

State Medical Board of Ohio
Formal Action Report – December 12, 2018

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Date: 1/18/2018

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 December 12, 2018.

PRE-HEARING SUSPENSIONS

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

Pursuant to Section 4731.22(G), Ohio Revised Code, license to practice osteopathic medicine and surgery summarily suspended based on Board's determination that there is clear and convincing evidence that the doctor is in violation of Sections 4731.22(B)(26), and 4731.22(B)(15), Ohio Revised Code, and that his continued practice presents a danger of immediate and serious harm to the public. Order effective 12/12/2018. (See also: Citations/Proposed Denials below.)

SPLAN, Thomas Paul, M.D. (#35.129728) - Yorktown, Virginia

Pursuant to Section 4731.22(G), Ohio Revised Code, license to practice medicine and surgery summarily suspended based on Board's determination that there is clear and convincing evidence that the doctor is in violation of Sections 4731.22(B)(22), 4731.22(B)(26) and 4731.22(B)(5), Ohio Revised Code, and that his continued practice presents a danger of immediate and serious harm to the public. Order effective 12/12/2018. (See also: Citations/Proposed Denials below.)

STORER, Michael W., P.A. (#50.000577RX) - Monroe, Ohio

Pursuant to Section 4730.25(G), Ohio Revised Code, license to practice as a physician assistant summarily suspended based on the Board's determination that there is clear and convincing evidence that the physician assistant is in violation of Sections 4730.25(B)(4) and 4730.25(B)(5), Ohio Revised Code, and that his continued practice presents a danger of immediate and serious harm to the public. Order effective 12/12/2018. (See also: Citations/Proposed Denials below.)

CITATIONS/PROPOSED DENIALS

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

Based on allegations that the doctor violated the terms, conditions, and limitations of the November 2014 Board Order, when the doctor's drug screen tested positive for cannabinoids and Carboxy-THC; and 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 12/13/2018.

DJORDJEVIC, Borko, M.D. (#35.100288) - Igalo, Montenegro

Based on prior action by the Medical Board of California which issued a September 2007 Stipulated Settlement and Disciplinary Order that revoked the doctor's license, with said revocation stayed, suspended the doctor for three months, and placed the doctor on seven years probation; also based on the prior action of the New Jersey State Board of Medical Examiners which issued a June 2008 Consent Order of Suspension, based on the California Board Order, and suspended the doctor's license for seven years; and also based on the prior action of the New York State Board for Professional Medical Conduct, which issued an August 2009 Consent Agreement and Order, that suspended the doctor's license for seven years. Notice of Opportunity for a Hearing mailed 12/13/2018.

KALU, Olivia, M.D., (Applicant) – Columbus, Ohio (NON-DISCIPLINARY)

Based on the doctor's submission of an application for a license to practice medicine and surgery, and based on allegations that the doctor has not been engaged in the active practice of medicine and surgery for more than two years. Notice of Opportunity for a Hearing mailed 12/14/2018.

MALACHIN, Scott Edward, L.M.T., (#33.009220) – Canfield, Ohio (NON -DISCIPLINARY)

Based on the massage therapist's submission of an application for the restoration of his license to practice massage therapy, and based 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 a Hearing mailed 12/14/2018.

SPLAN, Thomas Paul, M.D. (#35.129728) - Yorktown, Virginia

Based on allegations that due to the doctor's relapse on alcohol, 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; also based on the prior action of the Kentucky Board of Medical Licensure which issued an Emergency Order of Suspension, that suspended the doctor's license when the doctor made false, fraudulent, deceptive, or misleading statements, and was subsequently terminated from a healthcare facility for exhibiting behavior of possible impairment at place of employment. Notice of Summary Suspension and Opportunity for Hearing mailed 12/13/2018.

STORER, Michael W., P.A. (#50.000577RX) - Monroe, Ohio

Physician assistant 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 the physician assistant'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. Opportunity for Hearing on Failure to Submit to an Examination and Notice of Summary Suspension Based Upon Presumption of an Admission of Impairment and Inability Practice mailed 12/13/2018.

ZAINO, John, M.D. (#35.073638) - Columbus, Ohio

Based on allegations with respect to one specified patient, the doctor violated the Board's rules prohibiting sexual misconduct with patients; and on allegations that the doctor's conduct departed from or failed 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 12/13/2018.

ZOLLARS, Laurel, M.D. (#35.080731) - Georgetown, Texas

Based on the prior action by the Maryland State Board of Physicians which issued an August 2018 Final Order of Revocation, based in part on the finding that the doctor provided false information on renewal application; and on the prior action by the Virginia Department of Health Professionals, which issued an October 2018 Mandatory Order of Suspension, based on the Virginia Order; and on a prior action by the Medical Board of California, which issued an October 2018 Suspension Order, also based on the Virginia Order. Notice of Opportunity for a Hearing mailed 12/13/2018.

FINAL ORDERS

HALDEMAN, Julie, L.M.T. (#33.009124) - Delaware, Ohio (NON-DISCIPLINARY)

Massage therapist's application for restoration of 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 12/13/2018. (Journal Entry – No hearing requested.)

HAMILTON, Denise Ann, M.D. (#35.120596) - Xenia, Ohio

License to practice medicine and surgery revoked, and subject to a one thousand dollar (\$1,000.00) fine. Based on the finding that the doctor violated the terms of a 12/12/2017 Board

Order, when she failed to enter into the necessary financial and/or contractual arrangements with a Board approved testing facility, and on the finding that she failed to submit random toxicology screenings; and that her acts, conduct, and or omissions individually or collectively, constitute a violation of the conditions of limitation placed by the Board upon a license or certificate to practice. Order effective 12/13/2018.

PARKER, Ronnie Christopher, D.O. (#34.012528) - Pikeville, Kentucky

License to practice osteopath medicine and surgery is revoked. Based on the finding that the doctor's failure to submit to a 72-hour inpatient examination as ordered by the Board was not due to circumstances beyond his control; and 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. Order effective 12/13/2018. (Journal Entry – No hearing requested.)

PROMMERSBERGER, James Edwin, D.P.M. (#36.002619) - Boardman, Ohio

Doctor's license to practice podiatric medicine and surgery subject to probationary terms, conditions and limitations until released from the terms of the West Virginia Consent Order, or for a period of one year, whichever is longer; a three thousand dollar (\$3,000.00) fine to be paid within ninety days; and a prescribing limitation prohibiting the doctor from prescribing any controlled substance medication which are classified as benzodiazepines, and a prescribing limitation against prescribing opiate based narcotics, except up to a fourteen day supply for the treatment of acute pain or post-operative pain. Based on the prior action of the West Virginia Board of Medicine, with whom the doctor entered a Consent Agreement, which prohibited the doctor from prescribing benzodiazepines and limited his ability to prescribe opiates. Order effective 1/2/2019.

YURICH, Joseph Froilan, M.D. (#35.092679) - Youngstown, Ohio

Commencing on the thirty-first day following the effective date of the Order, license to practice medicine and surgery is suspended for an indefinite period of time, but not less than one year; and subject to conditions for reinstatement or restoration. Based on the doctor's conviction in the Mahoning County Court of Common Pleas, Mahoning County Ohio, to Failure to Stop After Accident, a fifth degree Misdemeanor. Order effective 1/2/2019.

CONSENT AGREEMENTS

ANJUM, Muhammad Waseem, M.D. (Applicant) - Germantown, Maryland

Certificate to practice medicine and surgery granted, and subject to general probationary terms, conditions and limitations for at least two years. Based on the doctor's admission that in April of 2017 he applied for a license to practice medicine and surgery; that the Massachusetts Board of Registration in Medicine issued a 2013 Order of Final Denial, denying Dr. Anjum's application,

based in part on the grounds that the doctor had inadequate/substandard medical skills; that he suffered from poorly treated obstructive sleep apnea; that following the 2013 denial he received additional education, knowledge and training. Agreement effective 12/12/2018.

BOVIA, Angela Dawn, R.C.P. (#RCP.10166) - Lexington, Ohio

License to practice respiratory care indefinitely suspended, but not less than ninety days; subject to general probationary requirements, and conditions for reinstatement including entering into a subsequent consent agreement. Based on the respiratory care professional's admission that she received treatment for initial impairment due to chemical dependency; that she was diagnosed with Major Depression, and Generalized Anxiety Disorder, and currently sees a psychiatrist for medication management; and that following treatment, she was convicted of an OVI due to a relapse on alcohol in January 2015. Agreement effective 12/12/2018.

GUPTA, Pankaj, M.D. (#35.099606) - Cleveland, Ohio

License to practice medicine and surgery indefinitely suspended, but not less than one hundred eighty days, starting on February 1, 2019. Subject to general probationary requirements, and conditions for reinstatement including entering into a subsequent consent agreement. Based on the doctor's admission that he engaged in sexual conduct with respect to one specified patient, the doctor's conduct individually or collectively constituted a departure from or failure to conform to minimal standards of care of similar practitioners under the same or similar circumstance in violation of Rule 4731-26-02, Ohio Administrative Code, prohibiting sexual misconduct. Agreement effective 12/12/2018.

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

License to practice medicine and surgery reinstated, and subject to probationary terms, conditions and limitations for a minimum of five years. Based on doctor having completed all requirements for reinstatement of license pursuant to the terms of a 09/12/2018 consent agreement. Agreement effective 12/12/2018.

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

License to practice medicine and surgery indefinitely suspended, but not less than one hundred eighty days, subject to general probationary terms, and conditions for reinstatement, including entering into a subsequent consent agreement. Based on the doctor's admission that in October 2018, he was ordered to undergo a Board ordered examination; that following the examination, he entered a residential treatment program for Opiate Use Disorder; and that over the course of five years he had written prescriptions for patients and family members which were for his personal use. Agreement effective 12/12/2018.

WAXMAN, Howard Mitchell, D.P.M. (#36.002098) - Willoughby Hills, Ohio

License to practice podiatric surgery and medicine reprimanded, and suspended for a definite period of fifteen days; and subject to general probationary requirements. Based on the doctor's admission that in March 2015 he performed a procedure on a patient that developed into an infection; and that he subsequently accessed the patient's medical records with the intention of altering the record by adding aftercare instructions. Agreement effective 12/12/2018.

VOLUNTARY PERMANENT SURRENDERS, RETIREMENTS, REVOCATIONS, WITHDRAWALS

ALLEX, Norma Marie, R.C.P. (#RCP.4270) - Dayton, Ohio

Voluntary Permanent Retirement of license to practice respiratory care authorized by respiratory care professional in lieu of formal disciplinary proceedings pursuant to Section 4761.09(A)(14), Ohio Revised Code. Effective 12/12/2018.

DENNIS, Linda Jean, M.D. (#35.061450) - Columbus, Ohio

Voluntary permanent surrender of license to practice medicine and surgery authorized by doctor in lieu of continuing compliance with the terms of the 2/14/2018 Consent Agreement. Effective 12/12/2018.

HEWITT, Ronald Glen, L.M.T. (#33.022498) - Moraine, Ohio

Voluntary permanent surrender 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 12/12/2018.

MARTZ, Catherine Ann, L.M.T. (Applicant) - Brunswick, Ohio

Permanent withdrawal of application authorized by massage therapist in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(22). Effective 12/12/2018.

NICKELS, John H., M.D. (#35.051581) - Highland Heights, Ohio

Permanent revocation of license to practice medicine and surgery authorized by doctor in lieu of further formal disciplinary proceedings pursuant to Section 4731.22(B)(9), Ohio Revised Code. Effective 12/12/2018.

PROBATIONARY REQUESTS AND MODIFICATIONS

CARVER, Joseph C., M.D. (#35.129943) - Dublin, Ohio

Doctor's request for approval of submitted practice plan modification, granted by vote of the Board on 12/12/2018.

CORFMAN, Cari R., M.T. (#33.015636) - Sycamore, Ohio

Massage therapist's request for approval of ethics courses, granted by vote of the Board on 12/12/2018.

HORVATH, Kevin A., M.D. (#35.051737) - Vandalia, Ohio

Doctor's request for approval of controlled substance prescribing course, and medical records course, granted by vote of the Board on 12/12/2018.

JARRETT, Craig M., M.D. (#57.246500) - University Heights, Ohio

Doctor's request for approval of professional ethics courses, granted by vote of the Board on 12/12/2018.

MACATOL, Michael C., M.D. (#35.095993) - Columbus, Ohio

Doctor's request for approval of new monitoring physician, granted by vote of the Board on 12/12/2018.

PARROTT, Cassandra R., D.O. (#58.029892) - Cleveland Heights, Ohio

Doctor's request for approval of reduction in drug and alcohol rehabilitation meeting attendance from three per week to two per week with a minimum of ten per month; and approval of request to reduce personal appearances from every three months to every six months, granted by vote of the Board on 12/12/2018.

ROSS, John A., M.D. (#35.064459) - Fostoria, Ohio

Doctor's request for release from the terms of the 12/9/2015 Consent Agreement, granted by vote of the Board on 12/12/2018.

TATRO, Michael Todd, M.D. (#35.081291) - Lower Salem, Ohio

Doctor's request for approval to discontinue the drug log and chart review requirements, granted by vote of the Board on 12/12/2018.

WHITE, Christopher R., M.D. (#35.074150) - Lewiston, New York

Doctor's request for reduction in personal appearances from every three months to every six months, granted by vote of the Board on 12/12/2018.

PROBATION TERMINATED

WEBER, Gretchen Layne, MD (#35.127650) - Zanesville, Ohio

Doctor's request for release from the terms of the 12/9/2015 Consent Agreement, granted by vote of the Board on 12/12/2018. Release effective 12/15/2018.

COURT ACTIONS

AUL, Christopher F., L.M.T. (#33.009932) (65.000122) (66.000038) – Columbus, Ohio

Journal entry of dismissal filed November 19, 2018 in the Court of Appeals, Tenth Appellate District of Franklin County, Ohio.

DE BOURBON, Ernest B., M.D. (#35.073780) – Dublin, Ohio

By Judgment Entry filed November 20, 2018 in the Court of Appeals, Tenth Appellate District of Franklin County, Ohio affirming the October 5, 2017 decision of the Franklin County Court of Common Pleas.

DEMAS, Christopher L., M.D. (#35.042434) – Galena, Ohio

By Decision and Entry of the Franklin County Court of Common Pleas dated 11/20/2018, the State Medical Board of Ohio's Board Order issued on 7/11/2018 is affirmed.

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.