

**State Medical Board of Ohio
Formal Action Report – March 2016**

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Please find below a summary of actions taken or initiated by the State Medical Board of Ohio in February 2016 and an update of Board matters pending or decided in courts as of March 9, 2016.

PRE-HEARING SUSPENSIONS

EPSTEIN, Donald Leslie, M.D. (#35.040595)—Pepper Pike, Ohio

Pursuant to Section 4731.22(G), medical license summarily suspended based on Board’s determination that there is clear and convincing evidence that doctor is in violation of Section 4731.22(B)(19), Ohio Revised Code, and that his continued practice presents a danger of immediate and serious harm to the public. Order effective 3/9/16. (*See also*: Citations/Proposed Denials *below*.)

HEINEY, Jake Paul, M.D. (#35.090990)—Lambertville, MI

Pursuant to Section 4731.22(I), Ohio Revised Code, license to practice medicine and surgery automatically suspended by operation of law based upon the finding of guilt on two counts of Gross Sexual Imposition, felonies of the fourth degree. Order effective 3/9/16. (*See also*: Citations/Proposed Denials *below*.)

CITATIONS/PROPOSED DENIALS

BLECHER, Saul Israel, M.D. (#35.063813)—Cincinnati, Ohio

Based on allegations that in the care of nine specified patients, doctor violated the Medical Board’s rules on Controlled Substances: Utilization for Weight Reduction; Utilizing Prescription Drugs for the Treatment of Intractable Pain; General Provisions of Controlled Substance Prescribing; and Standards and Procedures for Review of Ohio Automated Rx Reporting System; that the doctor’s conduct constitutes a violation of any federal or state law regulating the possession, distribution or use of any drug; that the doctor’s acts, conduct and/or omissions constitutes the commission of an act that constitutes a felony in this state, specifically Illegal Processing of Drug Documents; that the doctor’s acts, conduct and/or omissions constitutes a misdemeanor committed in the course of practice, specifically Authority of Licensed Health Professional; that the doctor’s acts, conduct and/or omissions constitute the failure to maintain minimal standards applicable to the selection or administration of drugs, or failure to employ

acceptable scientific methods in the selection of drugs or other modalities for treatment of disease; the departure from, or the failure to conform to minimal standards of care of similar practitioners under the same or similar circumstances; and failure to comply with requirements to check the Ohio Automated Rx Reporting System. Notice of Opportunity for Hearing mailed 3/10/16.

EPSTEIN, Donald Leslie, M.D. (#35.040595)—Pepper Pike, Ohio

Based on allegations that doctor is unable to practice according to acceptable and prevailing standards of care without appropriate treatment, monitoring or supervision by reason of mental or physical illness. Notice of Opportunity for Hearing mailed 3/10/16.

HEINEY, Jake Paul, M.D. (#35.090990)—Lambertville, MI

Based on doctor's conviction in the Lucas County Court of Common Pleas of two counts of Gross Sexual Imposition, felonies of the fourth degree; and one count of Tampering with Records, a misdemeanor committed in the course of practice. Notice of Opportunity for Hearing mailed 3/10/16.

LEWIS, Randal John, M.D. (#35.056399)—Lehi, UT

Based on prior actions by the State of Utah Division of Occupational and Professional Licensing which revoked the doctor's license, stayed the revocation and placed the license on probation for three years and the Arizona Medical Board which prohibited the doctor's practice of medicine within the State of Arizona. Also based on allegations that the doctor made a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine and surgery; or in securing or attempting to secure any certificate to practice. Notice of Opportunity for Hearing mailed 3/10/16.

ROSS, Donna Porter, M.T. (#33.007572)—Wadsworth, Ohio

Based on allegations that massage therapist practiced massage therapy without a license for more than five years, which constitutes a felony offense. Notice of Opportunity for Hearing mailed 3/10/16.

SAQER, Rezik Abdul Aziz, M.D. (#35.065952)—Houston, TX

Based on prior action by the Disciplinary Panel of the Texas Medical Board which temporarily suspended the doctor's license for engaging in improper and illegal activities related to the doctor's operation of a pain clinic, including the method and manner in which the controlled substances were prescribed and maintained. Notice of Opportunity for Hearing mailed 3/10/16.

SHAH, Mian Wilayat, M.D. (#35.034282)—Princeton, WV

Doctor notified of right to request a hearing on the question of whether his failure to submit to a psychiatric examination as ordered by the Board was due to circumstances beyond his control.

Based on the legal presumption that doctor's failure to submit to a psychiatric examination as ordered by the Board constitutes an admission that he is unable to practice according to acceptable and prevailing standards of care by reason of mental or physical illness. Notice of Opportunity for Hearing mailed 3/10/16.

FINAL ORDERS

DAVIDSON, Heidi, M.T. (#33.0199994)—Londonderry, Ohio

License to practice massage therapy suspended for at least ninety days with interim monitoring conditions, conditions for reinstatement, and probationary terms, conditions and limitations established. Based on the finding that the massage therapist is impaired in her ability to practice massage therapy in accordance with acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol or other substances that impair ability to practice. Order effective March 10, 2016.

GEIGER, Robert Stephen, M.D. (#35.051474)—Stow, Ohio

Medical license permanently revoked. Based on the finding that the doctor failed to report to the Medical Board the inappropriate sexual conduct of another physician who was also a co-owner of the practice, which failure to report violates Medical Board rules governing the reporting of misconduct by licensees and constitutes a misdemeanor committed in the course of practice. Order effective March 10, 2016.

HABER, Robert Seth, M.D. (#35.064474)—Shaker Heights, Ohio

Commencing on the thirty-first day following the effective date of the Order, medical license suspended for at least ninety days with conditions for reinstatement or restoration and probationary terms for at least two years. Based on the doctor's voluntary surrender of his controlled substances privileges with the Drug Enforcement Agency which was based in part on his failure to comply with the Federal requirements pertaining to controlled substances. Order effective March 23, 2016. Suspension effective April 25, 2016.

HALLAK, Kassem M., M.D. (#35.071828)—Pottersville, Michigan

Medical license permanently revoked. Based on the doctor's conviction in the Circuit Court for the County of Eaton, Michigan, on one count of Criminal Sexual Conduct (Person under 13, Defendant 17 years of age or older), one count of Criminal Sexual Conduct (Force or Coercion), and six counts of Criminal Sexual Conduct (Force of Coercion) and on prior action by the Michigan Department of Licensing and Regulatory Affairs which suspended the doctor's license for a period of two years based on its finding that the doctor had engaged in inappropriate sexual misconduct and/or sexually assault multiple patients. (Journal Entry—No Hearing Requested). Order effective March 10, 2016.

MANN, Steven Craig, D.O. (#34.004565)—Columbus, Ohio

Osteopathic medical license permanently revoked. Based on doctor's conviction of Public Indecency, a misdemeanor of moral turpitude. Order effective March 10, 2016.

PALOSKI, William George, D.O. (#34.002293)—Canfield, Ohio

Osteopathic medical license temporarily limited and restricted so that the doctor shall not utilize any controlled substances. The restriction shall remain in effect until the doctor can demonstrate that he is under no suspension, probation or any other encumbrance or obligation to the Ohio Board of Pharmacy resulting from the summary suspension/notice of opportunity for hearing for the Terminal Distributor of Dangerous Drugs Licensee Classification Pain Management Clinic issued to BEM Medical Arts Center and the doctor. Based on summary suspension by the State Board of Pharmacy of a Terminal Distributor of Dangerous Drugs with a Pain Management Clinic Classification for which doctor was responsible person. Order effective March 23, 2016.

PELLOSKI, Christopher Edward, M.D. (#35.094829)—Cincinnati, Ohio

Medical license permanently revoked. Based on the doctor's conviction in the United States District Court for the Southern District of Ohio on one felony count of knowingly accessing with intent to view visual depictions of child pornography and the doctor's execution of a Voluntary Surrender of Controlled Substances Privileges to the Drug Enforcement Administration. Order effective March 10, 2016.

ROQUEMORE, Terrance DaShawn, M.T. (applicant)—Pataskala, Ohio

Application for license to practice massage therapy denied. Based on the legal presumption that massage therapy applicant's failure to submit to a chemical dependency examination as ordered by the Board constitutes an admission that he is unable to practice according to acceptable and prevailing standards of care by reason of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice massage therapy. (Journal Entry – No hearing requested.) Order effective March 10, 2016.

SEHBAI, Aasim Shaheen, M.D. (#35.089651)—Lewes, Delaware

Medical license granted provided doctor meets all statutory and regulatory requirements. Based on prior action by the Delaware Medical Board which was itself based upon the doctor's admission of having drafted and sent a fraudulent letter of recommendation and the finding that the doctor's conduct constitutes the violation of Principles II and VIII of the American Medical Association's Principles of Medical Ethics. Order effective March 23, 2016.

SRESTHADATTA, Paul, D.O. (#34.007180)—Powell, Ohio

Osteopathic medical license permanently revoked. Based on the finding that the doctor prescribed controlled substances from 11/7/14 through at least 12/9/14 in violation of the November 2014 order suspending the doctor's license to practice osteopathic medicine and surgery and the doctor's violation of his April 2011 Step II consent agreement by testing positive for the presence of oxycodone in a random urine drug screen. Order effective March 23, 2016.

SRESTHADATTA, Paul, D.O. (#34.007180)—Powell, Ohio

Notice of Opportunity for Hearing issued on July 8, 2015 dismissed without prejudice due to the permanent revocation of doctor's license to practice osteopathic medicine and surgery in Case Record File No. 15-CRF-026. (Journal Entry—No Hearing Requested). Order effective March 23, 2016.

STEINER, Matthew Ray, M.D. (#35.073125)—Avon, Indiana

Commencing on the thirty-first day following the effective date of the Order, medical license suspended for at least thirty days with conditions for reinstatement and probationary terms, conditions and limitations for at least two years. Based on the prior action of the Medical Licensing Board of Indiana which placed the doctor's license on indefinite probation for a minimum of one year based upon the doctor's December 2013 criminal conviction of two counts of Furnishing Alcohol to a Minor, a misdemeanor, that the doctor illegally possessed a Schedule IV controlled substance; that the doctor failed to keep abreast of current theory and practice and that the doctor engaged in a pattern of conduct which demonstrates an inability to exercise reasonable care and diligence as is normally exercised by practitioners in same or similar circumstances. Order effective March 10, 2016. Suspension effective April 11, 2016.

VOLUNTARY SURRENDERS/RETIREMENTS/WITHDRAWALS

MONTALTO, Paul Norman, M.D. (#35.016890)—Newark, Ohio

Permanent retirement of license to practice medicine and surgery authorized by doctor in lieu of further formal disciplinary proceedings pursuant to Section 4731.22(B)(24), Ohio Revised Code. Effective 3/9/16.

SAWICKI, Robert Stephan, M.D. (#35.032230)—Sandusky, Ohio

Permanent revocation of license to practice medicine and surgery authorized by doctor in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(20), Ohio Revised Code, to wit: Rule 4731-11-08, Ohio Administrative Code. Effective 3/9/16.

CONSENT AGREEMENTS

ADAMS, Stephanie Nicole, M.T. (#33.018238)—Spencerville, Ohio

Massage therapy license restored and suspended for 180 days with interim monitoring conditions and probationary terms, conditions and limitations for at least three years. Based on the massage therapist's admission that she practiced massage therapy for more than four years after her license expired, which constitutes a felony. Agreement effective March 9, 2016.

DENNIS, Linda Jean, M.D. (#35.061450)—Lewis Center, Ohio

Medical license suspended for at least 180 days with interim monitoring conditions and conditions for reinstatement established, including requirement that doctor enter into a subsequent consent agreement incorporating probationary terms, conditions and limitations as determined by the Board. Based on doctor's admission that she is impaired in her ability to practice medicine in accordance with acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. Also based on doctor's admission that she failed to disclose her relapse on alcohol in her biennial license renewals submitted in April 2011, April 2013 and April 2015. Agreement effective March 9, 2016.

HISSONG, Mitchum Allen, M.T. (#33.016542)—Caledonia, Ohio

Massage therapy license suspended for at least one year with interim monitoring conditions and conditions for reinstatement established, including requirement that massage therapist enter into a subsequent consent agreement incorporating probationary terms, conditions and limitations as determined by the Board. Based on massage therapist's admission that he is impaired in his ability to practice massage therapy in accordance with acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice and that on two occasions, he engaged in sexual contact with a female patient. Agreement effective March 9, 2016.

HUGHES, David Michael, D.O. (#34.005786)—Defiance, Ohio

Osteopathic medical license reinstated with probationary terms, conditions and limitations for at least three years based on doctor's admission that he has fulfilled the conditions for reinstatement as established by the February 2015 Consent Agreement. Agreement effective March 9, 2016.

LEUNG, Steve Mingfung, M.D. (#57.027338)—Cleveland, Ohio

Application for training certificate granted subject to probationary terms, conditions and limitations for at least five years. Based on doctor's admission that he is presently capable of practicing medicine according to acceptable and prevailing standards of care contingent upon appropriate treatment and monitoring. Agreement effective March 9, 2016.

TROCIO, Rogaciano Lastimoso, M.D. (#35.045827)—Medina, Ohio

Medical license suspended for an indefinite period of time with interim monitoring conditions and conditions for reinstatement established. Based on doctor's admission that he has failed to cooperate in an investigation conducted by the Board. Agreement effective March 9, 2016.

PROBATIONARY REQUESTS AND MODIFICATIONS

BIERER, Craig Lindsey, D.O. (#34.008396)—Oxford, Ohio

Doctor's request to discontinue the requirement to keep a controlled substance log granted by vote of the Board on 3/9/16.

BONNER, Courtney Deselm, D.O. (#34.006885)—Cambridge, Ohio

Doctor's request to discontinue the requirement to keep a controlled substance log granted by vote of the Board on 3/9/16.

BURICK, Joseph Peter, D.O. (#34.002729)—Akron, Ohio

Doctor's request for approval of medical ethics course granted by vote of the Board on 3/9/16.

ENGLISH, James Carey, MD (#35.048622)—Westerville, Ohio

Doctor's request for approval of prescribing course granted by vote of the Board on 3/9/16.

ERICKSON, Mary Jo-Ellen, M.D. (#35.073493)—Dayton, Ohio

Doctor's request for approval of treating psychiatrist granted by vote of the Board on 3/9/16.

GALINDO, Julio Cesar, MD (#35.121224)—Columbus, Ohio

Doctors request for approval of controlled substance prescribing course granted by vote of the Board on 3/9/16.

GRANT, Gregory Stuart, D.O. (#34.008218)—Milan, Ohio

Doctor's request for approval of a controlled substance prescribing course and medical ethics course granted by vote of the Board on 3/9/16.

HARRIS, Matthew Reid, D.O. (#34.008347)—Columbus, Ohio

Doctor's request for approval of new monitoring physician granted by vote of the Board on 3/9/16.

HICKEY, Timothy Michael, MD (#35.084480)—Toledo, Ohio

Doctor's request for approval of monitoring physician and practice plan granted by vote of the Board on 3/9/16. Frequency and number of charts to be reviewed established.

KRAMER, Thomas DeWeese Jr., M.D. (#35.120303)—Rocky River, Ohio

Doctor's request for approval of new treating psychiatrist granted by vote of the Board on 3/9/16.

MINOTTI, Armand Louis, D.O. (#34.003677)—Poland, Ohio

Doctor's request for approval of medical ethics and medical documentation courses granted by vote of the Board on 3/9/16.

PROBATION TERMINATED

ADAS, Mohammad A., M.D. (#35.055276)—Perrysburg, Ohio

Doctor's request for release from the terms of the 1/10/03 Board Order granted by vote of the Board on 3/9/16. Effective 3/10/16.

HARRIS, Roy William, D.O. (#34.005746)—Bucyrus, Ohio

Doctor's request for release from the terms of the 8/11/10 Board Order granted by vote of the Board on 3/9/16. Effective 3/23/16.

HAWLEY, Aimee Lynn, M.D. (#35.079024)—Lima, Ohio

Doctor's request for release from the terms of the 3/11/15 Consent Agreement granted by vote of the Board on 3/9/16. Effective 3/11/16.

HILL, Josh Utah, P.A. (#50.001493)—Walton, Kentucky

Physician Assistant's request for release from the terms of the 11/12/11 Board Order granted by vote of the Board on 3/9/16. Effective 3/14/16.

RATCLIFF, Lawrence Gene, M.D. (#35.039603)—Farmersville, Ohio

Doctor's request for release from the terms of the 12/8/10 Step II Consent Agreement granted by vote of the Board on 3/9/16. Effective immediately.

REINSTATEMENTS

FRANTZ, Nathan Buchanan, D.O. (#58.005803)—North Royalton, Ohio

Doctor's request for reinstatement of osteopathic training certificate granted by vote of the Board on 3/9/16 subject to probationary terms and conditions established by the 10/14/15 Board Order. Effective 3/9/16.

MCTAGUE, Jerome A., M.D. (#35.063632)—Oklahoma City, Oklahoma

Doctor's request for restoration of license to practice medicine and surgery granted by vote of the Board on 3/9/16 subject to probationary terms and conditions established by the 2/12/14 Board Order. Effective 3/9/16.

NON-DISCIPLINARY ORDERS

MACDONALD, Eric Paul, M.D. (#35.070363)—Wheelersburg, Ohio

Permanent surrender of license to practice medicine and surgery authorized by doctor in lieu of continuing compliance with the terms of the October 2015 Step I Consent Agreement. Agreement effective March 9, 2016.

ROSE, Joseph Anthony, M.D. (#35.042620)—Willowick, Ohio

Restoration of license to practice medicine and surgery conditionally granted upon passage of the Special Purpose Examination and completion of at least 16 hours of continuing medical education in wound care that has been approved by the Board. Order effective March 10, 2016.

COURT ACTIONS

DALLAS, Anthony Jr., M.D. (#35.097060)—Brentwood, Tennessee

Notice of Voluntary Dismissal Without Prejudice of Appeal filed on February 12, 2016 in the Franklin County Court of Common Pleas.

RORICK, Marvin Horton III, MD (#35.052318)—Cincinnati, Ohio

Notice of Appeal of the 2/10/16 Decision and Entry of the Franklin County Court of Common Pleas, which affirmed the 9/9/15 Order of the State Medical Board of Ohio, filed with the Tenth District Court of Appeals on 2/11/16.

By Entry dated 2/17/16, Motion to Stay the Decision and Entry for the Franklin County Court of Common Pleas and the Order of the State Medical Board of Ohio granted pending determination of the appeal before the Tenth District Court of Appeals.

Please note that revocation and suspension Orders are not always effective immediately. If you have questions about effective dates or conditions governing a doctor's practice before a Board Order takes effect, please contact the office.

Ohio law permits appeal of a Board Order to the Franklin County Court of Common Pleas. Due to this possibility and the potential for a stay that might delay the imposition of a Board action, you may wish to contact us periodically to verify a given practitioner's licensure status.

Most current citation letters, Board Orders, consent agreements and voluntary surrenders or retirements are available on the Medical Board's website at <http://www.med.ohio.gov/> under "Licensee Profile and Status." If you have questions or need additional details about Citations, Board Orders, Consent Agreements, or Court Actions, please contact the Case Control Office. If you have questions regarding a probationary modification or a probationary request, please contact the Compliance Office. Our offices may be reached at (614) 466-3934.