

FORMAL ACTION REPORT

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

CITATIONS/PROPOSED DENIALS:

MISENCIK, MICHAEL J. ,D.D.S. (30018257) – Cleveland

Based on the doctor's pleading guilty to DUI, determination of alcohol dependence by Laurelwood Hospital and failure to notify the Board of change of employment. Notice of Opportunity for Hearing mailed November 3, 2005.

FREEMAN, LENA R. (51007797) – East Cleveland

Automatic suspension based on the radiographer's alleged failure to properly comply with registration requirements and submitting \$40 fee on a closed account, and violation of consent agreement. Notice of Opportunity for Hearing mailed November 3, 2005.

KIRKPATRICK, JAMES E., D.D.S. (30019110) – Belpre

Based on the doctor's alleged administration or issuance of drugs/prescriptions for other than legal and legitimate therapeutic purpose, this failing to meet the standard of care. Notice of Opportunity for Hearing mailed November 3, 2005.

LU, JOHN Y., D.D.S. (30020180) – Willoughby

Based on the doctor's alleged failure to comply with the infection control rules. Notice of Opportunity for Hearing mailed November 3, 2005.

FINAL ADJUDICATION ORDERS:

CHLYSTA, MARY ANN, D.D.S., (30015263) – Ravenna

Dr. Chlysta's application for reinstatement was denied, based on the Board finding Count 1 of the Notice of Opportunity to be true, based upon the applicant's failure to meet the provisions for reinstatement as set forth in her July 30, 1998 Voluntary

Retirement from the Practice of Dentistry and Ohio Revised Code Section 4715.30(A)(8). Order sent November 4, 2005 and will become effective thirty (30) days from the date of mailing this Order. Respondent has fifteen (15) days from date of mailing to file an appeal.

KIRKPATRICK, JAMES E., D.D.S. (30019110) – Belpre

Dr. Kirkpatrick's dental license is revoked, based on the Board finding Count 1 of the Notice of Opportunity to be true, involving the doctor administering local anesthetic to a 3-year-old child in excess of the recommended dosage. Order sent November 4, 2005 and will become effective thirty (30) days from the date of mailing this Order. Respondent has fifteen (15) days from date of mailing to file an appeal.

SIBCY, KATINA (51001952) – Monroe

Ms. Sibcy's license to practice dental assistant radiograph is revoked, based on the Board finding Count 1 of the Notice of Opportunity to be true, involving employing or cooperating in fraud or material deception in applying for or obtaining a license or certificate. Order sent November 4, 2005 and will become effective thirty (30) days from the date of mailing this Order. Respondent has fifteen (15) days from date of mailing to file an appeal.

SPERBER, HOWARD, D.D.S. (300102977) – Woodmere Village

Dr. Sperber's dental license is indefinitely suspended for a minimum of three (3) months, based on the Board finding Count 1 of the Notice of Opportunity to be true, involving employing or cooperating in fraud or material deception in applying for or obtaining a license or certificate. In order to be reinstated, Dr. Sperber shall submit an application for reinstatement and appear before the Board on his request for reinstatement. Dr. Sperber shall complete eighty (80) hours of continuing education in Dental Ethics. Dr. Sperber shall take the Jurisprudence exam. Upon reinstatement, Dr. Sperber shall submit quarterly declarations that he is in compliance with the Adjudication Order. Dr. Sperber shall appear for interviews before the Board. Dr. Sperber shall be audited for the next three (3) biennial renewal periods. Dr. Sperber shall obey all federal, state and local laws, and all rules governing the practice of dentistry. Order sent November 4, 2005

and will become effective thirty (30) days from the date of mailing this Order. Respondent has fifteen (15) days from date of mailing to file an appeal.

CONSENT AGREEMENTS:

SOULT, MICHAEL C., D.M.D. (30013985) - Dublin

Dr. Soult's license to practice dentistry shall be suspended for fourteen (14) days, effective November 14, 2005. Dr. Soult may employ a licensed operator, i.e. dentist and dental staff to treat patients during the period of suspension. Dr. Soult shall complete seven (7) hours of continuing education in Dental Ethics within thirty (30) days. Upon reinstatement Dr. Soult is subject to a probationary term of two (2) years. The effective date is November 3, 2005.

BRAM, KEITH M., D.D.S. (30019335) – Mentor

Dr. Bram's license to practice dentistry shall be indefinitely suspended. Dr. Bram shall provide to the Board a written report of evaluation by a treating practitioner indicating that Dr. Bram is no longer drug or alcohol dependent and is able to practice dentistry in accordance with the accepted standards of the profession. Dr. Bram shall provide documentation from treatment provider that he has successfully completed treatment and is in compliance with any aftercare or outpatient treatment. Dr. Bram shall provide satisfactory documentation of continuous participation in an aftercare program. Dr. Bram shall provide satisfactory documentation of continuous participation in a Caduceus program. Dr. Bram shall provide satisfactory documentation of continuous participation in AA or NA. Upon reinstatement, Dr. Bram is subject to a probationary term of five (5) years. The effective date is November 3, 2005.

REINSTATEMENTS:

MELISSA LAVANCE

Ms. LaVance's request for reinstatement is granted by the Board, subject to probationary conditions established by the Adjudication Order of November 2, 2005. Reinstatement is effective December 3, 2005.

VOLUNTARY SURRENDER

TOMASI, NICHOLAS, D.D.S. (30014168) – Cincinnati

Dr. Tomasi voluntarily, knowingly, and intelligently retires from the practice of dentistry, and surrenders his renewal card in connection with his dental license. Effective date November 2, 2005.

BEACHAM, WILLIAM E., D.D.S. (30014044) – Cincinnati

Effective upon the date of September 1, 2005, Dr. Beacham voluntarily, knowingly, and intelligently retires from the practice of dentistry, and surrenders his renewal card in connection with his dental license.