

**State Medical Board of Ohio**  
**Formal Action Report – June 12, 2019**

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Please find below a summary of actions taken or initiated by the State Medical Board of Ohio and an update of Board matters pending or decided in courts as of June 12, 2019.

**PRE-HEARING SUSPENSIONS**

**BUTLER**, George Robert, M.D., (#35.129547) - Toledo, 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)(26), Ohio Revised Code, and that his continued practice presents a danger of immediate and serious harm to the public. Order effective 6/12/2019. (See also: Citations/Proposed Denials below.)

**ROAN**, Kelly Neil, D.O., (#34.012707) - Ft. Worth, Texas

Pursuant to Section 4731.22(I), Ohio Revised Code, medical license automatically suspended by operation of law, based upon the finding of guilt in the Cuyahoga County Court of Common Pleas, Cuyahoga County, Ohio, to three counts of Rape, felonies in the first degree. Suspension effective 3/21/2019. (*See also: Citations/Proposed Denials below.*)

**CITATIONS/PROPOSED DENIALS**

**BEE**, Lee Peter, D.O., (#34.009566) - Sparta, Illinois

Based on a prior action by the State of Illinois Department of Financial and Professional Regulation, which issued a 2/25/2019 Consent Order that placed the doctor on indefinite probation for at least eighteen months. The prior board action, as alleged, would individually, and or collectively, constitute: any of the following actions taken by an agency responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand. Notice of Opportunity for a Hearing mailed 6/13/2019.

**BRAUER**, Robert James, D.O., (#34.007242) - Chagrin Falls, Ohio

Based on the doctor's conviction in the Cuyahoga County Court of Common Pleas, Cuyahoga County, Ohio, to two counts of Prohibitions, Restriction on Obtaining Further Information, third-degree misdemeanors, to which the doctor was sentenced to sixty days of jail per count, suspended, five years of probation, 100 hours of community service, and a five hundred dollar (\$500.00) fine, all of which arose due to the doctor's improper access of OARRS on person whom was not a patient. The doctor's acts and conviction, as alleged, would individually, and or collectively, constitute: a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a misdemeanor committed in the course of practice; and the commission of an act that constitutes a felony in this state, regardless of the jurisdiction in which the act was committed. Notice of Opportunity for a Hearing mailed 6/13/2019.

**BUTLER**, George Robert, M.D., (#35.129547) - Toledo, Ohio

Doctor notified of right to request a hearing on the question of whether his failure to submit to a 72-hour inpatient 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 72-hour inpatient examination as ordered by the Board constitutes an admission that he is impaired in his ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. Notice of Opportunity for Hearing on Failure to Submit to An Examination and Notice of Summary Suspension Based upon Presumption of an Admission of Impairment mailed 6/13/2019.

**BUTLER**, George Robert, M.D., (#35.129547) - Toledo, Ohio

Based on allegations that when the doctor failed to respond to the Board's First Set of Interrogatories sent on 1/4/2019, and 2/7/2019, his acts, conduct, and/or omissions as alleged, constitute a failure to cooperate in an investigation conducted by the board under division (F) of this section, including failure to comply with a subpoena or order issued by the board or failure to answer truthfully a question presented by the board in an investigative interview, an investigative office conference, at a deposition, or in written interrogatories, except that failure to cooperate with an investigation shall not constitute grounds for discipline under this section if a court of competent jurisdiction has issued an order that either quashes a subpoena or permits the individual to withhold the testimony or evidence in issue. Notice of Opportunity for a Hearing mailed 6/13/2019.

**DISANTO**, Vinson Michael, D.O., (#34.009616) - McKinney, Texas

Based on the prior action by the Board of Medical Licensure of the Commonwealth of Kentucky, which issued a 3/19/2019 Emergency Order of Restriction, that restricted the doctor's license by prohibiting the prescribing, dispensing or professionally utilizing controlled substances. The prior board action, as alleged, would individually, and or collectively, constitute: any of the following actions taken by an agency responsible for authorizing, certifying, or regulating an

individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand. Notice of Opportunity for a Hearing mailed 6/13/2019.

**KELEMEN**, John Joseph, M.D., (#35.131526) - Pewaukee, Wisconsin

Based on the prior action by the Wisconsin medical Examining Board, which issued a 12/19/2018 Board Order, that reprimanded the doctor's license. The prior board action, as alleged, would individually, and or collectively, constitute: any of the following actions taken by an agency responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand. Notice of Opportunity for a Hearing mailed 6/13/2019.

**ORDONEZ**, Miguel Antonio, P.A., (#50.003928) - Cockesville, Maryland

Based on the prior action by the Kentucky Board of Medical Licensure, which issued a 6/4/2018 Order, that restricted the physician assistant license, and required the physician assistant to pass the ProBE Program. The prior board action, as alleged, would individually, and or collectively, constitute: any of the following actions taken by the state agency responsible for regulating the practice of physician assistants in another state, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand. Notice of Opportunity for a Hearing mailed 6/13/2019.

**PAULUS**, Richard E., M.D., (#35.067513) - Ashland, Kentucky

Based on the doctor's pending 1/14/2015 Notice of opportunity for Hearing; and on the doctor's conviction in the United State's District Court, Eastern District of Kentucky, Northern District, to one count of Health Care Fraud, and ten counts of False Statement Relating to Health Care Matters, to which the doctor was sentenced to sixty months in prison, three years of probation, and restitution in the amount of one-million, one hundred fifty-six thousand, one hundred twenty dollars and 23 cents (\$1,156,120.23). The doctor's acts and conviction, as alleged, would individually, and or collectively, constitute a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony. Notice of Opportunity for a Hearing mailed 6/13/2019.

**RINGEL, David Neil, D.O., (#34.004802) - Fort Wayne, Indiana**

Based on the prior action by the Kentucky Board of Medical Licensure, which issued a 4/3/2019 Agreed Order, that granted the doctor a license, and immediately restricted/limited said license for an indefinite period of time by prohibiting the doctor from prescribing, dispensing, or otherwise professionally utilizing controlled substances. The prior board action, as alleged, would individually, and or collectively, constitute: any of the following actions taken by an agency responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand. Notice of Opportunity for a Hearing mailed 6/13/2019.

**ROAN, Kelly Neil, D.O., (#34.012707) - Ft. Worth, Texas**

Based on the doctor's finding of guilt in the Cuyahoga County Court of Common Pleas, Cuyahoga County, Ohio, to three counts of Rape, felonies in the first degree; which would individually and/or collectively, constitute a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony. Notice of Automatic Suspension and Opportunity for a Hearing mailed 6/13/2019.

**SPIRTOS, Gary Nicholas, M.D., (#35.057972) - Scottsdale, Arizona**

Based on the prior action of the Arizona Medical board, which issued a 11/6/2017 Consent Agreement, that prohibited the doctor from practicing in Arizona; and on the prior action of the Medical Board of California, which issued a 7/27/2018 Order, that revoked the doctor's license. The prior board actions, as alleged, would individually, and or collectively, constitute: any of the following actions taken by an agency responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand. Notice of Opportunity for a Hearing mailed 6/13/2019.

### **NON-DISCIPLINARY CITATIONS**

**CRAMBLETT, Desiraa Anna-Marie, R.C.P, (# RCP.13425) – Scio, Ohio (Non-Disciplinary)**

Based on the respiratory care professional's submission of an application for restoration of license to practice respiratory care, and on allegations that the applicant has not been engaged in the active practice of respiratory care for more than two years. Notice of an Opportunity for a Hearing 6/14/19.

**THORNBURG, Rebecca A., R.C.P., (# RCP.6019) – Portland, Indiana**

Based on the respiratory care professional's submission of an application for restoration of license to practice respiratory care, and on allegations that the applicant has not been engaged in the active practice of respiratory care for more than two years. Notice of an Opportunity for a Hearing 6/14/19.

### **FINAL ORDERS**

**ALLEN, Dawn Janelle, R.C.P., (#RCP.11578) - Trenton, Ohio (Non-Disciplinary)**

Application for restoration of license to practice respiratory therapy, approved, provided that the therapist takes and passes the Therapist Multiple-Choice Examination (TMC), within six months of the date of mailing of the Notice for Opportunity for a Hearing. Based on the respiratory care professional's submission of an application for restoration of her license to practice respiratory care; and on the finding that the respiratory care professional has not been engaged in the active practice of respiratory care for more than two years. Order effective 6/13/2019. (Journal Entry-No Hearing Requested).

**BRENNAN, Nichole Ann, M.T., Applicant - Fairborn, Ohio (Non-Disciplinary)**

Application for a license to practice massage therapy approved, provided that the massage therapist takes and passes the Massage and Bodywork Licensing Examination (MBLEx), within six months of the date of mailing of the Notice for Opportunity for a Hearing. Based on the massage therapist's submission of an application for restoration to practice massage therapy; and on the finding that the massage therapist has not been engaged in the active practice of massage therapy for more than two years. Order effective 6/13/2019. (Journal Entry-No Hearing Requested).

**FIorentini, Robert Alan, R.C.P., (#RCP.1593) - Brooklyn, Ohio (Non-Disciplinary)**

Application for restoration of license to practice respiratory therapy, approved, provided that the therapist takes and passes the Therapist Multiple-Choice Examination (TMC), within six months of the date of mailing of the Notice for Opportunity for a Hearing. Based on the respiratory care professional's submission of an application for restoration of his license to practice respiratory care; and on the finding that the respiratory care professional has not been engaged in the active practice of respiratory care for more than two years. Order effective 6/13/2019. (Journal Entry-No Hearing Requested).

**FISHEL, Hazel Thornton, M.D., (#35.123031) - Nebo, North Carolina**

License to practice medicine and surgery revoked, and subject to a six thousand dollar (\$6,000.00) fine. Based on a prior action by the North Carolina Medical Board, which issued a 12/11/2018 Consent Order, that suspended the doctor's license, which individually or collectively constitutes any of the following actions taken by an agency responsible for

authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand. Order effective 6/13/2019. (Journal Entry-No Hearing Requested).

**FLYNN**, Freeda J., M.D., (#35.066409) - St. Clairsville, Ohio

The probationary terms, conditions, and limitations imposed upon the doctor pursuant to her May 2015 Board Order are extended until at least December 2019. Based on the finding that the doctor violated the terms and conditions of the May 27, 2015 Board Order, which individually or collectively constitute a violation of the conditions of limitation placed by the board upon a certificate to practice. Order effective 6/28/2019.

**LONG**, Gregory Lee, M.D., Applicant - Columbus, Ohio (Non-Disciplinary)

Application for license to practice medicine and surgery approved, provided that the doctor takes and passes the Special Purpose Examination (SPEX), within six months of the date of mailing of the Notice for Opportunity for a Hearing. Based on the doctor's submission of an application to practice medicine and surgery; and on the finding that the doctor has not been engaged in the active practice of medicine for more than two years. Order effective 6/13/2019. (Journal Entry-No Hearing Requested).

**OSBERG**, Kaitlynn Comer, M.T., Applicant - Tipp City, Ohio (Non-Disciplinary)

Application to practice massage therapy denied. Based on the massage therapist's submission of an application for a license to practice massage therapy; and on the finding that the therapist does not hold a diploma or certificate from a school, college or institution that meets the Board's required course of instruction, or held a current license, registration or certificate of good standing for massage therapy issued in another state for at least the preceding five years. Order effective 6/13/2019. (Journal Entry-No Hearing Requested).

**PICARDI**, Edward Joseph Silvio, M.D., (#35.050753) - Sturgis, South Dakota

License to practice medicine and surgery granted, and no further action taken on license to practice medicine and surgery. Based on the doctor's submission of an application for restoration of his license to practice medicine and surgery; and based on the doctor's 5/8/2013 conviction in the United State District Court, District of South Dakota, Western Division, to five felony counts of Income Tax Evasion, five felony counts of Making and Subscribing a False Return, and three felony counts of Records and Reports on Foreign Financial or Agency Transactions; and based on a prior action by the South Dakota Board of Medical and Osteopathic Examiners that revoked the doctor's license based on the 2013 felony convictions in United State District Court, District of South Dakota, Western Division, which individually or collectively constitute: a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony; and an action taken by an agency responsible for

authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees, including a revocation or suspension of an individual's license to practice. Order effective 6/28/2019.

**UHRMAN-SAMIEC**, Julie Marie, M.T., (#33.011701) - Toledo, Ohio (Non-Disciplinary)

Application for restoration of license to practice massage therapy approved, provided that the massage therapist takes and passes the Massage and Bodywork Licensing Examination (MBLEx), within six months of the date of mailing of the Notice for Opportunity for a Hearing. Based on the massage therapist's submission of an application for restoration to practice massage therapy; and on the finding that the massage therapist has not been engaged in the active practice of massage therapy for more than two years. Order effective 6/13/2019. (Journal Entry-No Hearing Requested).

**WELDEN**, Scott Robert, M.D. Applicant - Cincinnati, Ohio

License to practice medicine and surgery granted, and immediately suspended for an indefinite period of time, but not less than eighteen months, and subject to interim monitoring, and conditions for reinstatement or restoration, and probationary terms, conditions, and limitations for at least five years. Based on the doctor's submission of an application to practice medicine and surgery; wherein the doctor disclosed his history of drug abuse and subsequent relapses, participation in inpatient treatment programs, a diagnosis of Opiate Abuse Dependency and Amphetamine Abuse/Dependency; also based on a 2/10/2011 Board Order, that revoked doctor's license, a 7/11/2007 Step I Consent Agreement, and a 8/14/2008 Superseding Step I Consent Agreement; also based on the doctor's prior felony convictions, which individually or collectively constitute: an impairment of the doctor's ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice; a violation of the conditions of limitation placed by the board upon a license or certificate to practice; a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony; and the failure to furnish satisfactory proof of good moral character. Order effective 6/28/2019.

### **CONSENT AGREEMENTS**

**BUCZEK**, Marek Antoni, M.D., (#35.082163) - Independence, Ohio

In lieu of formal proceedings based upon the violation of Section 4731.22(B)(5), Ohio Revised Code, doctor's license to practice medicine and surgery reprimanded, and subject to a one thousand dollar (\$1,000.00) fine and probationary terms. Violation based upon the doctor's admission that he has privileges at University Hospitals St. John Medical Center [UHSJMC] in Westlake, Ohio, and he is an employee of a University Hospitals medical group; that in or around late 2015 and early 2016 at least two patients and/or their family members complained to UHSJMC that he failed to perform an examination or consult as he had represented in the patient chart; that he does not have an independent recollection of the aforementioned two patients and/or the patient encounters given the large number of consults and/or examinations that he

performs at UHSJMC; that he denies that he did not perform examinations of these patients, but acknowledges that his documentation of the examination may not have conformed to minimal standards of care; and that following the aforementioned incidents, UHSJMC instituted a patient encounter validation and monitoring process, in order to facilitate recollection and confirmation of his patient visits, for a ninety-day period; and that the monitoring process was concluded at the end of the ninety-day period. Agreement effective 6/12/2019.

**JADCHERLA**, Yamini, M.D., Applicant - Columbus, Ohio.

Doctor's license subject to probationary terms, conditions, and limitations until at least Sept 1, 2023. Based on the doctor's admission that when she pled guilty in the Upper Sandusky Municipal Court, Wyandot County, Ohio, to Possession of Drug Paraphernalia, a fourth-degree misdemeanor, she was subsequently diagnosed with Mild Cannabis Use Disorder, and entered a two-year drug treatment and monitoring program, which individually or collectively constitute an impairment of ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice. Agreement effective 6/12/2019.

### **VOLUNTARY PERMANENT SURRENDERS, RETIREMENTS, REVOCATIONS, WITHDRAWALS**

**BURGESS**, Crystal Ashley, M.T., Applicant - Northfield, Ohio (Non-Disciplinary)

Withdrawal of massage therapist's pending application to practice massage therapy, approved. Withdrawal effective 6/12/2019.

### **PROBATIONARY REQUESTS AND MODIFICATIONS**

**ALSAGER LEE**, Christopher George, M.D., Applicant - Belpre, Ohio

Doctor's request for approval of a reduction in recovery meeting attendance from three per week to two per week, with a minimum of ten per month, granted by vote of the Board on 6/12/2019.

**ANESHANSLEY**, Hollie Michelle, M.T., (#33.014761) - Lancaster, Ohio

Massage therapist's request for approval of doctor to conduct a return to work assessment, granted by vote of the Board on 6/12/2019.

**BAULA**, Marvin Mercado, M.D., (#35.099925) - Fairborn, Ohio

Doctor's request for approval of practice plan, granted by vote of the Board on 6/12/2019.

**BERING**, Thomas Gerard, M.D., (#35.088008) - York, Pennsylvania

Doctor's request for approval of monitoring physician, granted by vote of the Board on 6/12/2019. Frequency and number of charts to be reviewed by monitor established as ten charts per month.

**COOK**, Deborah Lynn, D.P.M., (#36.003231) - Mentor, Ohio

Doctor's request for approval of release from the terms of the 11/4/2015 Consent Agreement, granted by vote of the Board on 6/12/2019. Release effective immediately.

**DAVIS**, Tina Marie, M.T., (#33.020449) - Paris, Ohio

Massage therapist's request for approval of personal ethics course, granted by vote of the Board on 6/12/2019.

**DUNCAN**, Philicia Suanna, M.D., (#35.126932) - Columbus, Ohio

Doctor's request for approval of a reduction in psychiatric sessions from every two months to every three months, granted by vote of the Board on 6/12/2019.

**HSU**, Gerry Victor, P.A., (#50.005962RX) - Mason, Ohio

Physician assistant's request for approval of treating psychologist, granted by vote of the Board on 6/12/2019.

**KREBS**, John Keith, M.D., (#35.066400) - Avon, Ohio

Doctor's request for approval to discontinue the chart review requirement, granted by vote of the Board on 6/12/2019.

**MASON**, Richard Ray, D.O., (#34.007364) - Powell, Ohio

Doctor's request for approval: to reduce drug and alcohol rehabilitation meeting attendance requirement from three per week to two per week with a minimum of ten per month; and approval of request to discontinue the chart review requirement, granted by vote of the Board on 6/12/2019.

**O'CONNELL**, David, M.D., (#35.082498) - Cincinnati, Ohio

Doctor's request for approval of a reduction recovery meeting attendance from three per week to two per week, with a minimum of ten per month, granted by vote of the Board on 6/12/2019.

**SMILO**, John Michael, D.P.M., (#36.002663) - Coshocton, Ohio

Doctor's request for approval of medical records course, granted by vote of the Board on 6/12/2019.

**SMITH, Randy Michael, D.O., (#34.013221) - Miamisburg, Ohio**

Doctor's request for approval of treating psychiatrist, granted by vote of the Board on 6/12/2019.

**STRIEGEL, Peter Guyon, M.D., (#35.081434) - Akron, Ohio**

Doctor's request for approval of ethics and boundaries course, granted by vote of the Board on 6/12/2019.

**TANDON, Rajive, M.D., (#35.075550) - Columbus, Ohio**

Doctor's request for approval to reduce personal appearances from every three months to every six months; and approval of request to discontinue the drug log requirement, granted by vote of the Board on 6/12/2019.

### **COURT ACTIONS**

**HAGINS, Tod, M.D., (#35.070995) - Weirton, West Virginia**

Notice of Appeal from the 5/8/2019 Board Order, filed on 5/24/2019, in the Franklin County Court of Common Pleas.

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 under "Lookup a License." 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.