

FORMAL ACTION REPORT

Please find below a summary of actions taken or initiated by the Ohio State Dental Board in January 2005.

CITATIONS/PROPOSED DENIALS:

HEDMOND, MICHAEL J., (30018149) – Pickerington

Based on the doctor's alleged failure to comply with the continuing education requirements required for renewal. Notice of Automatic Suspension and Opportunity for Hearing mailed January 21, 2005.

KIRKPATRICK, JAMES E., (30019110) – Belpre

Based on the doctor's alleged failure to administer drugs/prescriptions for other than legal and legitimate therapeutic purpose. Notice of Opportunity for Hearing mailed January 21, 2005.

KIRKPATRICK, JAMES E., (30019110) – Belpre

Based on the doctor's alleged failure to meet the standard of care. Notice of Opportunity for Hearing mailed January 21, 2005.

LIPPERT, CHRISTOPHER N., (30016209) – Cincinnati

Based on the doctor's alleged failure to meet the standard of care and engaging in lewd or immoral conduct. Notice of Opportunity for Hearing mailed January 21, 2005.

SULLIVAN, DOUGLAS W., (31009724) – Loveland

Based on the dental hygienist's alleged conviction of a misdemeanor or felony and failure to comply with consent agreement dated April 19, 2001. Notice of Opportunity for Hearing mailed January 21, 2005.

FINAL ADJUDICATION ORDERS:

TOMASI, NICHOLAS J., (30014168) – Cincinnati

Dental license is suspended for an indefinite period of time. Dr. Tomasi shall not be permitted to apply for reinstatement for a period of no less than one (1) year, based on the Board finding Count 1 of the Notice of Opportunity to be true, involving prescribing drugs for other than a legal and legitimate therapeutic purpose. The Board shall not consider reinstatement of Dr. Tomasi's license until all the following requirements are met: a) Dr. Tomasi shall make a written request to the Board Secretary for reinstatement, b) Dr. Tomasi shall appear before the Board for an interview, c) Dr. Tomasi shall submit to a drug assessment at a Board approved treatment facility, and shall ensure that the results of that assessment are submitted to the Board, d) Dr. Tomasi shall submit to random drug screens as directed by the Board or its representative, e) Dr. Tomasi shall submit documentation that he has completed continuing education (CE) hours as follows: 1) 20 hours in Pharmacology, 2) 30 hours in Ethics and 3) 10 hours in Substance Abuse. These hours must be approved in advance by the Board Secretary, f) Dr. Tomasi shall submit to a random audit of his patient charts in order for the Board to review his prescribing practices, at the direction of the Board or its representative, g) The Board shall conduct pharmacy audits in the Cincinnati area to review Dr. Tomasi's prescribing practices and h) Dr. Tomasi shall take and pass the Board's jurisprudence examination. If reinstated, Dr. Tomasi's license shall be subject to probationary terms for five (5) years: a) Dr. Tomasi shall submit quarterly declarations stating that he is in compliance with the terms of this order, and b) Dr. Tomasi shall obey all laws and rules governing the practice of dentistry in Ohio. Order sent January 21, 2005 and will become effective thirty (30) days from the date of mailing this Order. Respondent has 15 days from date of mailing to file an appeal.

CONSENT AGREEMENTS:

BROADBENT, B. HOLLY, D.D.S. (30010016) – Warren

Dr. Broadbent admits that he failed to renew his dental license by January 1, 2004. Dr. Broadbent admits that he has been practicing while his license was under suspension from January 1, 2004 until January 7, 2005 wherein he ceased practicing. Dr. Broadbent's license shall remain suspended through February 5, 2005, resuming practice on February 6, 2005. The Board shall not consider reinstatement of Dr. Broadbent's license until the following requirements are met: a) shall submit an application for reinstatement accompanied by appropriate fees, b) shall submit documentation of his continuing education for the 2002-2003 biennium, c) shall appear before the Board at its January 19, 2005 Board meeting and c) shall take and pass the jurisprudence exam at the Board office. Upon reinstatement, Dr. Broadbent agrees that he will automatically be audited for the next three (3) biennial renewal periods. Effective date is January 19, 2005.

BUNKERS, JEFFERY A., D.D.S. (30017974) – Perrysburg

Dr. Bunker's license to practice dentistry shall be suspended for a period of thirty (30) days beginning February 1, 2005. The Board shall not consider reinstatement of Dr. Bunkers' license until the following requirements are met: a) Dr. Bunkers shall complete seven (7) hours of continuing education in dental ethics; b) Dr. Bunkers shall take and pass the jurisprudence exam at the office of the Board; c) Dr. Bunkers shall submit a written narrative describing in detail the duties performed by unlicensed personnel in his dental office and certifying that such delegation of duties complies with Chapter 4715 of the Ohio Revised Code and the Ohio Administrative Code. Dr. Bunkers shall make a written request to the Secretary of the Board for reinstatement. Upon reinstatement, Dr. Bunkers shall be subject to the following probationary terms for a period of three (3) years: a) shall obey all federal, state and local laws governing dentistry in Ohio and b) shall submit quarterly declarations to the Board stating that he is

not permitting the unauthorized practice of dentistry, dental hygiene, or dental radiography by unlicensed personnel. Effective date is January 19, 2005.

FORBES, NEAL B., D.D.S. (30014577) – Perry

Dr. Forbes's license to practice dentistry is suspended for thirty (30) days beginning February 1, 2005. Prior to reinstatement, Dr. Forbes must take and pass the jurisprudence exam. Dr. Forbes shall submit a written request for reinstatement to the Board Secretary. Upon reinstatement, Dr. Forbes shall be subject to the following probationary terms for two (2) years: a) Dr. Forbes shall fully cooperate in the Board's inspections and/or evaluations of his office; b) between February 1, 2005 and May 1, 2005, Dr. Forbes shall take and complete: seven (7) hours of continuing education in diagnosis and treatment planning, ten (10) hours of continuing education in basic oral surgery, twenty (20) hours in restorative dentistry, including crown and bridge preparation and cavity preparation and restoration (condensation), ten (10) hours of continuing education in endodontics and seven (7) hours of continuing education in ethics; c) Dr. Forbes shall obey all federal, state, and local laws and rules governing the practice of dentistry in Ohio; d) Dr. Forbes shall submit quarterly reports demonstrating compliance with the terms of this consent agreement. Effective date is January 19, 2005.

SCHWARTZ, BARRY I., D.D.S. (30012762) – Cincinnati

Dr. Schwartz's license to practice dentistry is suspended for thirty (30) days beginning December 25, 2004 and ending January 23, 2005. During the term of his suspension, Dr. Schwartz shall complete forty (40) hours of continuing education in diagnosis and treatment planning. In addition, Dr. Schwartz shall complete seven (7) hours of continuing education in ethics. Prior to reinstatement, Dr. Schwartz must take and successfully complete the Board's jurisprudence exam. Dr. Schwartz shall be subject to the following probationary terms for two (2) years: a) Dr. Schwartz shall fully cooperate in the Board's inspections and/or evaluations of his office; b) shall obey all federal, state and local laws and rules governing the practice of dentistry in Ohio; and c)

shall submit to the Board's Secretary written quarterly reports demonstrating compliance with the terms of this consent agreement. Effective date is January 19, 2005.

WEBER, CHARLES C., D.D.S. (30015806) – Columbus

Dr. Weber's license to practice dentistry is suspended for sixty (60) days effective January 15, 2005. Dr. Weber shall forever cease all endodontic practice and refer all current and future endodontic patients to other licensed practitioners. In order to be reinstated at the end of the suspension period, Dr. Weber shall meet the following requirements: a) make a written request to the Secretary of the Board for reinstatement and shall submit documentation indicating that he is in compliance with the terms of the consent agreement; b) complete seven (7) hours of continuing education in ethics and twenty-one (21) hours of continuing education in crown and bridge work. These continuing education hours must be pre-approved and Dr. Weber shall submit documentation of completion within sixty (60) days of the effective date of this consent agreement.; c) take and pass the jurisprudence exam within thirty (30) days of the effective date. Dr. Weber's license shall be subject to the following probationary conditions for a period of three (3) years: a) Dr. Weber shall fully cooperate in the Board's inspection and/or evaluations of his dental office; b) Dr. Weber shall submit quarterly declarations stating that he is in compliance with the terms of this consent agreement; and c) Dr. Weber shall obey all federal, state and local laws and rules governing the practice of dentistry in Ohio. Effective date is January 19, 2005.

WEISER, RICHARD S., D.D.S. (30019586) – Strongsville

Dr. Weiser's license shall be suspended for a period of fourteen (14) days, effective January 21, 2005. In order to be reinstated, Dr. Weiser shall meet the following requirements: a) make a written request for reinstatement to the Board Secretary and submit documentation indicating that he is in compliance with the infection control provisions. This documentation shall be in the

form of correspondence addressing each count in the Notice of Opportunity for Hearing dated September 15, 2004 and how Dr. Weiser has changed his procedures to correct the deficiencies identified therein; b) complete seven (7) hours of continuing education in dental infection control and submit documentation within twenty-one (21) days of the effective date; c) take and pass the jurisprudence exam within twenty-one (21) days of the effective date. Dr. Weiser's license shall be subject to the following probationary terms for a period of three (3) years: a) Dr. Weiser shall fully cooperate in the Board's inspection and/or evaluations of his dental office; b) Dr. Weiser shall submit on a quarterly basis documentation from an independent testing agency that the heat sterilizing devices in his office are test for proper function on a weekly basis; c) Dr. Weiser shall submit quarterly declarations stating that he is in compliance with the infection control guidelines and the terms of this consent agreement; and d) Dr. Weiser shall obey all federal, state and local laws and rules governing the practice of dentistry in Ohio. Effective date is January 19, 2005.

REINSTATEMENTS:

NONE