

Deaths started Faymore's legal battles

Three patients in the Doctors Clinic methadone-maintenance program died in early 1972. That marked the beginning of legal battles that would see Dr. Leonard F. Faymore defending himself from wrongful death suits and fighting to keep his medical license.

According to Ohio Medical Board (OMB) records and official records of various Ohio courts, the first hint of Faymore's legal hassles came May 11, 1972, when the Ohio Medical Board asked the Ohio attorney general to investigate alleged improper medical practices at Doctors Clinic.

At issue were charges the three patients died from overdoses, and that the clinic was improperly administering methadone and other drugs to heroin addicts.

On July 19, 1972, the OMB informed Faymore by letter of a hearing to decide whether his license would be suspended.

THE OMB had earlier revealed it had evidence from a Bureau of Criminal Investigation undercover agent, who had been given three prescriptions for methadone by Faymore without a physical examination.

Based on that evidence, the OMB cited Faymore with "gross immorality and grossly unprofessional and dishonest conduct."

Faymore also was cited for prescribing drugs in an excessive amount to George Johnson Jr., of Elyria. Johnson died May 15, 1972 from an overdose of barbiturates. Johnson was the fourth patient in the methadone program to die.

The OMB's formal hearings began September 1972.

Undercover agent Steve Koch testified Faymore did not give him any physical examination, blood pressure tests, urinalysis tests or ask him to remove his shirt to look for needle marks during his three Doctors Clinic visits in November of 1971.

Koch said he told Faymore he'd been using heroin for two years.

The charge in connection with Johnson's death was dismissed due to lack of evidence.

ON NOV. 7, 1972, Faymore testified he did not give Koch a urinalysis test because the undercover agent had a "good story" and there were no facilities at the clinic to administer such tests.

On Feb. 1, 1973, the OMB suspended Faymore's license for six months, with a two-year probationary period to follow.

Faymore appealed the suspension.

In the midst of Faymore's troubles with the OMB, the U.S. Food and Drug Administration ordered Doctors Clinic to bring its record-keeping into line for the methadone-maintenance program.

In June 1972, the FDA claimed Faymore had not countersigned initial orders for methadone or prescriptions for increased dosages.

Additionally, deficient records of liver functions studies were found; x-ray results were not properly entered on Doctors Clinic records; patient histories were incomplete and syphilis tests were not indicated.

And yet still other legal problems emerged.



DR. LEONARD FAYMORE

On Nov. 28, 1972, the first of a series of wrongful death suits were filed against Faymore.

GEORGE JOHNSON Sr., of Elyria, filed for \$1.1 million, charging Faymore with negligence in his son's death.

On Feb. 23, 1973, Faymore was sued for \$100,000 by Gust Michos of Cleveland, the father of Nicholas Michos whose March 1972 death allegedly resulted from the methadone-maintenance program.

On March 1, 1973 the father of Francis J. Lascoe Jr., of Cleveland, filed suit against Faymore on similar grounds in connection with his son's death in March 1972.

Shortly thereafter, Faymore began his fight in the courts to keep his license. On March 7, 1973, he filed suit in Cuyahoga County Common Pleas Court to overturn the OMB decision.

On May 5, he lost his appeal. He went on to the 8th District Court of Appeals.

That court ruled in his favor, claiming the OMB failed to file a complete record of its proceedings with the lower court.

The next day, the OMB said it would appeal to the Ohio Supreme Court.

But on March 15, 1974, the state's highest court refused to hear the case.

FAYMORE STARTED winning some battles on the wrongful death suits.

On Feb. 26, 1976, the Michos suit was dismissed (The Lascoe suit had earlier been dismissed).

On March 3, 1977, the trial for the wrong-

ful death suit of George Johnson Sr. began in Elyria.

That trial featured video-taped testimony from Dr. Robert Herman, of the Cleveland Clinic, who claimed Faymore wrote prescriptions for "tremendous amounts of narcotics."

Other doctors, including Dr. Albert Sattin, a University Hospital psychiatrist engaged primarily in teaching and research, claimed Faymore's style of treatment was to prescribe drugs. He also claimed the doctor's record-keeping procedures were "disorderly."

And three local pharmacists testified they had stopped filling Doctors Clinic prescriptions made out for Johnson because the amounts were excessive.

On March 8, 1977, Faymore took the stand in his own defense. He was the only witness to appear in rebuttal of the charges brought against him.

FAYMORE CLAIMED he had tried to get Johnson into three drug treatment centers, but the young man had walked out of those programs. Faymore also told the jury he had often given Johnson placebos (fake medication) to check whether his patient really was experiencing the pain he complained of.

Above all, Faymore's attorney claimed the doctor had cared too much to turn an addict out onto the street.

"He was like the man who loved not wisely, but too well," said Faymore's attorney, Mark O'Neill in his closing arguments.

The six-man, two-woman jury decided March 15 in Faymore's favor.

Ferrari came to Doctors Clinic after 15-year Air Force career

Dr. Victor J. Ferrari served a 15-year medical career in the U.S. Air Force before joining Doctors Clinic in the late 70s.

Ferrari, born in Fort Smith, Ark., in 1931, attended Arkansas public schools and received his undergraduate and medical degrees from the University of Arkansas. He interned in Arkansas and was licensed to practice medicine there in 1957.

Ferrari was commissioned as a physician officer in the Air Force in 1960 and held several posts before resigning as a colonel in June 1975, according to record filed in the Ohio Medical Board's office by the doctor.

AMONG THE posts Ferrari held were chief of aerospace medicine in Charleston, S.C., and commander of the 7244th Division dispensary in Saudi Arabia. He also served a prestigious residency in aerospace medicine at Johns Hopkins University and another in radiology at Travis Air Force Base in California.

Ferrari was stationed at Wright-Patterson Air Force

Base in Dayton when he left the service.

No reason was given for Ferrari's discharge in the records he filed with the Ohio Medical Board, but he could have received full retirement benefits if he had stayed in the service another five years. He also could have retired as a brigadier general if the normal procedure of retiring at the next higher rank was followed.

On June 3, 1975, Ferrari was licensed to practice medicine in Ohio without testing. Members of the Ohio Medical Board unanimously voted to admit Ferrari on the basis of his experience.

AUDREY FERRARI, his wife, serves as his assistant at Doctors Clinic. Ferrari also practices medicine at 155 N. Leavitt Road in Amherst and has a radiology clinic at Westgate in Fairview Park. Ferrari formerly practiced at the Vermilion Clinic on Liberty Avenue until last December and is using the Amherst office temporarily until a new office can be remodeled on Rt. 60 in Vermilion.

Doris Hunt was administrator for ill-fated Doctor Catalan

Doris Hunt, administrator of Doctors Clinic, worked for another area doctor who was accused, but never convicted, of drug misuse.

Ms. Hunt, wife of Dr. Leonard Faymore, was listed as the administrator for Dr. Epitacio Catalan's clinic in the late 60's, according to information found during the Chronicle-Telegram's investigation of Doctors Clinic.

Catalan, a prominent and respected doctor in Elyria until he was charged with obtaining demerol (a narcotic) from three local pharmacies by fraud and misrepresentation in 1969, died in May of 1971 of pulmonary edema brought on by a

self-inflicted overdose of salicylate and amphetamine.

the Doctors Clinic on Butternut Ridge Road.

CATALAN, A native of the Philippines, was charged by the Ohio Board of Pharmacy with writing prescriptions for a patient he had not seen for three years, stood trial in Lorain County Common Pleas Court, and was acquitted March 5, 1970.

Ms. Hunt worked for Catalan for several years before moving in with Dr. Leonard Faymore.

In the 1973 divorce action between Faymore and his first wife Sharon, court records showed Ms. Hunt was living with Faymore.

She later became administrator of

Reporters contributing to the C-T's investigation on Doctors Clinic are Karen Balmer, Tom Ford, Lynn Haessly, Gloria Irwin, David Knox, Glen Miller and Bruce Vernyi. Directing their efforts is Earel Neikirk.

Disaster avoided in Willoughby propane explosion

WILLOUGHBY (UPI) — An explosion and fire at a propane gas distributing firm left one worker critically burned and two firefighters hospitalized, but firefighters prevent the blaze from reaching storage tanks and creating a major disaster.

"One of the workers was on the dock filling a tank and it blew up," Willoughby Fire Chief Kenneth Stafford said. "We don't know what caused it."

Worker Rich Zalanka, 23, of Painesville, is in the burn ward at Cleveland Metropolitan General Hospital with burns over 55 percent of his body.

STAFFORD SAID ZALANKA was hurt Thursday in the initial explosion that ripped through the loading dock at Propane Industrial Service Inc. Seven firefighters were hurt, but only two were hospitalized.

"I was the first officer on the scene," said Willoughby Fire Lt. Kim Stafford, son of the chief. "We concentrated on keeping the large tanks cool. If one of those had blown we would have probably found part of it a half-mile to a mile away. That's why we were so concerned."

Scores of small propane tanks on the loading dock did explode, rocketing far above nearby high-voltage transmission lines. Flames from the fire were visible at the Great Lakes Mall shopping center four miles away in Mentor.

Lt. Stafford said there was no damage estimate to the building, tanks and three trucks, but he guessed it would be "over \$1 million."

THE FIRE CHIEF HAD his men spray water on two sets of large tanks on two sides of the flaming loading dock and three trucks that were also on fire. On one side there were three tanks with a capacity of 30,000 gallons, and on the other side were four tanks with a capacity of 18,000 gallons.

Police blocked the nearby Lakeland Freeway for more than an hour because of the danger of additional explosions.

The chief said there was no way to prevent some firefighters from being overcome by heat.

"We had to get in tight on this to cool the tanks, or we would have lost the whole thing," he said, adding that no effort was made to put out the burning loading dock or the trucks, which were loaded with small propane cylinders.

"You can't put water on gas or you end up with gas escaping," he said. "This way we just let the gas burn itself off."

ZALANKA WAS RUSHED to a nearby hospital in an ambulance as firefighters from Willoughby and neighboring Willoughby and Eastlake arrived. Doctors at Lake County Memorial Hospital West took a quick look at Zalanka and immediately transferred him to the Cleveland hospital.

Two Willoughby firefighters, Gregory Chandler, 19, and Edward Titus, 22, were listed in stable condition in the intensive care ward at Lake County Memorial West. They suffered smoke inhalation and heat exhaustion.

Three other firefighters were treated at the hospital and two others were treated at the scene for the same injuries.



TWO FIREMEN help contain a fire at the Propane Gas Industries plant in the Cleveland suburb of Willoughby Thursday. A four-block area was evacuated. (AP)

Doctors' drug ring broken in Cleveland

CLEVELAND (UPI) — A drug ring that sold \$1 million dollars worth of doctors' prescriptions annually across Cuyahoga County through three doctors was broken, Cleveland police said.

Seven people, including three physicians, were arrested after being indicted secretly Thursday. Police say they expect to make 20 more arrests in connection with the case.

Those arrested are being held in the Cuyahoga County Jail and will be arraigned next week.

ARRESTED WERE Dr. Antonio Mata of South Russell, on 225 counts of state drug law violations; Dr. Hilario Lim of Rocky River, on three counts; Dr. Fernando Rodriguez of Cleveland, on three counts; and Charles Klypchak of

Cleveland, on 30 counts.

Also indicted on charges of receiving stolen property and possession of criminal tools were 26-year-old Donna Bartley and 18-year-old Marilyn Goodspeed, both of Cleveland.

Detectives said the drug ring was masterminded by Klypchak, who has been arrested four times in the last two months on drug law violations.

Conservatives lose fight: Gen. Jones gets 2nd term

WASHINGTON (UPI) — Conservative Republicans fought it to the end, but the Senate has confirmed by a wide margin Air Force Gen. David Jones for a second term as chairman of the Joint Chiefs of Staff.

By a 66-9 vote, the Senate confirmed President Carter's nomination of Jones to the nation's top uniformed military position for a second time. Jones' first term expires at midnight Friday.

Republican conservatives accused Jones of being soft on President Carter by bowing to his policies and not standing up for the military.

THEY ALSO criticized Jones for endorsing the Strategic Arms Limitation Treaty with the Soviet Union, even though Carter withdrew the treaty after the Soviets invaded Afghanistan.

"Jones either pulled his punches when we were relying on him for advice, or he supports the president's disastrous defense policy. In either case, they are grounds for not confirming him for a second term," said Sen. Gordon Humphrey, R-N.J.

Sen. Jesse Helms, R-N.C., said he felt Jones "was 180 percent wrong" on SALT. But Helms said he also felt Jones was "unfit for a second term" because of the deteriorating state of American armed services.

"THE JOB OF chairman of the Joint Chiefs of Staff is not just to salute when the president gives an order," Helms said. "The job of the chairman of the Joint Chiefs of Staff is to say, 'Wait a minute, Mr. President, you are making a mistake.'"

Quick signing expected

Truck deregulation bill shipped to Carter

WASHINGTON (UPI) — In a fragile compromise with the Senate, the House has passed a truck deregulation bill that gives President Carter another victory in his effort to reduce federal regulation of the transportation industry.

The truck deregulation bill was expected to be accepted by the Senate, perhaps today, and Carter was expected to quickly sign it.

THE WHITE HOUSE issued a statement saying the House, which approved the bill 367-13 Thursday night, "took a major step today in the fight against inflation" by passing the bill.

"By increasing competition and ending irrational regulatory restrictions, the bill will save shippers and consumers billions of dollars each year and conserve hundreds of millions of gallons of

fuel," Carter said in the statement.

The trucking bill will join an airline deregulation bill that passed last year. The House is expected to act within a few weeks on a railroad deregulation bill also supported by Carter.

THE QUESTION of what Jones would do if Ronald Reagan becomes president hung over the debate. Exon said he was sure "if Gen. Jones did not respect the man who was his commander in chief, I think you would find General Jones is a man who would automatically step aside."

During Senate Armed Services Committee confirmation hearings Monday, Jones denied he struck a deal with Republicans not to contest his nomination for a second two-year term.

Helms said Jones promised Sen. John Warner, R-Va., a former Navy secretary, he would quit if Reagan becomes president. But Jones said he and Warner only discussed the law, which says the chairman serves at the "pleasure of the president."

"I DO NOT foresee a conceivable circumstance where at the change of administrations I would step aside," Jones testified.

"I have made no agreement, implicit or otherwise, whereby I would submit my resignation."

Past joint chiefs chairmen have continued to serve under new presidents. Jones, 59, became chairman on June 21, 1978.

THE INTERSTATE COMMERCE Commission has been governed by the same law regarding trucking since 1934.

ICC Chairman Darius Gaskins called the bill "a balanced and comprehensive reform" and promised "swift action" to implement it.

Several amendments that could have upset the compromise between the House and Senate were defeated.

"This is a fragile compromise at best," said Rep. William Harsha, R-Ohio, in convincing his colleagues to keep the bill amendment-free.