

**State Medical Board of Ohio**  
**Formal Action Report – September 2015**

Prepared by: Kimberly C. Anderson, Chief Legal Counsel

Date: October 9, 2015

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Please find below a summary of actions taken or initiated by the State Medical Board of Ohio in September 2015 and an update of Board matters pending or decided in courts as of September 9, 2015.

**PRE-HEARING SUSPENSIONS**

**HERNANDEZ**, Juan Michael, M.D. (#35.052980)—Eastlake, Ohio

Pursuant to Section 4731.22(G), Ohio Revised Code, 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)(2), (B)(6), (B)(10), (B)(20), (B)(34), (B)(41), and (B)(43), Ohio Revised Code and that his continued practice presents a danger of immediate and serious harm to the public. Order effective 9/9/15. (*See also: Citations/Proposed Denials below.*)

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

Pursuant to Section 4731.22(G), Ohio Revised Code, 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)(22) and (B)(41), Ohio Revised Code and that his continued practice presents a danger of immediate and serious harm to the public. Order effective 9/9/15. (*See also: Citations/Proposed Denials below.*)

**CITATIONS/PROPOSED DENIALS**

**BROOKS**, Barry Howard, M.D. (#35.040359)—Chesterland, Ohio

Based on allegations that with respect to ten specified patients, doctor failed to maintain minimal standards of care applicable to the selection or administration of drugs and that the doctor departed from or failed to conform to minimal standards of care of similar practitioners under same or similar circumstances. Also based on the doctor's voluntary surrender of his certificate to prescribe drugs issued by the Drug Enforcement Agency of the United States Department of Justice. Notice of Opportunity for Hearing mailed on September 10, 2015.

**HERNANDEZ**, Juan Michael, M.D. (#35.052980)—Eastlake, Ohio

Based on allegations that with respect to ten specified patients, doctor violated or attempted to violate the Board's rules on prescribing controlled substances, doctor failed to maintain minimal standards applicable to the selection or administration of drugs or failed to employ acceptable scientific methods in the selection of drugs or other modalities; and failed to conform to minimal standards of care of similar practitioners under the same or similar circumstances. Also based on allegations that doctor failed to comply with standards and procedures established in rules for the operation of or provision of care at a pain management clinic, failed to comply with standards and procedures for review of the Ohio Automated RX Reporting System, failed to comply with statutes of the State Board of Pharmacy related to the drug database, failed to cooperate in an investigation of the Board and committed an act that constitutes a felony in this state. Notice of Opportunity for Hearing mailed September 10, 2015.

**INNOCENZI, Anthony, DPM (#36.003012)**—Boardman, Ohio

Based on podiatric doctor's plea agreement which adjudicated him guilty of Healthcare Fraud in the United States District Court for the District of Colorado which itself constitutes a plea of guilty to a felony and also based on acts, conduct and omissions which constitute obtaining of or attempting to obtain money or anything of value by fraudulent misrepresentation in the course of practice. Notice of Opportunity for Hearing mailed on September 10, 2015.

**KUMAR, Kush, M.D. (#35.091102)**—Dublin, Georgia

Based on May 2014 Public Consent Order and May 2015 Order with the Georgia Composite Medical Board and the July 2015 Order of the Medical Board of California adopting the doctor's Stipulated Surrender of License which constitute actions taken by an agency responsible for authorizing, certifying or regulating an individual to practice a health care occupation in this state or another jurisdiction. Notice of Opportunity for Hearing mailed September 10, 2015.

**TERAN MIRANDA, Carlos Gustavo, M.D. (#35.099330)**—Merced, California

Based on the April 2015 Order from the Medical Board of California which prohibits doctor from practicing as a pediatrician during the pendency of a criminal action based on possession of matter depicting minor engaging in sexual conduct and unauthorized invasion of privacy. Notice of Opportunity for Hearing mailed September 10, 2015.

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

Based on summary suspension by the State Board of Pharmacy of a Terminal Distributor of Dangerous Drugs with a Pain Management Clinic Classification for which doctor was responsible person and based on the doctor's alleged failure to comply with the standards and procedures for the operation of or provision of care at a pain management clinic. Notice of Opportunity for hearing mailed September 10, 2015.

**RIZVI, Hil, M.D. (#35.079117)**—Frostburg, Maryland

Based on the November 2014 Maine Board Order denying the doctor's application for licensure to practice medicine and based on the allegation that the doctor made a false, fraudulent, deceptive or misleading statement in securing or attempting to secure any certificate to practice or certificate of registration issued by the Board. Notice of Opportunity for Hearing mailed September 10, 2015.

## **FINAL ORDERS**

**BHANDARI**, Ranjan Prakash, MD (#35.061547)--Moon Twp., Pennsylvania

Medical license reprimanded. Based on the doctor's conviction in the United States District Court for the Northern District of Ohio on one count of Misbranding Pharmaceuticals, a Class A misdemeanor, committed in the course of practice, which was itself based on the doctor's purchase and use of foreign oncology drugs that were not approved by the FDA. Order effective September 10, 2015.

**GILL**, Anureet, MD (#57.016340)--Shaker Heights, Ohio

Training certificate revoked. Based on the doctor's admission that she relapsed on alcohol and her violation of the limitations placed on her license pursuant to 5/9/12 consent agreement due to her relapse, her failure to obey all federal, state, and local laws due to her arrest for Driving Under the Influence, her failure to appear for scheduled quarterly appearances, and her failure to timely call in to a Board-approved drug testing facility, including her failure to submit to scheduled urine screens. Also based on the doctor's failure to attend required drug and alcohol rehabilitation meetings, her failure to report her relapse to the Board and that the doctor is impaired in her ability to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of alcohol. Order effective September 10, 2015.

**HAGEN**, Karl Matthew, MD (#35.122568)—Ft. Lauderdale, Florida

Medical license reprimanded and subject to probationary terms, conditions and limitations for a minimum of two years. Based on prior action by the Florida Department of Health which reprimanded the doctor, fined him \$10,000; ordered additional medical education and an evaluation based on errors or omissions made during surgery. Order effective September 10, 2015.

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

Medical license suspended for at least 30 days with conditions for reinstatement or restoration established. Upon reinstatement or restoration, doctor's license to be subject to probationary terms, conditions and limitations for at least two years. Based on the finding that in his care and treatment of ten specified patients, doctor failed to maintain minimal standards applicable to the selection or administration of drugs, or failed to employ acceptable scientific methods in the

selection of drugs or other modalities for treatment of disease and departed from, and failed to conform to minimal standards of care of similar practitioners under the same or similar circumstances. Order effective September 17, 2015.

**ROTHENBERG**, Lawrence, MD (#35.087302)--West Palm Beach, Florida

Application for medical license permanently denied. Based on an order issued by the Florida Board of Medicine that reprimanded the doctor's license, suspended the license for six months and permanently restricted the doctor from owning, operating or practicing in a pain management clinic and non-permanently restricted the doctor from prescribing controlled substances. Order effective September 10, 2015.

**WEI**, Ping, MT (applicant)--Independence, Kentucky

Application for license to practice massage therapy permanently denied. Based on applicant's conviction for Promoting Prostitution in Tennessee, a misdemeanor of moral turpitude. Order effective September 10, 2015.

### **VOLUNTARY SURRENDERS/RETIREMENTS/WITHDRAWALS**

**CERONI**, Richard, MT (#33.007670)—Massillon, Ohio

Permanent revocation of license to practice massage therapy authorized by massage therapist in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(9), Ohio Revised Code. Effective 9/9/15.

### **CONSENT AGREEMENTS**

**BENZ**, Thomas Bartley, MD (applicant) Parkersburg, WV

Application for license to practice medicine and surgery granted subject to probationary terms, conditions and limitations until at least August 25, 2019. Based on doctor's admission that he was first diagnosed with alcoholism in 1997, suffered his first relapse in May 2014 and underwent treatment and remains in compliance with his agreement with the Alabama Physician Health Program. Agreement effective 9/9/15.

**GALINDO**, Julio Cesar, M.D. (#35.121224)—Columbus, Ohio

Doctor's license to practice medicine and surgery reprimanded and subject to probationary terms, conditions and limitation for a minimum of two years. Based on doctor's admission that he issued two prescriptions for controlled substances to his girlfriend and one controlled substance to himself. Agreement effective 9/9/15.

**JOHNSON**, Peter Carl, M.D. (35.066160)—Graytown, Ohio

Doctor's license to practice medicine and surgery suspended for an indefinite time but not less than two years and subject to probationary terms, conditions and limitations with conditions for reinstatement established. Based on doctor's admission that he had sexual encounters with three patients, with a resident he supervised and with an office assistant who worked for him and that he is unable to practice according to acceptable and prevailing standards of care by reason of mental illness or physical illness. Agreement effective 9/9/15.

### **LICENSE REINSTATED**

**DEMINT**, Franklin Donald, DO (#34.005493), Kingston, Ohio

Doctor's request for reinstatement of license granted by vote of the Board on 9/9/15 subject to probationary terms and conditions for a minimum of three years and permanent limitations as outlined in the November 5, 2014 Board Order. Effective immediately.

### **PROBATIONARY REQUESTS AND MODIFICATIONS**

**BHATIA**, Ajay, MD (#35.094880)—Columbus, Ohio

Doctor's request for reduction of psychiatric sessions to every eight weeks and discontinuance of the chart review requirement granted by vote of the Board on September 9, 2015.

**BORRUSO**, Courtney D., DO (#34.011500)—Ashtabula, Ohio

Doctor's request for reduction in psychiatric sessions to every four months and reduction in personal appearances from every three months to every six months granted by vote of the Board on September 9, 2015.

**BURLAS**, Regis P., DO (#34.002863)--Phoenix, Arizona

Doctor's request to continue under the terms of the June 12, 2013 Superseding Step I Consent Agreement while residing in Rhode Island granted by vote of the Board on September 9, 2015.

**COLFLESH**, Matthew A., MD (#35.082831)—Steubenville, Ohio

Doctor's request for approval of controlled substance prescribing course granted by vote of the Board on September 9, 2015.

**DUNLAP**, Gary Allan, DO (#34.002045)—Dayton, Ohio

Doctor's request to reduce personal appearances from every three months to annually granted by vote of the Board on September 9, 2015.

**HEACOCK** (Grauer), Allison C., MD (#35.093489)—Columbus, Ohio

Doctor's request to discontinue monthly psychotherapy appointments granted by vote of the Board on September 9, 2015.

**KRAMER**, Thomas DeWeese, Jr., MD (#35.120303)--Rocky River, Ohio

Doctor's request for approval of a new monitoring physician granted by vote of the Board on September 9, 2015.

**MAIER**, Adam C., DO (#34.011814)—Columbus, Ohio

Doctor's request for approval of monitoring physician granted by vote of the Board on September 9, 2015. Frequency and number of charts to be reviewed by the monitor established.

**MUDD**, Mary Elizabeth, MD (#35.051008)—Westerville, Ohio

Doctor's request for approval of medical record keeping course granted by vote of the Board on September 9, 2015.

**RATLIFF**, John Edward, DO (#34.002509)--Blacklick, Ohio

Doctor's request for approval of courses in controlled substance prescribing and medical record keeping granted by vote of the Board of September 9, 2015.

**RIEL-GUZMAN**, Florencia A., MD (#35.037120)—Cincinnati, Ohio

Doctor's request for approval of practice management course granted by vote of the Board on September 9, 2015.

**RYAN**, Carol G., MD (#35.038029)—Kettering, Ohio

Doctor's request for approval of a new practice plan granted by vote of the Board on September 9, 2015.

**SKIBICKI**, Rick, MD (#35.047024)—Euclid, Ohio

Doctor's request for approval of a new monitoring physician granted by vote of the Board on September 9, 2015.

**THOMAS**, Terry L., DO (#34.007232)—Whipple, Ohio

Doctor's request for approval of a new monitoring physician granted by vote of the Board on September 9, 2015.

**WHITLOCK, Randall G., Jr., PA (#50.001262)--West Chester, Ohio**

Physician Assistant's request to reduce appearances to every six months, request to reduce required attendance at drug and alcohol rehabilitation meetings to two per week with a minimum of ten per month and approval of new reporting physician granted by vote of the Board on September 9, 2015.

### **PROBATION TERMINATED**

**LEWIS, Carol Elaine, MD (#35.098281)--Cleveland Heights, Ohio**

Doctor's request for release from the terms of the September 12, 2012 Consent Agreement granted by vote of the Board on 9/9/15. Effective immediately.

**SAVAGE, Donald Ray Jr., MD (#35.048034)--Port St. Lucie, Florida**

Doctor's request for release from the terms of the March 12, 2014 Board Order granted by vote of the Board on 9/9/15. Effective September 18, 2015.

**THIERRY, Carol Ann, AA (#67.000026)--Highland Heights, Ohio**

Anesthesiology Assistant's request for release from the terms of the September 9, 2009 Consent Agreement granted by vote of the Board on 9/9/15. Effective September 10, 2015.

### **NON-DISCIPLINARY ORDERS**

**COOKSEY, Karen Sue, M.T. (33.006445)—Worthington, Ohio**

Massage therapist's application for restoration of her license to practice massage therapy granted, pending passage of the Massage and Bodywork Licensing Examination. Based on massage therapist having not practiced in at least two years prior to application for restoration of license. Order effective September 10, 2015. (Journal Entry-No hearing requested).

**FLINN, Brooke Joyce, MT (#33.016649)—Columbus, Ohio**

Massage therapist's application for restoration of her license to practice massage therapy granted pending passage of the Massage and Bodywork Licensing Examination. Based on massage therapist having not practiced in at least two years prior to application for restoration of license. Order effective September 10, 2015. (Journal Entry-No hearing requested).

## **COURT ACTIONS**

**CLARK**, Dustin M., M.D. (#35.091627)—Johnson City, TN

By Entry dated August 26, 2015, the Supreme Court of Ohio declined to accept jurisdiction of doctor's appeal of the 9/12/13 Board Order.

**GRIFFITH**, Duane Lee, M.D. (#35.087588)—Tyler, TX

By Decision and Judgment Entry of the Franklin County Court of Common Pleas dated August 25, 2015, the Board's August 14, 2013 Order is not valid and remanded to the Board for further proceedings.

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

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

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