

FOR IMMEDIATE RELEASE

NOVEMBER 4, 2014

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Regents Actions in 54 Professional Discipline Cases and 2 Restoration Petitions

October 20-21, 2014

The Board of Regents announced disciplinary actions resulting in the surrender of 12 licenses, revocation of 1 license and 1 registration, and 40 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case. In addition, the Board acted upon 2 restoration petitions.

I. REVOCATIONS AND SURRENDERS

Chiropractic

Matthew Glen Keschner; New York, NY 10028; Lic. No. 010185; Cal. No. 26825; Found guilty of professional misconduct; Penalty: Revocation, \$10,000 fine to be paid within 6 months.

Chiropractic Specialties of New York, L.L.C.; New York, NY 10028; Cal. No. 26970; Found guilty of professional misconduct; Penalty: Revocation, \$10,000 fine to be paid within 6 months.

Dentistry

Gregory L. Schultz; Dentist; Bath, NY 14810-1124; Lic. No. 030045; Cal. No. 27540; Application to surrender license granted. Summary: Licensee admitted to charges of having been convicted of Driving While Intoxicated and of failing to disclose a criminal conviction on a license renewal application.

Marvin M. Rosenberg; Dentist; Palm Beach, FL 33480; Lic. No. 022025; Cal. No. 27712; Application to surrender license granted. Summary: Licensee admitted to charges of improperly placing implants in a patient's mouth resulting in postoperative complications; failing to properly manage the postoperative complication of numbness and pain in said patient's mouth; failing to explain to said patient the prognosis of the nerve injury; and failing to affirmatively identify the scope and source of the numbness and pain by failing to order a postoperative CT scan to affirmatively identify whether the implants caused the nerve damage by encroaching upon the nerve when they were being placed.

Hamid Reza Zehtab; Dentist; Lake Oswego, OR 97034; Lic. No. 043905; Cal. No. 27728; Application to surrender license granted. Summary: Licensee admitted to charges of failing to sterilize bite blocks and film holders, reusing single use disposable impression trays, failing to clean and sterilize metal impression trays, reusing single use disposable "Isolite" suction attachments and failing to conduct weekly spore testing in the State of Oregon.

Nursing

Joseph P. Carelli; Registered Professional Nurse; Marcellus, NY 13108-1088; Lic. No. 652414; Cal. No. 27535; Application to surrender license granted. Summary: Licensee admitted to charges of practicing the profession of nursing with moral unfitness and of having been convicted of Criminal Sexual Act in the 3rd Degree.

George F. Gibson; Licensed Practical Nurse, Registered Professional Nurse; Frisco, TX 75034; Lic. Nos. 162131, 364840; Cal. Nos. 27608, 27611; Application to surrender licenses granted. Summary: Licensee did not contest charges of violating terms of probation imposed by the Board of Regents by not providing proof of successful completion of continuing education coursework in ethics and in recordkeeping and by failing to provide proof of current registration.

Trasy L. Jalil; Licensed Practical Nurse; St. Augustine, FL 32095; Lic. No. 296325; Cal. No. 27647; Application to surrender licenses granted. Summary: Licensee admitted to charges of having been convicted of Falsifying Business Records in the 1st Degree and of Willful Violation of Health Laws.

Patricia C. Smithmyer; Licensed Practical Nurse, Registered Professional Nurse; Kingston, NY 12401-3309; Lic. Nos. 271884, 618701; Cal. Nos. 27664, 27665; Application to surrender licenses granted. Summary: Licensee admitted to the charge of having been convicted of Willful Violation of Health Laws, a misdemeanor.

Psychology

Stephen R. Rubin; Cambridge, NY 12816; Lic. No. 004829; Cal. No. 27195; Application to surrender license granted. Summary: Licensee did not contest charges of failing to properly treat, diagnose and provide care for a patient.

Public Accountancy

Alan Ritter; Certified Public Accountant; Butner, NC 27509; Lic. No. 032225; Cal. No. 27755; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Wire Fraud (3 counts), a felony.

Social Work

Brook Anne Heichel; Licensed Clinical Social Worker; Montour Falls, NY 14865; Lic. No. 047786; Cal. No. 27716; Application to surrender license granted. Summary: Licensee did not contest the charge of having been convicted of Driving While Intoxicated.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Architecture

Amiel Savaldi; Woodsburgh, NY 11598; Lic. No. 016497; Cal. No. 26633; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,500 fine.

Frank D. Mileto; New York, NY 10002; Lic. No. 017370; Cal. No. 27512; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$5,000 fine.

Athletic Training

Brooke Michelle Fadness; Sound Beach, NY 11789; Cert. No. 001851; Cal. No. 26638; Found guilty of professional misconduct; Penalty: 24 month suspension, execution of last 18 months of suspension stayed, probation 24 months to run concurrently with period of suspension.

Dentistry

William West; Dentist; New York, NY 10016; Lic. No. 033970; Cal. No. 26037; Found guilty of professional misconduct; Penalty: \$2,500 fine, 2 year suspension, execution of suspension stayed, probation 2 years.

Victor Paul Terranova; Dentist; Ridgefield, CT 06877; Lic. No. 029974; Cal. No. 26616; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$1,500 fine.

Queens Family Dental P.C.; 26-02 Ditmars Blvd, Astoria, NY 11105; Cal. No. 27104; Application for consent order granted; Penalty agreed upon: \$10,000 fine, 2 years probation.

William George Eliades; Dentist; Astoria, NY 11105; Lic. No. 037540; Cal. No. 27105; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$5,000 fine.

Joshua Mark Prenskey; Dentist; Jersey City, NJ 07302; Lic. No. 053301; Cal. No. 27556; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 2 years probation, \$5,000 fine, 100 hours public service.

Keith Lloyd Rudolph; Dentist; Fairfield, CT 06824; Lic. No. 036817; Cal. No. 27565; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 2 years probation to commence upon return to practice in the State of New York, \$1,000 fine payable within 90 days.

Engineering and Land Surveying

Carl Anthony Demeter; Professional Engineer; Littleton, CO 80127; Lic. No. 068577; Cal. No. 27568; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation to commence upon return to practice in the State of New York, \$1,500 fine payable within 90 days.

Massage Therapy

Johnathan Charles Horkheimer a/k/a John C. Horkheimer; Gowanda, NY 14070-0311; Lic. No. 014064; Cal. No. 27312; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 6 months and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

Nursing

Pamela Gelber; Registered Professional Nurse; Fresh Meadows, NY 11365; Lic. No. 300718; Cal. No. 26993; Application for consent order granted; Penalty agreed upon: 12 month actual suspension, 12 month stayed suspension, 2 years probation to commence upon return to practice, \$2,500 fine payable within 6 months.

Brandy Lee Daghita; Licensed Practical Nurse; Rome, NY 13440; Lic. No. 289738; Cal. No. 27054; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Mary Elizabeth Brusso; Licensed Practical Nurse; Elmira, NY 14904; Lic. No. 285669; Cal. No. 27198; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Heather Marie Waugh-Imbert; Licensed Practical Nurse; Selkirk, NY 12158-2903; Lic. No. 295502; Cal. No. 27226; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation, \$250 fine.

Agnieszka Pawelec; Registered Professional Nurse; Rochester, NY 14617; Lic. No. 474234; Cal. No. 27229; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Mario A. Jones; Licensed Practical Nurse; Delmar, NY 12054-3419; Lic. No. 296704; Cal. No. 27252; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Flore Albre; Licensed Practical Nurse; Brooklyn, NY 11203; Lic. No. 285928; Cal. No. 27268; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Timothy Charles Atkins; Licensed Practical Nurse, Registered Professional Nurse; Altona, NY 12910; Lic. Nos. 272801, 552218; Cal. Nos. 27309, 27310; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Beverly D. Lagoe; Licensed Practical Nurse; Oswego, NY 13126; Lic. No. 272632; Cal. No. 27327; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, 1 year probation to commence upon return to practice, \$500 fine payable within 6 months.

Kimberly Edwards a/k/a Kimberly Peltier; Licensed Practical Nurse, Registered Professional Nurse; Clifton Park, NY 12065; Lic. Nos. 186407, 391570; Cal. Nos. 27457, 27458; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Linda Ann Darin; Licensed Practical Nurse, Registered Professional Nurse; Mamaroneck, NY 10543; Lic. Nos. 157112, 355856; Cal. Nos. 27459, 27460; Application for consent order granted; Penalty agreed upon: 9 month actual suspension, 15 month stayed suspension, 2 years probation to commence upon return to practice, \$2,000 fine payable within 9 months.

Margaret Ann Donnelly; Registered Professional Nurse; Huntington Station, NY 11746; Lic. No. 349478; Cal. No. 27473; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Lynn Marie Grey; Registered Professional Nurse; Anthem, AZ 85086-3131; Lic. No. 406109; Cal. No. 27476; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until drug abuse- and alcohol abuse-free and until fit to practice, upon termination of suspension, 24 months probation to commence upon return to practice in the State of New York, \$500 fine payable within 30 days.

Margaret McDaniel a/k/a Margaret Rose McDaniel; Registered Professional Nurse; San Jose, CA 95112; Lic. No. 345467; Cal. No. 27500; Application for consent order granted; Penalty agreed upon: Partial actual suspension in certain area of not less than 6 months and until submit satisfactory written proof of

successful completion of certain retraining in said certain area, 24 months probation to commence if and when return to practice in the State of New York.

Marie Amy Harris; Registered Professional Nurse; Tucson, AZ 85745-8860; Lic. No. 347942; Cal. No. 27513; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until successfully participate in course of therapy and treatment and until fit to practice, upon termination of suspension, 2 years probation to commence if and when return to practice in the State of New York.

Daryl James Simpson; Registered Professional Nurse; Lancaster, NY 14086; Lic. No. 634812; Cal. No. 27517; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

John Michael Robinson; Registered Professional Nurse; Levittown, NY 11756; Lic. No. 497688; Cal. No. 27529; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

Jennifer Weyant; Registered Professional Nurse; Marlboro, NY 12542-5615; Lic. No. 573410; Cal. No. 27542; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

Najla Kadri-Nielsen; Registered Professional Nurse; Piscataway, NJ 08854; Lic. No. 467846; Cal. No. 27566; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Optometry

Stuart Harvey Blankman; New York, NY 10025; Lic. No. 002630; Cal. No. 27486; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension of not less than 3 months and until mentally fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$3,000 fine payable within 6 months.

Pharmacy

Srinath Thoompally; Pharmacist; Totowa, NJ 07512; Lic. No. 049132; Cal. No. 26933; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$1,000 fine.

Michael Philip Swanson; Pharmacist; Bemus Point, NY 14712; Lic. No. 044250; Cal. No. 27508; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, \$500 fine payable within 6 months.

Eva Marie Rodriguez; Pharmacist; Brooklyn, NY 11235; Lic. No. 039755; Cal. No. 27670; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 24 months probation.

Physical Therapy

David A. Cusick; Physical Therapist Assistant; Sanborn, NY 14132; Cert. No. 008675; Cal. No. 27506; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to

practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

Public Accountancy

Daniel Patrick Healy a/k/a Daniel P. Healy; Certified Public Accountant; Rockville Centre, NY 11571; Lic. No. 060040; Cal. No. 27516; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation, \$1,000 fine.

III. RESTORATIONS

The Board of Regents voted on October 21, 2014 to stay the execution of the order of surrender of the physician license of **Frederic Cohen**, Jackson, NJ, to require successful completion of a remediation plan, and thereafter to place him on probation for two years, under specified terms and conditions, and upon successful completion of probation, to fully restore his license. Dr. Cohen's license was originally surrendered August 1, 2006.

The Board of Regents voted on October 21, 2014 to deny the application for restoration of the physician license of **David B. Tomback**, Fort Lauderdale, FL. Dr. Tomback's license was originally revoked September 15, 2002.

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New York State Board of Regents

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