proposed Findings and Proposed Order, as amended. Dr. Soin seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion to approve carried.

FINDINGS, ORDERS, AND JOURNAL ENTRIES

Mr. Kenney stated that in the following matters the Board issued Notices of Opportunity for Hearing, and documentation of Service was received for each. There were no requests for hearing filed, and more than 30 days have elapsed since the mailing of the notices. The matters are therefore before the Board for final disposition. These matters are non-disciplinary, and therefore all Board members may vote.

HILARY ESTELLA GODFREY, M.T.

Mr. Kenney stated that Ms. Godfrey has applied for restoration of her license to practice massage therapy in Ohio. The Board notified Ms. Godfrey that it proposed to approve her application, provided that she take and pass the Massage and Bodywork Licensing Examination (MBLEX) due to the fact that Ms. Durbin has not engaged in the active practice of massage therapy for more than two years.

Mr. Gonidakis moved to find that the allegations set forth in the May 21, 2015 Notice of Opportunity for Hearing have been proven to be true by a preponderance of the evidence, and that the Board enter an Order, effective immediately upon mailing, granting Ms. Godfrey's application for restoration, provided that she takes and passes the Massage and Bodywork Licensing Examination

within six months of May 21, 2015. Mr. Giacalone seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- aye
	Dr. Saferin	- aye
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion to approve carried.

LAURA RACHEL MCGUINNESS MAY, M.T.

Mr. Kenney stated that Ms. May has applied for restoration of her license to practice massage therapy in Ohio. The Board notified Ms. May that it proposed to approve her application, provided that she take and pass the Massage and Bodywork Licensing Examination (MBLEX) due to the fact that Ms. Durbin has not engaged in the active practice of massage therapy for more than two years.

Dr. Saferin moved to find that the allegations set forth in the May 21, 2015 Notice of Opportunity for Hearing have been proven to be true by a preponderance of the evidence, and that the Board enter an Order, effective immediately upon mailing, granting Ms. May's application for restoration, provided that she takes and passes the Massage and Bodywork Licensing Examination within six months of May 21, 2015. Dr. Soin seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- aye
	Dr. Saferin	- aye
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion to approve carried.

EXECUTIVE SESSION

Dr. Saferin moved to go into Executive Session to confer with the Medical Board's attorneys on matters of pending or imminent court action; to consider the compensation of a public employee; and for the purpose of deliberating on proposed consent agreements in the exercise of the Medical

Board's quasi-judicial capacity. Dr. Soin seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- aye
	Dr. Saferin	- aye
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion to approve carried.

Pursuant to Section 121.22(G)(3), Ohio Revised Code, the Board went into executive session with Mr. Groeber, Ms. Anderson, Mr. Fais, Mr. Miller, Ms. Loe, Ms. Debolt, Mr. Schmidt, Ms. Marshall, the Enforcement Attorneys, the Assistant Attorneys General, Ms. Schwartz, and Mr. Taylor in attendance.

The Board returned to public session.

The Board took a recess at 12:30 p.m. and returned at 1:35 p.m.

RATIFICATION OF SETTLEMENT AGREEMENTS

JAMES J. ANTHONY, M.D. – VOLUNTARY PERMANENT RETIREMENT

Dr. Soin moved to ratify the Proposed Voluntary Permanent Retirement with Dr. Anthony. Dr. Sethi seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion to ratify carried.

DAVID MARK COLLEY, II – STEP I CONSENT AGREEMENT

Dr. Soin moved to ratify the Proposed Step I Consent Agreement with David Mark Colley, II. Dr.

Sethi seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion to ratify carried.

GREGORY ALLEN INGRAM, M.D. – CONSENT AGREEMENT

Dr. Soin moved to ratify the Proposed Consent Agreement with Dr. Ingram. Dr. Sethi seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- abstain

The motion to ratify carried.

MARY ELIZABETH MUDD, M.D. – CONSENT AGREEMENT

Dr. Soin moved to ratify the Proposed Consent Agreement with Dr. Mudd. Dr. Sethi seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye

July 8, 2015

Dr. Schottenstein - aye

The motion to ratify carried.

CANDICE J. DOSS, M.T. – STEP I CONSENT AGREEMENT

Dr. Soin moved to ratify the Proposed Step I Consent Agreement with Ms. Doss. Dr. Sethi seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion to ratify carried.

MANEESH LAL MEHRA, M.D. – STEP II CONSENT AGREEMENT

Dr. Soin moved to ratify the Proposed Step II Consent Agreement with Dr. Mehra. Dr. Sethi seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion to ratify carried.

KIMBERLY MARIE PEACOCK, D.O. – PROBATIONARY CONSENT AGREEMENT

Dr. Soin moved to ratify the Proposed Probationary Consent Agreement with Dr. Peacock. Dr. Sethi seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
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Dr. Saferin	- abstain
Mr. Giacalone	- aye
Mr. Gonidakis	- aye
Mr. Kenney	- aye
Dr. Sethi	- aye
Dr. Soin	- aye
Dr. Schachat	- aye
Dr. Schottenstein	- aye

The motion to ratify carried.

PAUL P. CHU, M.D. – SUPERSEDING CONSENT AGREEMENT

Dr. Soin moved to ratify the Proposed Superseding Consent Agreement with Dr. Chu. Dr. Sethi seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion to ratify carried.

CITATIONS AND ORDERS OF SUMMARY SUSPENSION, IMMEDIATE SUSPENSION, AND AUTOMATIC SUSPENSION

Mr. Gonidakis moved to send the Notices of Opportunity for Hearing to the following: Alex Tharinda Alahakoon, M.D.; Joseph Franklin Daugherty, III, M.D.; James Carey English, M.D.; Molly Marie Johnson; Amanda Lynn Padgitt, L.P.N.; Aasim Shaheen Sehbai, M.D.; Paul Sresthadatta, D.O.; and Thomas Edward Taylor. Dr. Soin seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye

Dr. Schottenstein - aye

The motion to send carried.

APPOINTMENT TO COMMITTEE ON PRESCRIPTIVE GOVERNANCE

Dr. Saferin moved to appoint Dennis Helmuth, M.D., Ph.D., to serve on the Committee on Prescriptive Governance to complete the term that began on June 20, 2015 and that will end on June 19, 2018. Dr. Soin seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- aye
	Dr. Saferin	- aye
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion carried.

RULES & POLICES

PROPOSED RULE 4731-31-01

Dr. Saferin moved to ratify the approval granted by the Medical Board President to file proposed Rule 4731-31-01 with the Joint committee on Agency Rule Review, as was recommended by the Common Sense Initiatives Office. Dr. Soin seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- aye
	Dr. Saferin	- aye
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion carried.

OPERATIONS REPORT

Human Resources: Mr. Groeber stated that a tentative offer has been made to a candidate for the Attorney 4 position, pending a background check. The posting for the Chief of Investigations position will come down today and interviews with candidates will be scheduled soon. The second round of interviews for the South Area Investigator Supervisor has been completed and a final decision will be made soon.

Mr. Groeber stated that the Board's new Project Manager, Stuart Nealis, began work two weeks ago. Also, retirement is pending for Kathleen Peterson, attorney in the Board's Standards Review and Intervention section.

Budget: Mr. Groeber stated that the Board's case balance has increased from last month by about \$100,000 and now stands at approximately \$4,800,000. Mr. Groeber thanked Ms. Loe for the good work she has done on the Board's budgeting process.

Information Technology: Mr. Groeber stated that the e-License 2.0 project continues with the vendor, Deloitte. Mr. Groeber speculated that the e-License 2.0 system will be processing massage therapy license applications by the first full week of August. Mr. Groeber commented that the system is very user-friendly and is what one would expect in a licensure system in this day and age. The e-Licensure 2.0 system is also expected to improve the efficiency of processing the applications.

Mr. Groeber stated that revisions to the Board's telephone system should be complete this week. The revised system will put the caller into a hold pattern if the receptionist is unable to answer. The caller will hear a message explaining that calls will be answered in the order they are received and that the Board's website may have the information the caller is seeking. If there are four callers on hold, new callers will be asked to leave a message that the Board will return promptly. Mr. Groeber stated that this will reduce the time callers spend listening to options by 1.75 minutes. Dr. Schachat opined that if the cost is not unreasonable, then the system should give callers on hold an estimated wait time. Mr. Groeber stated that he will see if that is an available feature.

Communications and Outreach: Mr. Groeber stated that the Board members and staff have had a number of meetings regarding controlled substances. Mr. Groeber stated that the Board continues to work with other agencies and organizations on that subject.

Agency Operations: Mr. Groeber stated that overall complaints have dropped for the fifth consecutive month thanks to the work of the staff. The number of open complaints now stands at 2,268, a decrease of more than 1,000 from seven months ago.

Mr. Groeber stated that seven expedited licenses were issued last month in an average of 22 days, well below the original target of 28 days. Mr. Groeber stated that licensure statistics continue to show a significant improvement in year-to-year comparisons.

Mr. Groeber stated that Mr. Nealis will work with the Hearing Unit with the goal of speeding up the overall hearing process.

Mr. Groeber suggested that the Board consider scheduling another retreat in November or December 2015. Mr. Groeber stated that significant issues the Board could discuss at such a retreat include administrative fining and new rules.

Dr. Saferin stated that under current processes an applicant cannot be licensed except by vote of the full Board at its regular monthly meetings, which could delay licensure for an applicant by up to 30 days. Dr. Saferin stated that if voting to approve licensure could be performed by email, then applicants could be licensed immediately. Mr. Groeber stated that current law requires a vote by the Board in a public meeting in order to license an applicant. Ms. Anderson noted that the law allows for expedited licensure applicants to be approved by the Secretary and Supervising Member.

Mr. Groeber suggested that the Board pursue a change in statute to allow licensure applicants to be approved by the Secretary and Supervising Member outside of a public meeting. Mr. LaCross stated that he and Mr. Miller can work on draft legislation to accomplish this goal. Mr. Kenney opined that this would be an important initiative and should be a short-term goal for the Board. Mr. Groeber stated that he will provide an update at the Board's Policy Committee meeting in August.

REPORTS BY ASSIGNED COMMITTEES

FINANCE COMMITTEE

Mr. Loe stated that in May the Board had \$716,000 in revenue and \$640,000 in expenses. For the Fiscal Year 2015 the Board's cash balance increased from about \$4,200,000 to about \$4,800,000. The Board started the current Fiscal Year on July 1 with an appropriation of \$9,467,000, an increase of about \$300,000 from the previous year. Ms. Loe stated that since the Board underspent its budget from last year, it will be able to afford the mandated 2.5% increase in salaries as well as other initiatives.

Mr. Gonidakis asked if the 2.5% salary increase was included in the recently-passed budget. Ms. Loe replied that per instructions from the Office of Budget and Management (OBM), the budget proposal did not include the 2.5% increase. However, the Board received funding for four additional positions which will not be filled and those funds can go towards the increase. Ms. Loe stated that should there be unanticipated problems covering the salary increase there will be an opportunity to discuss that with the OBM.

TRAVEL AUTHORIZATION

Dr. Saferin moved to approve travel expenses in accordance with state travel policy for A.J. Groeber, Executive Director, to attend the Tri-Regulator Symposium on October 6 and 7, 2015 in Arlington, Virginia. Dr. Saferin further moved that Mr. Groeber serve as the Board's Voting Delegate and attend the 2015 Federation of State Massage Therapy Board's annual meeting on October 8 to 10, 2015 in Albuquerque, New Mexico. Dr. Saferin further moved to find that Mr. Groeber's attendance at both conferences is in connection with his duties as, and is related to his position as, Executive Director, for the State Medical Board of Ohio. Dr. Sethi seconded the motion.

A vote was taken:

ROLL CALL:

Dr. Rothermel	- aye
Dr. Saferin	- aye
Mr. Giacalone	- aye
Mr. Gonidakis	- aye
Mr. Kenney	- aye
Dr. Sethi	- aye
Dr. Soin	- aye
Dr. Schachat	- aye
Dr. Schottenstein	- aye

The motion carried.

Mr. Kenney stated that as President of the Board he always has a concern about the Executive Director and other staff being away from the office too much due to travel. Mr. Kenney stated Mr. Groeber has not been absent from the Board too often, but he felt that the Board should carefully consider travel requests.

EXECUTIVE DIRECTOR COMPENSATION

Dr. Saferin moved to approve a 2.5% increase in compensation to the Executive Director, to be effective in the pay period which includes July 1, 2015, subject to approval of the Governor's office. Mr. Giacalone seconded the motion. A vote was taken:

ROLL CALL:

Dr. Rothermel	- aye
Dr. Saferin	- aye
Mr. Giacalone	- aye
Mr. Gonidakis	- aye
Mr. Kenney	- aye
Dr. Sethi	- aye
Dr. Soin	- aye
Dr. Schachat	- aye
Dr. Schottenstein	- aye

The motion carried.

Mr. Kenney stated that some have questioned whether the Board members should also receive an increase in pay rates. Mr. Kenney stated that he is not interested in any such increase, but he asked if any other Board member wished to discuss this matter. No Board member wished to discuss this topic.

PUBLICATION

Mr. Kenney stated that work continues on the proposed publication that, if the Board approves, will be produced and distributed to interested parties. Mr. Kenney opined that such a publication will be a good

marketing tool and will be very professional.

FINING AUTHORITY

Mr. Kenney stated that the Board's fining authority has been approved by the Legislature and will become effective on October 1. Mr. LaCross stated that the Board will need to develop disciplinary guidelines for the use of the fining authority. Mr. Kenney indicated that members of the Finance Committee will provide input regarding the details of the fining guidelines, which will then be discussed by the full Board. Dr. Sethi suggested that the Board examine the fining practices of other state medical boards which already have such authority. Mr. Kenney agreed and stated that the examination of fining by other state medical boards has been undertaken. Dr. Sethi further suggested that the time and effort put into an investigation should be considered when determining fines.

Dr. Saferin thanked Mr. LaCross for his work in getting the Board's fining authority passed in the legislature. Mr. Kenney echoed Dr. Saferin's comments and opined that the Board should also thank the legislators who supported the initiative.

POLICY COMMITTEE

ONE-BITE REPORTING EXEMPTION

Mr. Gonidakis stated that the Policy Committee had a robust discussion of the one-bite reporting exemption. Mr. Gonidakis stated that a draft of the one-bite legislation may be available next week. Mr. Gonidakis hoped to have the legislation passed before the end of 2015.

INTERSTATE LICENSURE COMPACT

Ms. Anderson stated that the Policy Committee reviewed a draft of an open letter to the Board's licensees outlining the Board's position on a proposed interstate licensure compact. The Policy Committee approved a revised letter which listed the loss of self-determination as the first basis for the Board's opposition and financial issues as the second basis.

Dr. Saferin suggested that the letter, if approved by the Board, should bear the Board President's signature with the other Board members listed by name. The Board agreed.

Dr. Saferin moved to send the open letter regarding the interstate licensure compact as discussed. Mr. Gonidakis seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- aye
	Dr. Saferin	- aye
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye

Dr. Soin - aye
 Dr. Schachat - aye
 Dr. Schottenstein - aye

The motion carried.

BOARD OF PHARMACY NALOXONE PROTOCOL

Ms. Anderson stated that the Board of Pharmacy is required to consult with the State Medical Board and the Department of Health on setting protocols for pharmacies and pharmacy interns to be able to dispense naloxone without a prescription.

Dr. Saferin moved to approve the Board of Pharmacy's rule regarding naloxone protocols. Mr. Giacalone seconded the motion. A vote was taken:

ROLL CALL:

Dr. Rothermel	- aye
Dr. Saferin	- aye
Mr. Giacalone	- aye
Mr. Gonidakis	- aye
Mr. Kenney	- aye
Dr. Sethi	- aye
Dr. Soin	- aye
Dr. Schachat	- aye
Dr. Schottenstein	- aye

The motion carried.

LICENSURE COMMITTEE

LICENSURE APPLICATION REVIEWS

KAREN SUE COOKSEY, M.T.

Dr. Saferin moved to approve Ms. Cooksey's request for restoration of her license to practice massage therapy in Ohio, pending successful completion of the Massage and Bodywork Licensing Examination (MBLEX). Dr. Rothermel seconded the motion. A vote was taken:

ROLL CALL:

Dr. Rothermel	- aye
Dr. Saferin	- aye
Mr. Giacalone	- aye
Mr. Gonidakis	- aye
Mr. Kenney	- aye
Dr. Sethi	- aye
Dr. Soin	- aye

July 8, 2015

Dr. Schachat - aye
Dr. Schottenstein - aye

The motion carried

KEVIN ROBERT LYNCH, M.T.

Dr. Saferin moved to approve Mr. Lynch's request for restoration of his license to practice massage therapy in Ohio, pending successful completion of the Massage and Bodywork Licensing Examination (MBLEX). Dr. Rothermel seconded the motion. A vote was taken:

ROLL CALL:

Dr. Rothermel	- aye
Dr. Saferin	- aye
Mr. Giacalone	- aye
Mr. Gonidakis	- aye
Mr. Kenney	- aye
Dr. Sethi	- aye
Dr. Soin	- aye
Dr. Schachat	- aye
Dr. Schottenstein	- aye

The motion carried.

COMPLIANCE COMMITTEE

Mr. Giacalone stated that on June 10, 2015, the Compliance Committee met with Thomas M. Bender, A.A.; Aimee L. Hawley, M.D.; Richard M. Kincaid, M.D.; Alddo A. Molinar, M.D.; and Chad W. Ulmer, M.D., and moved to continue them under the terms of their respective Board actions. The Compliance Committee accepted Compliance staff's report of conferences on May 11th and 12th, 2015.

TREATMENT PROVIDER APPLICATIONS

Mr. Giacalone stated that the Compliance Committee recommended that the applications for Certificate of Good Standing from Oakview Behavioral Health and Santé Center for Healing be approved in accordance with Section 4731.25, Ohio Revised Code, and Chapter 4731-16, Ohio Administrative Code.

Mr. Giacalone moved to approve the Renewal Application for Certificate of Good Standing as a Treatment Provider for Impaired Practitioners from Oakview Behavioral Health. Dr. Saferin seconded the motion. A vote was taken:

ROLL CALL:

Dr. Rothermel	- aye
Dr. Saferin	- aye
Mr. Giacalone	- aye
Mr. Gonidakis	- aye

Mr. Kenney	- aye
Dr. Sethi	- aye
Dr. Soin	- aye
Dr. Schachat	- aye
Dr. Schottenstein	- aye

The motion carried.

Mr. Giacalone moved to approve the Application for Certificate of Good Standing as a Treatment Provider for Impaired Practitioners from Santé Center for Healing. Dr. Saferin seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- aye
	Dr. Saferin	- aye
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion carried.

PROBATIONARY REQUESTS

Mr. Kenney advised that at this time he would like the Board to consider the probationary requests on today's consent agenda. Mr. Kenney asked if any Board member wished to discuss a probationary request separately. No Board member wished to discuss a probationary request separately.

Dr. Sethi moved to accept the Compliance staff's Reports of Conferences and the Secretary and Supervising Member's recommendations as follows:

- **To grant Valentino J. Bianco, III, D.O.'s request for approval for the drug testing and alcohol and drug rehabilitation meeting attendance monitoring be conducted by the Pennsylvania State Board of Osteopathic Medicine;**
- **To grant Franklin D. Demint, D.O.'s request for approval of *Intensive Course in Medical Documentation: Clinical, Legal and Economic Implications for Healthcare Providers*, offered by Case Western Reserve University; and approval of *The PBI Medical Record Keeping Course*, offered by the University of California Irvine School of Medicine; and to deny approval of *Appropriate Prescribing of Controlled Substances for Physician Assistants*, offered by the Medical University of South Carolina;**

- To grant Bradley E. Dickson, M.D.'s, request for reduction in appearances to every six months;
- To grant David Jay Fishman, M.D.'s request for approval of *Intensive Course in Medical Ethics, Boundaries and Professionalism*, offered by Case Western Reserve University, required prior to reinstatement;
- To grant Deborah Lynne Frankowski, M.D.'s request for reduction in drug and alcohol meeting attendance requirements to two meetings per week with a minimum of ten meetings per month; and reduction in appearances to every six months;
- To grant Wesley F. Hard, M.D.'s request for reduction in appearances to every six months;
- To grant Matthew R. Harris, D.O.'s request for reduction in appearances to every six months;
- To grant Aimee Lynn Hawley, M.D.'s request for approval of *Professionalism in Everyday Practice: The Physician Charter*, offered by the Radiological Society of North America; and approval of *Ethics 11: Ethical Guidelines*, offered by Peachtree Professional Education, Inc., required within the first year of probation;
- To grant David Miller Heydt, M.D.'s request for approval of the Maryland Professional Rehabilitation Program to conduct the drug testing requirements while residing and practicing in Maryland;
- To grant David M. Hughes, D.O.'s request for approval of *Pain Care for Primary Care*, offered by the American Pain Society, required prior to reinstatement;
- To grant Zafar Iqbal, M.D.'s request for release from the terms of his April 11, 2012 Consent Agreement;
- To grant Andrew Russell Kaufman, M.D.'s request for release from the terms of his March 10, 2011 Consent Agreement;
- To grant I. Praveen Kumar, M.D.'s request for approval of Rani A. Lakhi, M.D., to serve as the new monitoring physician;
- To grant Adam C. Maier, D.O.'s request for approval of Evan J. Wuthrick, M.D., to serve as the monitoring physician; determination of the frequency and number of charts to be reviewed at 10 charts per month; and approval of Darryl J. Brush, M.D., to serve as the treating psychiatrist;
- To grant Bruce J. Merkin, M.D.'s request for approval of Richard J. DeFranco, M.D., to serve as the new monitoring physician;
- To grant Siva Rao Murthy, M.D.'s request for discontinuance of the drug log requirement;
- To grant Pooranand Palaparty, M.D.'s request for approval of *Intensive Course in Medical*

Ethics, Boundaries and Professionalism, administered by Case Western Reserve University;

- To grant Michael J. Palma, M.D.'s request for approval of Deborah Como-Kepler, PsyD., to serve as the new psychotherapist; and
- To grant Shannon Lee Swanson, D.O.'s request for approval of *Intensive Course in Controlled Substance Prescribing*, administered by Case Western Reserve University, to fulfill the controlled substance prescribing course requirement.

D. Soin seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- aye
	Dr. Saferin	- aye
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion carried.

REINSTATEMENT REQUESTS**KYLE F. MILLS, M.D.**

Mr. Gonidakis moved that the request for the reinstatement of the license of Kyle F. Mills, M.D., be approved, effective immediately, subject to the probationary terms and conditions as outlined in the November 5, 2014 Board Order for a minimum of five years. Dr. Sethi seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion carried.

RAPHAEL N. NGENGWE, M.D.

Mr. Giacalone moved that the request for the reinstatement of the license of Raphael N. Ngengwe, M.D., be approved, effective immediately. Dr. Soin seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion carried.

FINAL PROBATIONARY APPEARANCESLYNNE A. EATON, M.D.

Dr. Eaton was appearing before the Board pursuant to her request for release from the terms of her March 10, 2010 Consent Agreement. Ms. Bickers reviewed Dr. Eaton's history with the Board.

In response to questions from Dr. Soin, Dr. Eaton stated that her recovery is going very well and she has significantly more support than she had before. Dr. Eaton stated that previously she had not fully committed to Alcoholics Anonymous (AA), but now she has a wonderful sponsor and great friends in AA. Dr. Eaton stated that her children now understand more about how addiction as affected her and how important sobriety is.

Dr. Soin, noting Dr. Eaton's past with the Board and her multiple tolling issues, asked what life changes Dr. Eaton has made to assure the Board and the public. Dr. Eaton replied that she will continue with her recovery program after she is released from her Consent Agreement and will probably do periodic urine screens with her psychiatrist as well.

Dr. Soin asked what led to Dr. Eaton's two incidents of noncompliance with her Consent Agreement, which resulted in the tolling of her probationary period. Dr. Eaton replied that in the first incident she forgot to provide a urine screen because she had just started a new job and moved into a new home. Dr. Eaton stated that in the second incident she was in Europe and, due to a misunderstanding on her part, she attended only nine AA meetings that month instead of the required ten.

Responding to further questioning, Dr. Eaton stated that she is currently practicing cosmetic medicine, though she was uncertain if that would be her practice in the long-term. Dr. Eaton also responded that she has no access to controlled substances at her work.

Mr. Kenney exited the meeting at this time. Mr. Gonidakis assumed the chair.

Dr. Soin moved to release Dr. Eaton from the terms of her March 10, 2010 Consent Agreement. Mr. Giacalone seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion carried.

JOSEPH BRIAN KAISER, M.T.

Mr. Kaiser was appearing before the Board pursuant to his request for release from the terms of his May 8, 2013 Consent Agreement. Ms. Bickers reviewed Mr. Kaiser's history with the Board.

Dr. Soin noted that Mr. Kaiser had represented himself to his employers and the public as being actively licensed as a massage therapist when he was not. Dr. Soin asked if Mr. Kaiser had done so intentionally. Mr. Kaiser answered that at that time he had not practiced massage therapy for seven years because he had been caring for his father, who had cancer. When Mr. Kaiser returned to practice following the death of his father he forgot to reinstate his expired massage therapy license. Mr. Kaiser stated that the Board's renewal reminders were sent to an old business address and he never received them. Mr. Kaiser stated that he is at fault and he had never purposefully tried to practice as a massage therapist without the Board's consent. Mr. Kaiser stated that he respects the authority of the Board and he welcomes the Board's oversight of the practice of massage therapy in Ohio.

Dr. Soin asked if Mr. Kaiser has made changes to ensure that he receives correspondence from the Board in the future. Mr. Kaiser stated that Ms. Bickers and Ms. Jones have been very helpful in getting the proper addresses in order. Responding to questions regarding his current practice, Mr. Kaiser stated that he practices in salons in Columbus and Wooster two days per week in each location. Mr. Kaiser stated that his work is going well and things have settled down in his personal life.

Dr. Soin moved to release Mr. Kaiser from the terms of his May 8, 2013 Consent Agreement. Mr. Giacalone seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye

Mr. Gonidakis - aye
Dr. Sethi - aye
Dr. Soin - aye
Dr. Schachat - aye
Dr. Schottenstein - aye

The motion carried.

WENDY A. MILLIS, M.D.

Dr. Millis was appearing before the Board pursuant to her request for release from the terms of her June 12, 2013 Consent Agreement. Ms. Bickers reviewed Dr. Millis' history with the Board. Ms. Bickers noted that the Board is still awaiting receipt of Dr. Millis' monitoring report.

Dr. Soin asked Dr. Millis how she is coping with her depression and how she is being treated. Dr. Millis replied that her situation is much improved and she sees a psychiatrist twice per month. Dr. Millis stated that she has gone back to working full-time and is also engaged in outside social activities to maintain balance in her life.

Mr. Kenney returned to the meeting at this time and resumed the chair.

Dr. Soin asked if returning to full-time work has caused Dr. Millis any additional stress. Dr. Millis replied that her return to full-time work did not result in additional stress and her work is going quite well. Dr. Soin asked about Dr. Millis' practice plans for the future. Dr. Millis responded that she will continue to practice full-time as a pediatrician and will continue with her therapy twice per month. Asked about her family support, Dr. Millis replied that she has very strong support both at home and at work.

Dr. Soin moved to release Dr. Millis from the terms of her June 12, 2013 Consent Agreement, upon receipt of the monitoring report. Mr. Giacalone seconded the motion. A vote was taken:

ROLL CALL:

Dr. Rothermel	- abstain
Dr. Saferin	- abstain
Mr. Giacalone	- aye
Mr. Gonidakis	- aye
Mr. Kenney	- aye
Dr. Sethi	- aye
Dr. Soin	- aye
Dr. Schachat	- aye
Dr. Schottenstein	- aye

The motion carried.

ADJOURNMENT

Dr. Saferin moved to adjourn the meeting. Dr. Sethi seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Saferin	- abstain
	Mr. Giacalone	- aye
	Mr. Gonidakis	- aye
	Mr. Kenney	- aye
	Dr. Sethi	- aye
	Dr. Soin	- aye
	Dr. Schachat	- aye
	Dr. Schottenstein	- aye

The motion carried.

Thereupon, at 2:40 p.m., the July 8, 2015 session of the State Medical Board of Ohio was adjourned.

We hereby attest that these are the true and accurate approved minutes of the State Medical Board of Ohio meeting on July 8, 2015, as approved on August 12, 2015.



Donald R. Kenney, Sr., President


Kim G. Rothermel, M.D., Secretary

(SEAL)

