

State Medical Board of Ohio
Formal Action Report – March 11, 2020

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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 March 11, 2020.

PRE-HEARING SUSPENSIONS

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

Pursuant to Section 3719.121(C), Ohio Revised Code, doctor's license to practice is immediately suspended based upon 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. Order effective 3/11/2020. (See also; Citations/Proposed Denials below.)

HANOVER, Kenneth, M.D., (#35.083567) - Lima, 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 Sections 4731.22(B)(26), and (B)(15), Ohio Revised Code, and that his continued practice presents a danger of immediate and serious harm to the public. Order effective 3/11/2020. (See also: Citations/Proposed Denials below.)

CITATIONS/PROPOSED DENIALS

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

Based on 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, 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 Immediate Suspension and Opportunity for Hearing mailed 3/12/2020

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

Based on the doctor's care and treatment of two specified patients, wherein the doctor allegedly engaged in inappropriate sexual contact and inappropriate sexual comments during patient examinations, which would 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 rule promulgated by the board, to wit: prohibitions; and would also constitute 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 3/12/2020.

DANKO, William R., M.D., (#35.063773) - Cincinnati, Ohio

Based on the doctor's Indictment in the Court of Common Pleas, Hamilton County, Ohio for Illegal Processing of Drug Documents, a fourth degree felony, and subsequently eligibility for Intervention in Lieu of Conviction, 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 Opportunity for Hearing mailed 3/12/2020.

HANOVER, Kenneth M., M.D., (#35.083567) - Lima, Ohio

Based on allegations that the doctor violated the terms, conditions and limitations of the December 2018 Step II Consent Agreement and based on allegations that the doctor 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 Summary Suspension and Opportunity for Hearing mailed 3/12/2020.

HOUSER, William L., Jr., M.D., (#35.053059) - Youngstown, Ohio

Based on the doctor's conviction in the United States District Court, Western District of Pennsylvania to one felony count of Willful Failure to Pay Over Trust Fund Taxes, to which the doctor was sentenced to five years of probation and restitution in the amount of \$1,128,660.01, 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 Opportunity for Hearing mailed 3/12/2020.

KAVLICH, John J., III, M.D., (#35.057128) - Berea, Ohio

Based on allegations that when the doctor failed to submit quarterly declarations; failed appear in person for scheduled interviews; and failed to submit qualifications of a treating psychiatrist per the terms a 10/10/2018 Step I Consent Agreement, those acts and/or omissions, individually and/or collectively constitute a violation of the conditions of limitation placed by the board upon a license or certificate to practice. Notice of Opportunity for Hearing mailed 3/12/2020.

MACHERET, Leonid, M.D., (#35.056178) - Cincinnati, Ohio

Based on allegations as to the care and treatment of nine specified patients, the doctor failed to appropriately: evaluate, treat and/or manage patient conditions, prescribe medications, or document the treatment of patients, the acts and/or omissions of which would individually and/or collectively constitute 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; and a 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. Notice of Opportunity for Hearing mailed 3/12/2020.

RIVERA, Jornel M., D.O., (#34.006086) - Dublin, Ohio

Based on the doctor's conviction in the United States District Court, Southern District of Ohio, to one felony count of Making False Statements Related to Health Care Matters, to which the doctor was sentenced to six months of incarceration, followed by six months of home confinement, three years of probation, a ten thousand dollar (\$10,000.00) fine, and restitution in the amount of two hundred sixty thousand five hundred fifty one dollars and five cents (\$260,551.05), 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 Opportunity for Hearing mailed 3/12/2020.

SWICK, Shawn M., M.D., (#35.085333) - Wilmington, Ohio

Based on allegations that when the doctor failed to submit quarterly declarations; failed appear in person for scheduled interviews; failed to submit to random toxicology screenings; failed to submit documentary evidence of continuing compliance of participation in an alcohol and drug rehabilitation program and aftercare contract; and failed to pay a four thousand dollar (\$4,000.00) fine per the terms of a 12/12/2018 Step I Consent Agreement, all of which would, individually and/or collectively constitute a violation of the conditions of limitation placed by the board upon a license or certificate to practice. Notice of Opportunity for Hearing mailed 3/12/2020.

ZAHRA, Michael S., M.D., (#35.130046) - Florissant, Missouri

Based on a July 2018 non-disciplinary Grant of Waiver for Out-of-State Impairment and based on a prior action by the Illinois Department of Financial and Professional Regulation, Division of Professional Regulation, which issued a 9/9/2019 Order, that indefinitely suspended the doctor's license for a least twelve months for violating a December 2018 Illinois Consent Order that had placed the doctor on probation for at least four years for a history of alcohol abuse disorder, which 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; and 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. Notice of Opportunity for Hearing mailed 3/12/2020.

NON-DISCIPLINARY CITATIONS

BAEZA, Andrienne, M.T., Applicant – Maineville, Ohio (Non-Disciplinary)

Based on the massage therapist's submission of an application to practice massage therapy, and based upon the massage therapist having not provided evidence showing completion of a course of instruction that meets course requirements as determined by the rules of the Board. Notice of Opportunity for a Hearing mailed 3/17/2020

CARRINGTON, Hope, R.C.P., Applicant - Dallas, Texas (Non-Disciplinary)

Based on the respiratory care therapist's submission of an application to practice respiratory care; and based upon the therapist not having been engaged in the active practice of respiratory care for more than two years. Notice of Opportunity for a Hearing mailed 3/17/2020.

SHODD, Douglas M., M.T., (#33.006135) - Struthers, Ohio (Non-Disciplinary)

Based on the massage therapist's submission of an application for restoration of license to practice massage therapy; and based upon not having been engaged in the active practice of massage therapy for more than two years. Notice of Opportunity for a Hearing mailed 3/17/2020.

FINAL ORDERS

ANVEKAR, Ajay P., M.D., Applicant - Leederville, Perth, Australia (Non-Disciplinary)

Application to practice medicine and surgery is granted. Based on the finding that the applicant has successfully completed twenty-four months of graduate medical education through the second-year level of graduate medical education or its equivalent as determined by the board. Order effective 3/12/2020.

BANKS, Latoya N., M.T., (#33.021051) - Cleveland, Ohio

License to practice massage therapy revoked. Based on the massage therapist's submission of an application for restoration of a license to practice massage therapy, also based on the finding that massage therapist's conviction in the Scioto County Court of Common Pleas, Scioto County Ohio, to one felony count of Illegal Conveyance of Drugs of Abuse onto Grounds of a Specified Governmental Facility, constitutes 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 3/12/2020. (Journal Entry-No Hearing Requested).

FEENY, Thomas G., P.A., (#50.000613) - Tipp City, Ohio (Non-Disciplinary)

Application to exercise physician-delegated prescriptive authority as a licensed physician assistant denied. Based on the finding that the physician assistant has not provided satisfactory evidence to the Board of having obtained a master's or higher degree, and has not practiced as a physician assistant with prescriptive authority while in another jurisdiction, in any of the armed forces of the United States or the National Guard of any state, or in the United States public health service commissioned corps. Order effective 3/13/2020. (Journal Entry-No Hearing Requested).

GLINES, Amy L., M.T., (#33.020348) - North Canton, Ohio (Non-Disciplinary)

Application for restoration of license to practice massage therapy granted, provided that the massage therapist takes and passes the Massage and Bodywork Licensing Examination within six months of mailing of the Notice of Opportunity for a Hearing. Based on the massage therapist's submission of an application for restoration of license 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 3/13/2020. (Journal Entry-No Hearing Requested).

HELLMAN, Leslie, M.T., Applicant - Surprise, Arizona (Non-Disciplinary)

Application for a license to practice massage therapy denied. Based on the massage therapist's submission of an application to practice massage therapy; and on the finding that the massage therapist has not provided evidence showing completion of a course of instruction that meets course requirements as determined by the rules of the Board. Order effective 3/13/2020. (Journal Entry-No Hearing Requested).

PEARCE, Raquel, R.C.P. Limited Permit Applicant - Akron, Ohio (Non-Disciplinary)

Application for a limited permit to practice respiratory care denied. Based on the applicant's submission of an application for a limited permit to respiratory care, and on the finding that applicant failed to submit her application for a limited permit within one year of the date of her graduation from a respiratory care educational program. Order effective 3/13/2020. (Journal Entry-No Hearing Requested).

PENRICE, Leah Q., M.T., (#33.016375) - Toledo, Ohio (Non-Disciplinary)

Application for restoration of license to practice massage therapy granted, provided that the massage therapist takes and passes the Massage and Bodywork Licensing Examination within six months of mailing of the Notice of Opportunity for a Hearing. Based on the massage

therapist's submission of an application for restoration of license 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 3/13/2020. (Journal Entry-No Hearing Requested).

RING, Joseph J., II D.O., (#34.008390) - Globe, Arizona

License to practice osteopathic medicine and surgery indefinitely suspended, for at least ninety days; fined three thousand five hundred dollars (\$3,500.00); and subject to conditions for reinstatement, and probationary terms, conditions, and limitations until the doctor provides acceptable evidence to the Board of release from the May 2019 Consent Order issued by the Arizona Board of Osteopathic Examiners. Based on the finding that the 5/15/2019 Order, issued by the Arizona Board, 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 3/17/2020. (Journal Entry-No Hearing Requested).

SCHMIDT, Lisa, R.C.P. Applicant - New Cumberland, West Virginia (Non-Disciplinary)

Application for license to practice respiratory care denied. Based on the submission of an application for a license to practice respiratory care, and on the finding that the applicant failed to apply for licensure within three years of the date they passed C.R.T. examination, and on the finding that the applicant has not demonstrated regular employment in the practice of respiratory care. Order effective 3/13/2020. (Journal Entry-No Hearing Requested).

TURKOVICH, Lisa, M.T., (#33.010312) - Brecksville, Ohio (Non-Disciplinary)

Application for restoration of license to practice massage therapy granted, provided that the massage therapist takes and passes the Massage and Bodywork Licensing Examination within six months of mailing of the Notice of Opportunity for a Hearing. Based on the massage therapist's submission of an application for restoration of license 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 3/13/2020. (Journal Entry-No Hearing Requested).

VALKO, Tim R., M.D., (#35.058758) - Toledo, Ohio

License to practice medicine and surgery permanently revoked, and fined two thousand five hundred dollars (\$2,500.00). Based on the finding that with respect to the care and treatment of fifteen patients, the doctor inappropriately treated or failed to appropriately treat or document treatment, and that the doctor's acts, conduct, and or omissions, individually or collectively, constitute a 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 the treatment of disease. Order effective 3/26/2020.

WAGLER, Elizabeth, M.T., (#33.015991) - Findlay, Ohio (Non-Disciplinary)

Application for restoration of license to practice massage therapy granted, provided that the massage therapist takes and passes the Massage and Bodywork Licensing Examination within six months of mailing of the Notice of Opportunity for a Hearing. Based on the massage therapist's submission of an application for restoration of license 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 3/13/2020. (Journal Entry-No Hearing Requested).

ZAVELL, Peter, M.D., Applicant - Charleston, South Carolina

Application for a license to practice medicine and surgery is granted, no further action taken. Based on the doctor's submission of an application for a license to practice medicine and surgery; and based on the finding that the doctor's conviction in the United States District Court, District of South Carolina, to one felony count of Willfully Making and Subscribing a False Tax Return; and the prior action by the Texas Medical Board, which issued a 9/17/2017 Agreed Order, which reprimanded and reinstated the doctor's license, 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 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 3/12/2020.

CONSENT AGREEMENTS

BRAUER, Robert J., D.O., (#34.007242) - Massillon, Ohio

License to practice osteopathic medicine and surgery reinstated. Based on the doctor having completed all requirements for reinstatement of license pursuant to the terms of a 11/13/2019 Consent Agreement. Agreement effective 3/11/2020. Reinstatement effective immediately.

PATEL, Jaydutt B., M.D., Applicant - Erie, Pennsylvania

License to practice medicine and surgery granted, and subject to probationary terms, conditions and limitations for at least one year. Based on the doctor's admission that when he entered and completed an in-patient treatment program following an alcohol related offense that resulted in his participation with the Physicians Health Program in Pennsylvania, those actions and/or omissions constitute, individually and/or collectively 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 3/11/2020

VOLUNTARY PERMANENT SURRENDERS, RETIREMENTS, REVOCATIONS, WITHDRAWALS

GUPTA, Manish R., M.D., (#35.076763) - Sylvania, Ohio

Permanent revocation of license to practice medicine and surgery authorized by doctor in lieu of further investigation and/or formal disciplinary proceedings pursuant to Sections 4731.22(B)(9) and/or 4731.22(B)(10), Ohio Revised Code. Agreement effective 3/11/2020. Revocation effective immediately.

HOLLINS, Kenyadus J., M.T., (#33.021500) - Euclid, Ohio

Permanent revocation of license to practice massage therapy authorized by the massage therapist in lieu of further Board investigation pursuant to Section 4731.22(B)(9), Ohio Revised Code. Agreement effective 3/11/2020. Revocation effective immediately.

KARA, Mahmud M., M.D., (#35.079292) - Hudson, 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)(9), Ohio Revised Code. Agreement effective 3/11/2020. Revocation effective immediately.

KIRILA, Paul A., D.O., (#34.003816) - Mason, Ohio

Permanent revocation of license to practice osteopathic medicine and surgery authorized by doctor in lieu of formal disciplinary proceedings pursuant to Sections 4731.22(B)(2), (B)(6), and (B)(20), Ohio Revised Code. Agreement effective 3/11/2020. Revocation effective 6/1/2020.

RANVILLE, Trent D., R.C.P., Applicant - Kalamazoo, Michigan

Permanent withdrawal of application for a license to practice as a respiratory care professional authorized by applicant in lieu of further investigation pursuant to Section 4761.09(A)(18), Ohio Revised Code. Agreement effective 3/11/2020.

PROBATIONARY REQUESTS AND MODIFICATIONS

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

Doctor's request for approval of monitoring physician, granted by vote of the Board on 3/11/2020.

BRAUER, Robert J., D.O., (#34.007242) - Massillon, Ohio

Doctor's request for approval of Case Western educational course, granted by vote of the Board on 3/11/2020.

DAIBER, Robert R., M.D., (#35.064194) - Toledo, Ohio

Doctor's request for approval of a reduction in the frequency of drug testing from four per month to a minimum of two per month; and approval of a reduction of Board appearances from every three months to every six months, granted by vote of the Board on 3/11/2020.

JENKS, Brenden P., M.D., (#57.248438) - Cleveland Heights, Ohio

Doctor's request for approval of a new treating psychiatrist, granted by vote of the Board on 3/11/2020.

LAWRENCE, Susan D., D.O., (#34.005458) - Athens, Ohio

Doctor's request for approval of a psychiatric return to work assessor to complete the return to work assessment, granted by vote of the Board on 3/11/2020.

RATNANI, M. Salim, M.D., (#35.066312) - Charleston, West Virginia

Doctor's request for approval of a reduction in counseling sessions from every three months to every six months, granted by vote of the Board on 3/11/2020.

PROBATION TERMINATED

BJARKE, Chris, M.D., (#35.132483) - Bellevue, Washington

Doctor's request for release from the terms of the 11/13/2019 Consent Agreement, granted by vote of the Board on 3/11/2020. Release effective immediately.

MYLES, Wayne J., D.O., (#34.006715) - West Lafayette, Indiana

Doctor's request for release from the terms of the 3/14/2018 Consent Agreement, granted by vote of the Board on 3/11/2020. Release effective immediately.

SWART, Leslie R., M.T., (33.014178) - Cincinnati, Ohio

Massage therapist's request for release from the terms of the 9/13/2017 Consent Agreement, granted by vote of the Board on 3/11/2020. Release effective immediately.

COURT ACTIONS

DEMINT, Franklin D., D.O., (#34.005493) – Kingston, Ohio

Notice of Appeal filed 2/27/2020 in the Tenth District Court of Appeals.

KELEMEN, John J. III, M.D., (#35.131526) – Hilton Head Island, South Carolina

Notice of Appeal filed 2/24/2020 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.