

State Medical Board of Ohio
Formal Action Report – November 10, 2020

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Date: 12/8/2020

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 November 10, 2020.

PRE-HEARING SUSPENSIONS

LACERNA, Rogener B., M.D., (#35.050500) - Elyria, 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 11/10/2020. (See also: Citations/Proposed Denials below.)

CITATIONS/PROPOSED DENIALS

CLEVER, Dalena R., L.M.T., (#33.009993) - Maineville, Ohio

Based on allegations that the massage therapist's plea and finding of guilt in the Warren County Juvenile Court, Warren County, Ohio to one count of Contributing to the Delinquency of a Minor and one count of Sexual Imposition, individually and or collectively 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. Notice of opportunity for a hearing mailed 11/12/2020.

ESCOBAR, Martin, M.D., (#35.079291) - Youngstown, Ohio

Based on allegations that when the doctor surrendered his Drug Enforcement Administration Registration Numbers for the states of Ohio, Michigan, and West Virginia as a condition for his release from custody in a pending criminal matter filed in the United State District Court for the Northern District of Ohio, that act individually, and/or collectively constitutes a "revocation, suspension, restriction, reduction, or termination of clinical privileges by the United States department of defense or department of veterans affairs or the termination or suspension of a certificate of registration to prescribe drugs by the drug enforcement administration of the United States department of justice. Notice of opportunity for a hearing mailed 11/12/2020.

HAMILTON, James M., R.C.P., (#RCP.6347) - Fort Thomas, Kentucky

Based on allegations that the respiratory care professional's plea of guilty in the United States District Court, Eastern District of Kentucky, Northern Division to one count of Distribution of Child Pornography 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 11/12/2020.

LACERNA, Rogener B., M.D., (#35.050500) - Elyria, Ohio

Doctor notified of right to request a hearing on the question of whether his failure to submit to a Board ordered examination was due to circumstances beyond his control. Based on the legal presumption that doctor's failure to submit to the examination as ordered by the Board constitutes an admission that he 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, including, but not limited to, physical deterioration that adversely affects cognitive, motor, or perceptive skills. Notice of opportunity for a hearing on failure to submit to an examination and notice of summary suspension based on presumption of an admission of inability to practice mailed 11/12/2020.

WHITE, Mark A., M.D., (#35.072866) - Columbus, Ohio

Based on allegations that when the doctor engaged in sexual conduct with one specified patient to whom he was concurrently providing medical care, those acts individually and or collectively constitute violating or attempting to violate, directly or indirectly, the Board's rules, to wit: prohibition against 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 a hearing mailed 11/12/2020.

NON-DISCIPLINARY CITATIONS

OVERMYER, Kimberly S., M.T. (#33.016790) - Toledo, Ohio (Non-disciplinary)

Based on the submission of an application for restoration of a license to practice massage therapy, and on allegations that the applicant has not been engaged in the active practice of massage therapy for over two years. Notice of opportunity for a hearing mailed 11/16/2020.

PIERCE, Kori, M.T. (#33.020925) - Bedford Heights, Ohio (Non-disciplinary)

Based on the submission of an application for restoration of a license to practice massage therapy, and on allegations that the applicant has not been engaged in the active practice of massage therapy for over two years. Notice of opportunity for a hearing mailed 11/16/2020.

FINAL ORDERS

ALMUSA, Omar, M.D. (#35.137765) - Pittsburgh, Pennsylvania

License to practice medicine and surgery revoked, and fined eighteen thousand dollars (\$18,000.00). Based on the finding that the doctor's conviction in the United States District Court, Western District of Pennsylvania, to one count of Unlawful Dispensing and Distributing Schedule II Controlled Substance; one count of Conspiracy to Unlawfully Distribute a Schedule II Controlled Substance; and one count of Healthcare 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 11/12/2020.

BILLINGS, Rebecca Eileen, D.O., Applicant - Canton, Ohio (Non-Disciplinary)

Application for a license to practice osteopathic medicine and surgery approved, provided that the applicant obtains American Board of Internal Medicine certification within twelve months. Based on the submission of an application to practice osteopathic medicine and surgery, and on the finding that the applicant has not been engaged in the active practice of osteopathic medicine and surgery for more than two years. Order effective 11/12/2020. (Journal Entry-No Hearing Requested).

KUNZ, Harrison L. Kunz, Jr. R.C.P., (#RCP.7962) - Columbus, Ohio

License to practice respiratory care revoked, and fined one thousand dollars (\$1,000.00). Based on the finding that the respiratory care therapist violated the terms of a 6/18/2019 Consent Agreement when he failed to submit: quarterly declarations; random toxicology screenings; evidence of continuing compliance of participation in an alcohol and drug rehabilitation program evidence of entering into an aftercare contract, and to appear in person for an interview before the Board; which individually and/or collectively constitute a violation of the conditions of limitation placed by the board upon a license or permit. Order effective 11/12/2020. (Journal Entry-No Hearing Requested).

LU, Kang, M.D., (#35.099301) - Athol, Massachusetts

License to practice medicine and surgery revoked, and fined one thousand dollars (\$1,000.00). Based on the finding that the prior disciplinary actions by the Utah Department of Commerce, Division of Occupational and Professional Licensing, and the Commonwealth of Massachusetts Board of Registration in 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. Order effective 11/12/2020.

MURPHY, James Thomas, M.D., Applicant – Egg Harbor, Wisconsin

Application for a license to practice medicine and surgery is granted, and subject to probationary terms, conditions, and limitations for at least one year. Based on the doctor's submission of an application for a license to practice medicine and surgery; and on the finding that prior disciplinary actions by the New York State Board for Professional Medical Conduct, the Missouri State Board of Registration for the Healing Arts, the Texas Medical Board, and the Medical Board of California, 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 11/12/2020.

OROZ, Marijana, M.T., (#33.018550) - Cleveland, Ohio (Non-Disciplinary)

Application for restoration of license to practice massage therapy approved, provided that the applicant takes and passes the Massage and Bodywork Licensing Examination within twelve months. Based on the submission of an application for restoration of license to practice massage therapy, and on the finding that the applicant has not been engaged in the active practice of massage therapy for more than two years. Order effective 11/12/2020. (Journal Entry-No Hearing Requested).

RANSOME, Jada, M.T., (#33.015003) - Akron, Ohio (Non-Disciplinary)

Application for restoration of license to practice massage therapy is granted, provided that she takes and passes the MBLEx within one year of the effective date of the Order. Based on the applicant's submission of an application for restoration of a license to practice massage therapy, and on the finding that applicant's license has been inactive for more than two years. Order effective 11/12/2020.

SHOOK, Rebecca Gale, R.C.P. Applicant - Dallas, Texas (Non-Disciplinary)

Application for license to practice respiratory care approved, provided that the applicant takes and passes the Clinical Simulation Examination within twelve months. Based on the submission of an application to practice respiratory care, and on the finding that the applicant has not been engaged in the active practice of respiratory care in excess of two years. Order effective 11/12/2020. (Journal Entry-No Hearing Requested).

SINGH, Inderpal, M.D., Applicant - West Chester, Ohio

Application for a license to practice medicine and surgery is denied. Based on the finding that the doctor's failure to submit to an examination as ordered by the Board constitutes an admission that he is unable to practice according to acceptable and prevailing standards of care because of

mental illness or physical illness, including, but not limited to, physical deterioration that adversely affects cognitive, motor, or perceptive skills. Order effective 11/12/2020. (Journal Entry-No Hearing Requested).

CONSENT AGREEMENTS

BOYER, Brent A., M.D., (#35.127587) - Milford, Ohio

License to practice medicine and surgery indefinitely suspended for at least ninety days, and subject to general probationary terms, conditions and limitations, and conditions for reinstatement, including entering into a subsequent written consent agreement. Based on the doctor's admission that due to his relapse following treatment for chemical abuse or dependency, 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. Agreement effective 11/10/2020.

CLEWLOW, Michael D., R.C.P., (#RCP.15557) - Parma, Ohio

License to practice as a respiratory care professional indefinitely suspended for at least ninety days, and subject to general probationary terms, conditions and limitations, and conditions for reinstatement, including entering into a subsequent written consent agreement. Based on the respiratory care professional's admission that when he self-disclosed a relapse following treatment or chemical abuse or dependency, 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. Agreement effective 11/10/2020.

NEYOU, Ariane S., M.D., (#35.126327) - Westlake, Ohio

License to practice medicine and surgery reprimanded, fined eight thousand dollars (\$8,000.00) and subject to probationary terms, conditions and limitations. Based on the doctor's admission that when she fraudulently created and presented lab orders naming herself as patient and used the names of two other physicians with whom she did not have a physician-patient relationship, she committed an act that constitutes a felony in this state, regardless of the jurisdiction in which the act was committed, to wit: Identity Fraud. Agreement effective 11/10/2020.

VOLUNTARY PERMANENT SURRENDERS, RETIREMENTS, REVOCATIONS, WITHDRAWALS

ALCORN, Robert W., M.D., (#35.033935) - Medina, 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)(6), Ohio Revised Code. Revocation effective 11/10/2020.

CARRIGAN, Thomas W., M.D., (#35.053465) - Troy, Ohio

Permanent revocation of license to practice medicine and surgery authorized by the doctor in lieu of further investigation of a possible violation of Section 4731.22(B)(26), Ohio Revised Code. Revocation effective 11/10/2020

GABBARD, Jeff D., L.M.T., (#33.019671) - Middletown, Ohio

Permanent revocation of license to practice medicine and surgery authorized by the massage therapist in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(20), to wit: Prohibitions rule related to alleged sexual misconduct involving a client. Revocation effective 11/10/2020.

KAPLAN, Paul E., M.D., (#35.058417) - Folsom, California

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)(22), Ohio Revised Code. Revocation effective 11/10/2020.

LEVITT, Stephen B., M.D., (#35.041936) - Dayton, 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)(6), Ohio Revised Code. Revocation effective 11/10/2020.

THOMAS, Joseph M., M.D., (#35.057481) - Erie, Pennsylvania

Permanent revocation of license to practice medicine and surgery authorized by the doctor in lieu of further formal disciplinary proceedings, pursuant to Section 4731.22(B)(22), Ohio Revised Code. Revocation effective 11/10/2020.

PROBATIONARY REQUESTS AND MODIFICATIONS

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

Doctor's request for approval of psychiatric treatment plan to complete assessment; and approval of professional ethics courses, granted by vote of the Board on 11/10/2020.

GERRITSEN, Ryan L., M.D., (#35.138042) - Chardon, Ohio

Doctor's request for approval of a reduction in appearances from every three months to every six months; and approval of a reduction in the frequency of drug testing from four times per month to at least two times per month, granted by vote of the Board on 11/10/2020.

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

Doctor's request for approval of psychiatrist to complete a psychiatric return to work assessment, granted by vote of the Board on 11/10/2020.

PROCTOR, Vernon E., M.D., (#35.130575) - Baldwin, Michigan

Doctor's request for release from the prescribing restriction and limitation in the 5/13/2020 Board Order; and approval of a monitoring physician, granted by vote of the Board on 11/10/2020. Determination of the frequency and number of charts established as ten charts per week.

SILK, John B., M.D., (#35.098705) - Troy, Ohio

Doctor's request for approval of monitoring physician, granted by vote of the Board on 11/10/2020. Determination of frequency and number of charts established as ten charts per month.

PROBATION TERMINATED

KIM, Hyun B., D.O., (#34.014668) - Solon, Ohio

Doctor's request for approval of release from the terms of the 7/8/2020 Consent Agreement, granted by vote of the Board on 11/10/2020. Release effective immediately.

LOMBARDI, Vincent, M.D., (#35.087298) - Carmel, Indiana

Doctor's request for release from the terms of the 7/8/2020 Consent Agreement, granted by vote of the Board on 11/10/2020. Release effective immediately.

NELSON, Edward I., M.D., (#35.092154) - Springboro, Ohio

Doctor's request for release from the terms of the 11/18/2017 Consent Agreement, granted by vote of the Board on 11/10/2020. Release effective immediately.

ROWE, Adam J., M.D., (#57.027928) - Toledo, Ohio

Doctor's request for acknowledgement of completion of the requirements established under the 8/12/2020 Consent Agreement Based Upon Felonious Conduct Associated with Initial Impairment, granted by vote of the Board on 11/10/2020. Release effective 11/11/2020

COURT ACTIONS

LETIZIO, Anthony M., D.O., (#34.011032) – Erie, Pennsylvania

Decision, Entry, and Notice of Final Appealable Order filed on 11/10/2020 in the Court of Common Pleas, Franklin County, Ohio, dismissing appeal for lack of jurisdiction.

SIMONS, Mitchell Edward, M.D., (#35.05045) – Cincinnati, Ohio

Notice of Appeal filed on 10/28/2020, in the Court of Common Pleas, Franklin County, Ohio.

Entry Granting Motion to Stay of Adjudication Order, filed on 10/30/2020, 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.