

State Medical Board of Ohio
Formal Action Report – August 11, 2021

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Date: 9/10/2021

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 August 11, 2021.

CITATIONS/PROPOSED DENIALS

ARMSTRONG, Arthur T., M.D., (#35.088541CTR) - Columbus, Ohio

Based on allegations with respect to the care and treatment of two specified patients, the doctor inappropriately touched the patients in a sexual manner, failed to wear gloves or utilize proper disrobing and robing practices, made inappropriate comments, examined the patient while they were naked without medical necessity, intentionally scheduled the patient when few or no other staff was present, and met a patient for meals outside of the practice with instructions not to mention the meals to his wife, all of which, as alleged, individually and/or collectively constitute violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board, to wit: the Board's rule regarding sexual misconduct; and a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established. Notice of opportunity for hearing mailed 8/12/21.

GIRGIS, Beth A., M.D., (#35.083071) - Bradenton, Florida

Based on allegations that a prior Final Order, issued by the State of Florida Board of Medicine, 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 hearing mailed 8/12/21.

LEON, Alberto A., M.D., (#35.046211) - Xenia, Ohio

Based on the doctor's prior disciplinary history, and on allegations that the doctor had billed individual's insurance for prescriptions, despite having never examined the patients or provided medical care, all of which, as alleged, individually and/or collective constitute violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or

conspiring to violate, any provisions of this chapter or any rule promulgated by the board, to wit: Prescribing to Persons Not Seen by the Physician; and 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; and selling, giving away, personally furnishing, prescribing, or administering drugs for other than legal and legitimate therapeutic purposes or a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction of, a violation of any federal or state law regulating the possession, distribution, or use of any drug; and a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established. Notice of opportunity for hearing mailed 8/12/21.

RAHMAN, Mahmood, M.D., (#35.066692) - Beavercreek, Ohio

Based on allegations with respect to the care and treatment of twelve specified patients, the doctor inappropriately treated and/or failed to appropriately treat and/or failed to appropriately document treatment, to advise or document advising of the risks, benefits and alternatives to medications prescribed by the doctor and the potential for abuse, and also failed to consistently document the reason for prescribed medications, and failed to consistently order appropriate testing at appropriate intervals, or document vital signs, all of which, as alleged, individually and/or collective constitute: 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; a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established; violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board, to wit: Standards and Procedures for Review of "Ohio Automated Rx Reporting System." Notice of opportunity for hearing mailed 8/12/21.

NON-DISCIPLINARY CITATIONS

FOGLE, Angela F., R.C.P. Applicant – Spencerville, Indiana (Non-Disciplinary)

Based on the respiratory care therapist's submission of an application to practice respiratory care, and on allegations that the applicant has not successfully completed both portions (T.M.C. & C.S.E.) of the registered respiratory therapist (R.R.T.) examination, administered by the National Board for Respiratory Care (NBRC), or its successor organization. Notice of opportunity for hearing mailed 8/12/21.

HASKIN, Lora N., M.T., (#33.015260) - Marysville, Ohio (Non-Disciplinary)

Based on the massage therapist's submission of an application for restoration of a license to practice massage therapy, and on allegations that the massage therapist has not been engaged in the active practice of massage therapy for more than two years. Notice of opportunity for hearing mailed 8/12/21.

KOLBERG, Kelley L., M.T. Applicant – Massillon, Ohio (Non-Disciplinary)

Based on the applicant's submission of an application to practice massage therapy, and on allegations that the massage therapist's educational program course of instruction does not meet Ohio's minimum clock hour requirements. Notice of opportunity for hearing mailed 8/12/21.

SCHAFFER, Katherine, M.T. Applicant – Blacklick, Ohio (Non-Disciplinary)

Based on the applicant's submission of an application to practice massage therapy, and on allegations that the massage therapist's educational program course of instruction does not meet Ohio's minimum clock hour requirements. Notice of opportunity for hearing mailed 8/12/21.

SCHROEDER, Mary Jo, R.C.P., (#RCP.2317) - Parma, Ohio (Non-Disciplinary)

Based on the respiratory care therapist's submission of an application for restoration of a license to practice respiratory care, and on allegations that the therapist has not been engaged in the active practice of respiratory care for more than two years. Notice of opportunity for hearing mailed 8/12/21.

FINAL ORDERS

ANDERSON, Roger Dale, M.D., (#35.063586) - Fleming, Ohio

License to practice medicine and surgery permanently revoked, and subject to an eighteen thousand dollar (\$18,000.00) fine. Based on the finding that the doctor's conviction in the United States District Court, Southern District of Ohio, Eastern Division to one felony count of Conspiracy to Dispense and Distribute Controlled Substances; eight felony counts of illegal Dispensing of Schedule II Controlled Substances; and one felony count of Health Care Fraud, 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. Order effective 8/12/21.

ANZANO, Laura, M.T., (#33.020359) - Oxford, 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 within six months. Based on the massage therapist's submission of an application for restoration of her license to practice massage therapy; and on the finding that the massage therapist has not been actively engaged in the practice of massage therapy for over two years. Order effective 8/12/21. (Journal Entry-No Hearing Requested).

BOOMERSHINE, Duane, M.T., (#33.023641) - Greenville, Ohio

License to practice massage therapy is permanently revoked, and subject to an eight thousand dollar (\$8,000.00) fine. Based on the finding that the massage therapist's finding of guilt in the Common Pleas Court, Drake County, Ohio, to Rape, a first degree felony, 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. Order effective 8/12/21. (Journal Entry-No Hearing Requested).

DESHPANDE, Kedar Krishna, M.D., (#35.080539) - Marysville, Ohio

License to practice medicine and surgery indefinitely suspended for at least five years, and subject to an eighteen thousand dollar (\$18,000.00) fine, conditions for reinstatement or restoration, and probationary terms, conditions and limitations for at least five years. Upon completion of probation and restoration, the doctor's license is subject to a permanent limitation and restriction prohibiting the doctor from prescribing, writing orders for, giving verbal orders for, administering, or personally furnishing any controlled substance. Based on the finding the doctor's plea of guilty in the United States District Court, Southern District of Ohio, Eastern Division, to one felony count of Illegal Dispensing of Schedule II Controlled Substances, and one felony count of False Statements Relating to Health Care Matters, individually and/or collectively constitute a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility of intervention in lieu of conviction for, a felony. Order effective 8/26/21.

JOHNSON, Bozenna L, M.T. Applicant - Sylvan Lake, Michigan (Non-Disciplinary)

Application for a license to practice massage therapy in Ohio is denied. Based on the applicant's submission of an application to practice massage therapy; and on the finding that the applicant's completion of a course of instruction does not meet the Board's minimum clock hour course requirements. Order effective 8/12/21.

LAZARO, Michael S., M.T., (#33.023354) - Powell, Ohio

License to practice massage therapy is permanently revoked, and subject to a six thousand dollar (\$6,000.00) fine. Based on the finding that when the massage therapist failed to respond to Board subpoenas; and with respect to the care and treatment of one patient, the massage therapist inappropriately rubbed the patient's pubic area with digital penetration without the patient's consent, those acts, or omissions individually and/or collectively constitute: a failure to cooperate in an investigation conducted by the board, 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; and violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate the Board's rules, to wit: Prohibitions against sexual misconduct. Order effective 8/12/21. (Journal Entry-No Hearing Requested).

MCCATHREN, Sarai F., M.T., (#33.017937) - McArthur, 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 within six months. Based on the massage therapist's submission of an application for restoration of her license to practice massage therapy; and on the finding that the massage therapist has not been actively engaged in the practice of massage therapy for over two years. Order effective 8/12/21. (Journal Entry-No Hearing Requested).

OKECHUKU, Theodore E., M.D., (#35.063052) - Farmington Hills, Michigan

License to practice medicine and surgery permanently revoked. Based on the finding that the doctor's conviction in the United States District Court, Northern District Texas, Dallas Division, to one count of Conspiracy to Unlawfully Distribute a Controlled Substance; one count of Using, Carrying, and Brandishing a Firearm During and in Relation to, and Possessing and Brandishing a Firearm in Furtherance of, a Drug Trafficking Crime; and one count of Conspiracy to Use, Carry and Brandish a Firearm During and in Relation to a Drug Trafficking Crime, to which the doctor was sentenced to three hundred months imprisonment followed by three years of supervised release, 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. Order effective 8/12/21. (Journal Entry-No Hearing Requested).

WASHINGTON, Sherman Jr., M.D., (#35.123613) - North Las Vegas, Nevada

License to practice medicine and surgery revoked. Based on the finding that the prior action by the State of Washington, Washington Medical Commission, which issued a Stipulation to Informal Disposition against the doctor's license, 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. Order effective 8/12/21. (Journal Entry-No Hearing Requested).

WORTMAN, Erin, M.T., (#33.012732) - Findlay, 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 within six months. Based on the massage therapist's submission of an application for restoration of her license to practice massage therapy; and on the finding that the massage therapist has not been actively engaged in the practice of massage therapy for over two years. Order effective 8/12/21. (Journal Entry-No Hearing Requested).

CONSENT AGREEMENTS

DADA, Amir Q., D.O., (#58.032161) - Columbus, Ohio

Osteopathic training certificate granted, and immediately suspended for an indefinite period of time, but not less than ninety days. Subject to general probationary requirements, conditions for reinstatement or restoration including entering into a subsequent consent agreement. Based on the doctor's submission of an application for an osteopathic training certificate, wherein the doctor disclosed a history of substance abuse and relapse, which individually and/or collectively constitute 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 8/11/21.

FATEHCHAND, Raju, M.D., (#35.095392CTR) – Plain City, Ohio

License to practice medicine and surgery indefinitely suspended, but not less than one year, and subject to general probationary requirements, conditions for reinstatement/restoration, and a six thousand dollar (\$6,000.00) fine. Based on the doctor's admission that when he had a sexual relationship with an employee, whom was also a patient of the other doctors whom became pregnant, and when he failed to chart the prescribing of Misoprostol, those actions individually and/or collectively constitute: violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board, to wit: the Board's prohibits against sexual misconduct; and/or a departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established. Agreement effective 8/11/21.

KANG, Kavita A.J., D.O., (#34.010993) - Cincinnati, Ohio

License to practice osteopathic medicine and surgery indefinitely suspended, and subject to general probationary requirements, and conditions for reinstatement/restoration including entering into a subsequent consent agreement. Based on the doctor's October 2011 Step I Consent Agreement, February 2012 Step II Consent Agreement, and on the doctor's admission that the results of a Board ordered examination which reported that due to the doctor's mental disorder the doctor is presently incapable of practicing medicine according to acceptable and prevailing standards of care, all of which, individually and/or collectively constitute an inability to practice according to acceptable and prevailing standards of care by reason of mental illness or physical illness, including, but not limited to, physical deterioration that adversely affects cognitive, motor, or perceptive skills. Agreement effective 8/11/21.

VOLUNTARY PERMANENT SURRENDERS, RETIREMENTS, REVOCATIONS, WITHDRAWALS

AMR, Khaled L., M.D., (#35.087312) - Columbus, Ohio

Permanent revocation of license to practice medicine and surgery, authorized by the doctor in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(9), Ohio Revised Code. Agreement effective 8/11/21.

BUMMER, Michael A., M.D. Applicant - Pittsburgh, Pennsylvania

Permanent withdrawal of application to practice medicine and surgery, authorized by the doctor in lieu of formal disciplinary proceedings pursuant to Sections 4731.22(B)(24), 4731.22(B)(22) and 4731.22(B)(9), Ohio Revised Code. Agreement effective 8/11/21.

ELES, Gustav R., D.O., (#34.004292) - Pittsburgh, Pennsylvania

Permanent revocation of license to practice osteopathic medicine and surgery, authorized by the doctor in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(22), Ohio Revised Code. Agreement effective 8/11/21.

WEINBERG, Alan G., M.D., (#35.029550) - Blacklick, Ohio

Permanent revocation of license to practice medicine and surgery, authorized by the doctor in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(20), Ohio Revised Code, to wit: 4731-10-02, Ohio Administrative Code, Requisite hours of continuing medical education for license renewal or reinstatement. Agreement effective 8/11/21.

PROBATIONARY REQUESTS AND MODIFICATIONS

ALDERSON, Julie M., D.O., (#34.014253) - Akron, Ohio

Doctor's request for approval of new monitoring physician, granted by vote of the Board on 8/11/21.

FRANZESE, Joseph M., M.D., (#35.126850) - Cincinnati, Ohio

Doctor's request for approval of: controlled substance prescribing course, professional ethics course, physician/patient boundary course, medical records course, and disruptive physician behavior course, granted by vote of the Board on 8/11/21.

HARRIS, Dale A., M.D., (#35.074799) - Westerville, Ohio

Doctor's request for approval of a doctor to complete a psychiatric return to work assessment for reinstatement, granted by vote of the Board on 8/11/21.

KRAWCHECK, Randall O., D.O., (#34.007819) - Westerville, Ohio

Doctor's request for approval of medical records course, granted by vote of the Board on 8/11/21.

LEE, Ryan R., M.T., (#33.025414) - Powhatan Point, Ohio

Massage therapist's request for approval of boundaries course, and personal and professional ethics course, granted by vote of the Board on 8/11/21.

PEYTON, Joseph, D.O., (#34.004485) - Sylvania, Ohio

Doctor's request for approval of controlled substance prescribing course, and medical records course, granted by vote of the Board on 8/11/21.

WARREN, Jared A., D.O., (#58.031816) - Shaker Heights, Ohio

Doctor's request for approval of a reduction in appearances from every three months to every six months; a reduction in recovery meeting attendance from three per week to two per week with a minimum of 10 per month, granted by vote of the Board on 8/11/21.

YOKIEL, Jerome B., M.D., (#35.059140) - Solon, Ohio

Doctor's request for approval of practice plan and monitoring physician, granted by vote of the Board on 8/11/21. Frequency and number of chart review established as 10 charts per month.

RELEASE FROM PROBATION

ALLEN, Mark L., M.D., (#35.063078) - Poland, Ohio

Doctor's request for release from the terms of the 8/12/15 Board Order, granted by vote of the Board on 8/11/21. Release effective 8/13/21.

BENDER, Thomas M., A.A., (#67.000178) – Orrville, Ohio

Anesthesiologist assistant's request for release from the terms of the 8/10/16 Step II Consent Agreement, granted by vote of the Board on 8/11/21. Release effective immediately.

BLECHER, Saul I., M.D., (#35.063813) - Cincinnati, Ohio

Doctor's request for release from the terms of the 6/14/17 Board Order, granted by vote of the Board on 8/11/21. Release effective immediately. Permanent limitation/restriction prohibiting

the doctor from prescribing, writing orders for, giving verbal orders for, administering, or personally furnishing any controlled substances will remain in effect upon release.

RICHARDSON, William S., M.D., (#35.072474) - Westlake, Ohio

Doctor's request for release from the terms of the 8/10/16 Step II Consent Agreement, granted by vote of the Board on 8/11/21. Release effective immediately.

STONE, Brittney T., D.P.M., (#36.003985) - Cleveland, Ohio

Doctor's request for release from the terms of the 5/13/20 Consent Agreement, granted by vote of the Board on 8/11/21. Release effective immediately.

UCHE, John O., M.D., (#35.086388) - Charlotte, North Carolina

Doctor's request for release from the terms of the 8/12/20 Consent Agreement, granted by vote of the Board. Release effective 8/12/21.

COURT ACTIONS

COX, Marcus F., M.D., (#35.082114) – Dover, Ohio

Decision and Judgment Entry affirming the Order of the State Medical Board and Notice of Final Appealable Order filed 8/5/21, in the Court of Common Pleas, Franklin County, Ohio.

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, or Court Actions, please contact the Case Control Office. If you have questions regarding a Consent Agreements, probationary modification or a probationary request, please contact the Compliance Office. Our offices may be reached at (614) 466-3934.