



April 10, 2024

Case number: 24-CRF-0074

Jack Gilbert Siebenaler, M.D.
6511 W Central Ave
Toledo, OH 43617-1076

Dear Doctor Siebenaler:

Enclosed please find certified copies of the Entry of Order, the Notice of Summary Suspension and Opportunity for Hearing, and an excerpt of the Minutes of the State Medical Board, meeting in regular session on April 10, 2024, including a Motion adopting the Order of Summary Suspension and issuing the Notice of Summary Suspension and Opportunity for Hearing.

You are advised that continued practice after receipt of this Order shall be considered practicing without a certificate, in violation of Section 4731.41, Ohio Revised Code.

Pursuant to Chapter 119, Ohio Revised Code, you are hereby advised that you are entitled to a hearing on the matters set forth in the Notice of Summary Suspension and Opportunity for Hearing. If you wish to request such hearing, that request must be made in writing and be received in the offices of the State Medical Board within thirty days of the time of service of this notice. Further information concerning such hearing is contained within the Notice of Summary Suspension and Opportunity for Hearing.

THE STATE MEDICAL BOARD OF OHIO

A handwritten signature in blue ink that reads "Kim G. Rothermel, M.D." The signature is written in a cursive style.

Kim G. Rothermel, M.D.
Secretary

KGR/MRB/lv
Enclosures

CERTIFICATION

I hereby certify that the attached copies of the Entry of Order of the State Medical Board of Ohio and the Motion by the State Medical Board, meeting in regular session on April 10, 2024, to Adopt the Order of Summary Suspension and to Issue the Notice of Summary Suspension and Opportunity for Hearing, constitute true and complete copies of the Motion and Order in the Matter of Jack Gilbert Siebenaler, M.D., Case number: 24-CRF-0074 as they appear in the Journal of the State Medical Board of Ohio.

This certification is made under the authority of the State Medical Board of Ohio and in its behalf.





Kim G. Rothermel, M.D., Secretary

April 10, 2024
Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF :
JACK GILBERT SIEBENALER, M.D. :
CASE NUMBER: 24-CRF-0074 :

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio the 10th day of April 2024.

Pursuant to Section 4731.22(G), Ohio Revised Code, and upon recommendation of Kim G. Rothermel, M.D., Secretary, and Harish Kakarala, M.D., Supervising Member; and

Pursuant to their determination, based upon their review of the information supporting the allegations as set forth in the Notice of Summary Suspension and Opportunity for Hearing, that there is clear and convincing evidence that Dr. Siebenaler has violated Sections 4731.22(B)(6) and 4731.22(B)(20), Ohio Revised Code, as alleged in the Notice of Summary Suspension and Opportunity for Hearing that is enclosed herewith and fully incorporated herein; and,

Pursuant to their further determination, based upon their review of the information supporting the allegations as set forth in the Notice of Summary Suspension and Opportunity for Hearing, that Dr. Siebenaler’s continued practice presents a danger of immediate and serious harm to the public;

The following Order is hereby entered on the Journal of the State Medical Board of Ohio for the 10th day of April 2024:

It is hereby ORDERED that the certificate of Jack Gilbert Siebenaler, M.D., to practice medicine and surgery in the State of Ohio be summarily suspended.

It is hereby ORDERED that Dr. Siebenaler shall immediately cease the practice of medicine and surgery in Ohio and immediately refer all active patients to other appropriate physicians.

This Order shall become effective immediately.



Kim G. Rothermel, M.D.
Kim G. Rothermel, M.D.
Secretary

April 10, 2024
Date



**NOTICE OF SUMMARY SUSPENSION
AND
OPPORTUNITY FOR HEARING**

April 10, 2024

Case number: 24-CRF-0074

Jack Gilbert Siebenaler, M.D.
6511 W Central Ave
Toledo, OH 43617-1076
jacksiebe@yahoo.com

Dear Doctor Siebenaler:

The Secretary and the Supervising Member of the State Medical Board of Ohio [Board] have determined that there is clear and convincing evidence that you have violated Sections 4731.22(B)(6) and 4731.22(B)(20), Ohio Revised Code, and have further determined that your continued practice presents a danger of immediate and serious harm to the public, as set forth in paragraphs (1) through (3), below.

Therefore, pursuant to Section 4731.22(G), Ohio Revised Code, and upon recommendation of Kim G. Rothermel, M.D., Secretary, and Harish Kakarala, M.D., Supervising Member, you are hereby notified that, as set forth in the attached Entry of Order, your license or certificate to practice medicine and surgery in the State of Ohio is summarily suspended. Accordingly, at this time, you are no longer authorized to practice medicine and surgery in Ohio.

Furthermore, in accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the Board intends to determine whether or not to limit, revoke, permanently revoke or suspend your license or certificate, or refuse to grant or register or issue the license or certificate for which you have a pending application in accordance with Section 9.79 of the Ohio Revised Code, or refuse to renew or reinstate your license or certificate to practice medicine and surgery, or to reprimand you or place you on probation for one or more of the following reasons:

- (1) Previously, on or about March 9, 2022, the Board issued to you a Notice of Opportunity for Hearing [March 2022 Notice of Opportunity] wherein it was alleged that you had violated Section 4731.22(B)(20), Ohio Revised Code, to wit: Liposuction in the Office Setting, Rule 4731-25-05, Ohio Administrative Code, and Section 4731.22(B)(6), Ohio Revised Code, in connection with your treatment of twelve patients.

On or about December 14, 2022, you entered into a Consent Agreement [December 2022 Consent Agreement] with the Board wherein you admitted to violations of Section 4731.22(B)(20), Ohio Revised Code, and Rule 4731-25-05, Ohio Administrative Code, as alleged in the March 2022 Notice of Opportunity. You were suspended for a definite period of ninety days and fined \$10,000.

At the Board meeting on or about April 12, 2023, you were released from the terms of the December 2022 Consent Agreement.

- (2) From on or about April 12, 2023 through on or about May 6, 2023, you provided care and treatment in the routine course of your practice to Patient 1, as identified in the attached Patient Key (Key is confidential and to be withheld from public disclosure). During your care of this patient, you failed to appropriately evaluate, assess, treat, monitor, and/or manage this patient; and/or you failed to appropriately determine the suitability of this patient for a liposuction procedure you performed at your office; and/or you failed to perform, or assure that other health care providers had performed, an appropriate pre-operative work-up on this patient.
- (3) The specific conduct and/or omissions include, but are not limited to, the following:

Patient 1 first presented to your office on or about April 12, 2023. You performed a liposuction procedure at your office on or about April 15, 2023, for localized fat excess of her upper and lower abdominal wall and bilateral flanks. Patient 1 was a high-risk patient and she would be classified as American Society of Anesthesiologists Class III. The patient's history included supraventricular tachycardia, valvular heart disease s/p (status post) mechanical valve replacement, pacemaker placement and anticoagulant use. Your chart for the patient indicated that she informed you and/or your staff of her medical history and use of anticoagulant therapy during the initial office visit. On or about April 15, 2023, you inappropriately performed a liposuction procedure at your office, as opposed to a surgical center or hospital. Patient 1 was not an appropriate candidate for liposuction of the abdomen and flanks in an office setting, as she had a pacemaker and severe systemic disease. While the chart included a notation that Patient 1 was cleared by cardiology, there was no appropriate documentation in the medical records of any report, letter, or documented phone call with a cardiologist, clearing the patient for undergoing an elective liposuction procedure in an office setting. In addition, there was an absence of documentation in your chart about requesting or obtaining input from the prescribing physician for Patient 1's anticoagulant therapy, regarding an appropriate time frame for the patient to discontinue her use of anticoagulants before undergoing a liposuction procedure.

During the liposuction procedure you performed in the office setting on or about April 15, 2023, Patient 1 was administered 2500 ccs of tumescent anesthesia, and 2300 ccs of fluid was removed. Following the surgery, Patient 1 was seen at your office on April 17, 2023, with complaints of pain, and she was noted to have drainage and bruising of her abdominal wall. On or about April 18, 2023, the patient called with complaints of dizziness, shortness of breath and bleeding at the surgical site, and you made a house call. Later that day, Patient 1 went to the emergency room, with continued shortness of breath and bleeding. Initial hospital work-up revealed a large hematoma on CT scan and hemoglobin 8.7 g/dl. The patient's hemoglobin decreased to 6.8 g/dl on April 19, 2023, necessitating a transfusion of one unit of PRBCs [packed red blood cells]. On or about April 24, 2023, Patient 1 underwent an incision and drainage of the abdominal wall hematoma with drain placement, and she was discharged home on or about April 25, 2023, with a drain tube in place.

Your acts, conduct, and/or omissions, as alleged in paragraphs (2) and (3) above, individually and/or collectively, constitute "[a] departure from, or the failure 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," as that clause is used in Section 4731.22(B)(6), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (2) and (3) above, individually and/or collectively, constitute "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Liposuction in the Office Setting, Rule 4731-25-05, Ohio Administrative Code. Further, pursuant to Rule 4731-25-05(G), Ohio Administrative Code, a violation of any provision of Rule 4731-25-05, Ohio Administrative Code shall constitute "a departure from, or the failure 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," as that clause is used in division (B)(6) of section 4731.22 of the Revised Code.

Furthermore, for any violations that occurred on or after September 29, 2015, the Board may impose a civil penalty in an amount that shall not exceed twenty thousand dollars, pursuant to Section 4731.225, Ohio Revised Code. The civil penalty may be in addition to any other action the Board may take under section 4731.22, Ohio Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, and Chapter 4731., Ohio Revised Code, you are hereby advised that you are entitled to a hearing concerning these matters. If you wish to request such hearing, the request must be made in writing and must be received in the offices of the State Medical Board within thirty days of the time of service of this notice.

You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing received within thirty days of the time of service of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, permanently revoke or suspend your license or certificate, or refuse to grant or register or issue the license or certificate for which you have a pending application in accordance with Section 9.79 of the Ohio Revised Code, or refuse to renew or reinstate your license or certificate to practice, or to reprimand you or place you on probation.

Please note that, whether or not you request a hearing, Section 4731.22(L), Ohio Revised Code, provides that "[w]hen the board refuses to grant or issue a license or certificate to practice to an applicant, revokes an individual's license or certificate to practice, refuses to renew an individual's license or certificate to practice, or refuses to reinstate an individual's license or certificate to practice, the board may specify that its action is permanent. An individual subject to a permanent action taken by the board is forever thereafter ineligible to hold a license or certificate to practice and the board shall not accept an application for reinstatement of the license or certificate or for issuance of a new license or certificate."

Copies of the applicable sections are enclosed for your information.

THE STATE MEDICAL BOARD OF OHIO



Kim G. Rothermel, M.D.
Secretary

KGR/MRB/lv
Enclosures

Via email: jacksiebe@yahoo.com and Alexandria M. Balduff, Esq at abalduff@reminger.com

cc: BY PERSONAL DELIVERY

cc: Alexandria M. Balduff, Esq
Reminger Co., LPA
154 Columbus Ave, Floor 2
Sandusky, OH 44870
abalduff@reminger.com



EXCERPT FROM THE DRAFT MINUTES OF APRIL 10, 2024

NOTICES OF OPPORTUNITY FOR HEARING, ORDERS OF SUMMARY SUSPENSION, ORDERS OF IMMEDIATE SUSPENSION, AND ORDERS OF AUTOMATIC SUSPENSION

JACK GILBERT SIEBENALER, M.D. – NOTICE OF SUMMARY SUSPENSION AND OPPORTUNITY FOR HEARING

Dr. Soin moved to approve and issue proposed Citation #8, a Notice of Summary Suspension and Opportunity for Hearing. Dr. Johnson seconded the motion. A vote was taken:

ROLL CALL:	Dr. Rothermel	- abstain
	Dr. Bechtel	- abstain
	Dr. Soin	- aye
	Ms. Brumby	- aye
	Dr. Reddy	- aye
	Mr. Gonidakis	- aye
	Dr. Lewis	- aye
	Ms. Montgomery	- aye
	Dr. Johnson	- aye
	Dr. Boyle	- aye
	Dr. Feibel	- aye

The motion carried.

**IN THE MATTER OF
Siebenaler, Jack Gilbert,
M.D.
24-CRF-0074**

**April 10, 2024, NOTICE OF
OPPORTUNITY FOR HEARING -
PATIENT KEY**

**SEALED TO
PROTECT PATIENT
CONFIDENTIALITY AND
MAINTAINED IN CASE
RECORD FILE.**

**CONSENT AGREEMENT
BETWEEN
JACK GILBERT SIEBENALER, M.D.,
AND
THE STATE MEDICAL BOARD OF OHIO
CASE NO. 22-CRF-0042**

This Consent Agreement is entered into by and between Jack Gilbert Siebenaler, M.D., [Dr. Siebenaler], and the State Medical Board of Ohio [Board], a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

Dr. Siebenaler enters into this Consent Agreement being fully informed of his rights under Chapter 119., Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudicative hearing on the issues considered herein.

BASIS FOR ACTION

This Consent Agreement is entered into on the basis of the following stipulations, admissions and understandings:

- A. The Board is empowered by Section 4731.22(B), Ohio Revised Code, to limit, revoke, suspend a certificate, refuse to register or reinstate an applicant, or reprimand or place on probation the holder of a certificate for violation of Section 4731.22(B)(20), Ohio Revised Code, for "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board: to wit, O.A.C. 4731-25-05, Liposuction in the Office Setting" rules.
- B. The Board enters into this Consent Agreement in lieu of further formal proceedings based upon the allegations set forth in the Notice of Opportunity for Hearing issued on March 9, 2022, which is attached hereto as Exhibit A and incorporated herein by this reference. The Board expressly reserves the right to institute additional formal proceedings based upon any other violations of Chapter 4731., Ohio Revised Code, whether occurring before or after the effective date of this Consent Agreement.
- C. Dr. Siebenaler is licensed to practice medicine and surgery in the State of Ohio, License number 35.053850.
- D. Dr. Siebenaler states that he is currently licensed in the State of Michigan.
- E. Dr. Siebenaler admits to violations of O.R.C. 4731.22(B)(20) and violations of O.A.C. 4731-25-05 as alleged in the March 9, 2022 Notice of Opportunity for Hearing.

AGREED CONDITIONS

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, Dr. Siebenaler knowingly and voluntarily agrees with the Board to the following terms, conditions and limitations:

SUSPENSION OF CERTIFICATE

1. The certificate of Dr. Siebenaler to practice medicine and surgery in the State of Ohio shall be SUSPENDED FOR A DEFINITE PERIOD OF NINETY (90) DAYS.

GENERAL PROBATIONARY REQUIREMENTS:

Obey all Laws

2. Dr. Siebenaler shall obey all federal, state, and local laws.

Absences from Ohio

3. In the event that Dr. Siebenaler does not reside or practice in Ohio while subject to the requirements of this Consent Agreement, the Secretary and Supervising Member of the Board, in their sole discretion, may allow this Board's monitoring of Dr. Siebenaler to be coordinated with an entity or board from another jurisdiction provided the Secretary and Supervising Member determine that such coordination ensures substantial compliance with the requirements of this Consent Agreement.

Releases; Quarterly Declarations and Appearances

4. Dr. Siebenaler shall submit quarterly declarations under penalty of Board disciplinary action and/or criminal prosecution, stating whether there has been compliance with all the conditions of this Consent Agreement. The first quarterly declaration must be received in the Board's offices on the first day of the third month following the month in which this Consent Agreement becomes effective, or as otherwise requested by the Board. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.
5. Dr. Siebenaler shall appear in person for an interview before the full Board or its designated representative during the third month following the effective date of this Consent Agreement. Subsequent personal appearances must occur as otherwise requested by the Board. If an appearance is missed or is rescheduled for any reason, ensuing appearances shall be scheduled based on the appearance date as originally scheduled.

REQUIRED REPORTING BY LICENSEE

6. Within thirty days of the effective date of this Consent Agreement, Dr. Siebenaler shall provide a copy of this Consent Agreement to all employers or entities with which he is under contract to provide health care services (including but not limited to third party payors) or is receiving training; and the Chief of Staff at each hospital where he has privileges or appointments. Further, Dr. Siebenaler shall promptly provide a copy of this

Consent Agreement to all employers or entities with which he contracts to provide health care services, or applies for or receives training, and the Chief of Staff at each hospital where he applies for or obtains privileges or appointments. In the event that Dr. Siebenaler provides any health care services or health care direction or medical oversight to any emergency medical services organization or emergency medical services provider, within thirty days of the effective date of this Consent Agreement Dr. Siebenaler shall provide a copy of this Consent Agreement to the Ohio Department of Public Safety, Division of Emergency Medical Services. Further, within thirty days of the date of each such notification, Dr. Siebenaler shall provide documentation acceptable to the Secretary and Supervising Member of the Board demonstrating that the required notification has occurred.

7. Within thirty days of the effective date of this Consent Agreement, Dr. Siebenaler shall provide a copy of this Consent Agreement by certified mail to the proper licensing authority of any state or jurisdiction in which he currently holds any professional license, as well as any federal agency or entity, including but not limited to the Drug Enforcement Agency, through which he currently holds any license or certificate. Dr. Siebenaler further agrees to provide a copy of this Consent Agreement by certified mail at time of application to the proper licensing authority of any state in which he applies for any professional license or reinstatement of any professional license. Additionally, within thirty days of the effective date of this Consent Agreement, Dr. Siebenaler shall provide a copy of this Consent Agreement to any specialty or subspecialty board of the American Board of Medical Specialties or the American Osteopathic Association Bureau of Osteopathic Specialists under which he currently holds or has previously held certification. Further, within thirty days of the date of each such notification, Dr. Siebenaler shall provide documentation acceptable to the Secretary and Supervising Member of the Board demonstrating that the required notification has occurred.
8. Dr. Siebenaler shall notify the Board in writing of any change of principal practice address or residence address within thirty days of such change.

MONETARY FINE:

9. Within thirty days of the effective date of this Consent Agreement, Dr. Siebenaler shall remit payment in full of a monetary fine of ten thousand dollars (\$10,000.00). Such payment shall be made in full via credit card in the manner specified by the Board through its online portal, or by other manner as specified by the Board. Further, Dr. Siebenaler acknowledges and agrees that his failure to timely remit full payment shall constitute a violation of this agreement and agrees to pay all reasonable costs associated with the collection of any payment.

DURATION/MODIFICATION OF TERMS

The above-described terms, conditions and limitations may be amended or terminated in writing at any time upon the agreement of both parties. In the event that the Board initiates future formal proceedings against Dr. Siebenaler, including but not limited to issuance of a Notice of Opportunity for Hearing, this Consent Agreement shall continue in full force and effect until such time that it is superseded by ratification by the Board of a subsequent Consent Agreement or upon this Consent Agreement being superseded by a subsequent final Board Order taking effect.

Further, in the event that Dr. Siebenaler's certificate to practice is not reinstated/restored within five years of the effective date of this Consent Agreement, this agreement shall remain in effect but the provisions set forth within the "General Probationary Requirements" and the "Required Reporting by Licensee" sections, above, shall automatically terminate at that time.

In the event that any term, limitation, or condition contained in this Consent Agreement is determined to be invalid by a court of competent jurisdiction, Dr. Siebenaler and the Board agree that all other terms, limitations, and conditions contained in this Consent Agreement shall be unaffected.

FAILURE TO COMPLY

If, in the discretion of the Secretary and Supervising Member of the Board, Dr. Siebenaler appears to have violated or breached any term or condition of this Consent Agreement, the Board reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this Consent Agreement.

ACKNOWLEDGMENTS/LIABILITY RELEASE

By executing his signature on this Consent Agreement, Dr. Siebenaler agrees that in the event the Board, in its discretion, does not ratify this Consent Agreement, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. Dr. Siebenaler and the Board further agree that if this Consent Agreement is not approved, it shall not constitute an admission against interest in this proceeding and shall not prejudice the ability of the Board to adjudicate this matter.

This Consent Agreement represents the sole and entire agreement of the parties hereto and supersedes all prior written or oral negotiations, agreements, or understandings between the parties. No party to this agreement has been induced to enter into the Consent Agreement by any representations or inducements except those expressly set forth in this written agreement. Further, all parties agree that to the extent any language in the agreement will be interpreted in a subsequent dispute, no ambiguous language shall be construed against the party drafting this Consent Agreement.

Dr. Siebenaler acknowledges that he has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

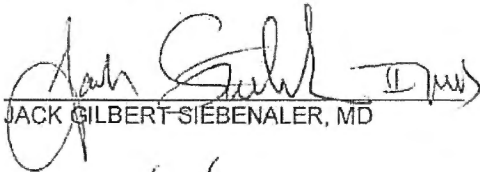
Any action initiated by the Board based on alleged violations of this Consent Agreement shall comply with the Administrative Procedure Act, Chapter 119., Ohio Revised Code.

Dr. Siebenaler hereby releases the Board, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

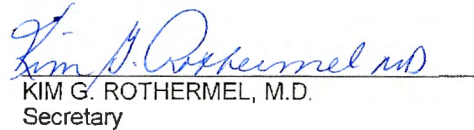
This Consent Agreement shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code. Further, this information may be reported to appropriate organizations, data banks and governmental bodies. Dr. Siebenaler acknowledges that his social security number will be used if this information is so reported and agrees to provide his social security number to the Board for such purposes.

EFFECTIVE DATE

It is expressly understood that this Consent Agreement is subject to ratification by the Board prior to signature by the Secretary and Supervising Member and shall become effective upon the last date of signature below. Further, Dr. Siebenaler specifically acknowledges that the electronic transmission of a scanned or photostatic copy of any executed signature to this Consent Agreement, upon being received by the Board, shall be deemed to have the full legal force and effect as the original.


JACK GILBERT SIEBENALER, MD

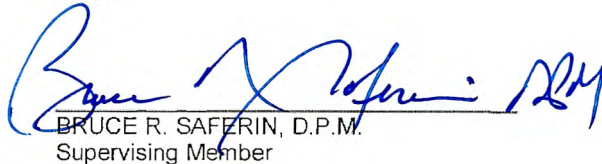
12/6/2022
DATE


KIM G. ROTHERMEL, M.D.
Secretary

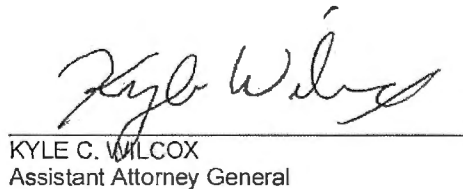
12-14-22
DATE


KYLE SILVERS, ESQ.
Attorney for Dr. Siebenaler

12/6/22
DATE


BRUCE R. SAFERIN, D.P.M.
Supervising Member

12-14-22
DATE


KYLE C. WILCOX
Assistant Attorney General

12-7-2022
DATE



March 9, 2022

Case number: 22-CRF- 0042

Jack Gilbert Siebenaler, M.D.
5415 Monroe St.
Toledo, OH 43623

Dear Doctor Siebenaler:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio [Board] intends to determine whether or not to limit, revoke, permanently revoke or suspend your license or certificate, or refuse to grant or register or issue the license or certificate for which you have a pending application in accordance with Section 9.79 of the Ohio Revised Code, or refuse to renew or reinstate your license or certificate to practice medicine and surgery, or to reprimand you or place you on probation for one or more of the following reasons:

- (1) In or around March 2021, you were interviewed by a Board Investigator and asked about the liposuction procedures that you performed on your patients, both in general and specifically on Patient 1 as identified in the attached Patient Key. (Key is confidential and shall be withheld from public disclosure). In response to the Investigator's questions, you indicated that while a patient's vital signs are checked pre-operatively, they are not continuously monitored during the liposuction procedures. You also indicated that you do not utilize IV access during liposuction procedures because you do not utilize anesthesia; rather, you use tumescent fluid for the procedures. With respect to the liposuction procedure that you performed on Patient 1 in or around July 2019, which you characterized as "tickle" lipo, you stated that the procedure took place at your office, and that 1,000 ml of aspirate was removed. You also indicated that an IV was not necessary, and the patient's vital signs were not continuously monitored during the procedure. When the investigator asked about hypovolemia, you indicated that it was not a problem for the small amount of fat you removed from the patient.
- (2) In the course of your practice, you provided treatment and care to Patients 1 through 12 as identified in the attached Patient Key. (Key is confidential and shall be withheld from public disclosure.) The medical care and treatment that you provided to Patients 1 through 12, which all occurred at your medical office, took place during the time period of in or around April 2017, through in or around December 2020. During the liposuction procedures you performed on Patients 1 through 12, you failed to comply with the rules applicable to performing liposuction procedures in an office setting.
- (3) Examples of your failure to comply with the applicable rules include the following:

Mailed 3/10/2022

- (a) While the patients' vital signs were recorded preoperatively, there was a failure to record and document the vital signs postoperatively for all the patients listed in the Patient Key, except Patient 5.
- (b) While you removed more than 100 ml of aspirate during the liposuction procedures you performed on Patients 1 through 12, you failed to provide and/or failed to document providing continuous blood pressure monitoring and cardiac monitoring with pulse oximetry.
- (c) While you removed more than 100 mg of aspirate during the procedures, you failed to have an intravenous line running, which you failed to have appropriately monitored.
- (d) Rather than complying with the rule requiring a running intravenous line that was appropriately monitored, you presented consent forms to Patients 1 through 12, which included the following provision:

The law requires us to have IV access. However, the current medical law for local anesthetic procedures does not require emergency pharmaceuticals to be on site. Due to the lack of update in this law you have the right to refuse this portion of the procedure. In the unlikely case of an emergency, 911 will be contacted and the RN may place peripheral IV at that time. I am refusing IV insertion at this time.

At your request, for each liposuction procedure, Patients 1 through 12 initialed the above provision in the consent forms. In addition, at your request, the Patients 1 through 12 also signed a second form, entitled "IV Option," which included the same or similar language that was contained in the consent forms.

Your acts, conduct, and/or omissions as alleged in paragraphs (1) through (3) above, individually and/or collectively, constitute "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Liposuction in the Office Setting, Rule 4731-25-05, Ohio Administrative Code. Further, pursuant to Rule 4731-25-05(G), Ohio Administrative Code, a violation of any provision of Rule 4731-25-05, Ohio Administrative Code shall constitute "a departure from, or the failure 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," as that clause is used in division (B)(6) of section 4731.22 of the Revised Code.

Furthermore, for any violations that occurred on or after September 29, 2015, the Board may impose a civil penalty in an amount that shall not exceed twenty thousand dollars, pursuant to Section 4731.225, Ohio Revised Code. The civil penalty may be in addition to any other action the Board may take under section 4731.22, Ohio Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, the request must be made in writing

and must be received in the offices of the State Medical Board within thirty days of the time of mailing of this notice.

You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing received within thirty days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, permanently revoke or suspend your license or certificate, or refuse to grant or register or issue the license or certificate for which you have a pending application in accordance with Section 9.79 of the Ohio Revised Code, or refuse to renew or reinstate your license or certificate to practice medicine and surgery, or to reprimand you or place you on probation.

Please note that, whether or not you request a hearing, Section 4731.22(L), Ohio Revised Code, provides that "[w]hen the board refuses to grant or issue a license or certificate to practice to an applicant, revokes an individual's license or certificate to practice, refuses to renew an individual's license or certificate to practice, or refuses to reinstate an individual's license or certificate to practice, the board may specify that its action is permanent. An individual subject to a permanent action taken by the board is forever thereafter ineligible to hold a license or certificate to practice and the board shall not accept an application for reinstatement of the license or certificate or for issuance of a new license or certificate."

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Kim G. Rothermel, M.D.
Secretary

KGR/MRB/brs
Enclosures

CERTIFIED MAIL # 9489 0090 0027 6431 0705 19
RETURN RECEIPT REQUESTED

**IN THE MATTER OF
JACK GILBERT
SIEBENALER, M.D.**

22-CRF-0042

**MARCH 9, 2022, NOTICE OF
OPPORTUNITY FOR HEARING -
PATIENT KEY**

**SEALED TO
PROTECT PATIENT
CONFIDENTIALITY AND
MAINTAINED IN CASE
RECORD FILE.**

USPS Tracking®

[FAQs >](#)

[Track Another Package +](#)

CITE - SIEBENALER

Tracking Number: 9489009000276431070519

[Remove X](#)

Your item was delivered to an individual at the address at 2:47 pm on March 14, 2022 in TOLEDO, OH 43623.

USPS Tracking Plus® Available [v](#)

 **Delivered, Left with Individual**

March 14, 2022 at 2:47 pm
TOLEDO, OH 43623

Feedback

Get Updates [v](#)

Text & Email Updates



Return Receipt Electronic



 Confirmation

Your Proof of Delivery record is complete and will be processed shortly.

Your confirmation will be sent to the following:

jackie.moore@med.ohio.gov

Tracking History



March 14, 2022, 2:47 pm

Delivered, Left with Individual
TOLEDO, OH 43623

Your item was delivered to an individual at the address at 2:47 pm on March 14, 2022 in TOLEDO, OH 43623.

March 13, 2022

In Transit to Next Facility

March 12, 2022, 4:35 am

Arrived at USPS Regional Destination Facility
TOLEDO OH DISTRIBUTION CENTER

March 11, 2022, 5:10 pm

Arrived at USPS Regional Destination Facility
DETROIT MI DISTRIBUTION CENTER

March 10, 2022, 10:40 pm

Arrived at USPS Regional Origin Facility
COLUMBUS OH DISTRIBUTION CENTER

March 10, 2022, 9:25 pm

Accepted at USPS Origin Facility
GROVEPORT, OH 43125

March 8, 2022

Pre-Shipment Info Sent to USPS, USPS Awaiting Item

Feedback

USPS Tracking Plus®



Product Information



See Less ^



March 22, 2022

Dear Jackie Moore:

The following is in response to your request for proof of delivery on your item with the tracking number:
9489 0090 0027 6431 0705 19.


Item Details

Status: Delivered, Left with Individual
Status Date / Time: March 14, 2022, 2:47 pm
Location: TOLEDO, OH 43623
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic
Recipient Name: Jack Gilbert Siebenaler M D

Shipment Details

Weight: 7.9oz

Recipient Signature

Signature of Recipient:	 NICK
Address of Recipient:	SMIS'

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004



March 9, 2022

Case number: 22-CRF- 0042

Jack Gilbert Siebenaler, M.D.
5415 Monroe St.
Toledo, OH 43623

Dear Doctor Siebenaler:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio [Board] intends to determine whether or not to limit, revoke, permanently revoke or suspend your license or certificate, or refuse to grant or register or issue the license or certificate for which you have a pending application in accordance with Section 9.79 of the Ohio Revised Code, or refuse to renew or reinstate your license or certificate to practice medicine and surgery, or to reprimand you or place you on probation for one or more of the following reasons:

- (1) In or around March 2021, you were interviewed by a Board Investigator and asked about the liposuction procedures that you performed on your patients, both in general and specifically on Patient 1 as identified in the attached Patient Key. (Key is confidential and shall be withheld from public disclosure). In response to the Investigator's questions, you indicated that while a patient's vital signs are checked pre-operatively, they are not continuously monitored during the liposuction procedures. You also indicated that you do not utilize IV access during liposuction procedures because you do not utilize anesthesia; rather, you use tumescent fluid for the procedures. With respect to the liposuction procedure that you performed on Patient 1 in or around July 2019, which you characterized as "tickle" lipo, you stated that the procedure took place at your office, and that 1,000 ml of aspirate was removed. You also indicated that an IV was not necessary, and the patient's vital signs were not continuously monitored during the procedure. When the investigator asked about hypovolemia, you indicated that it was not a problem for the small amount of fat you removed from the patient.
- (2) In the course of your practice, you provided treatment and care to Patients 1 through 12 as identified in the attached Patient Key. (Key is confidential and shall be withheld from public disclosure.) The medical care and treatment that you provided to Patients 1 through 12, which all occurred at your medical office, took place during the time period of in or around April 2017, through in or around December 2020. During the liposuction procedures you performed on Patients 1 through 12, you failed to comply with the rules applicable to performing liposuction procedures in an office setting.
- (3) Examples of your failure to comply with the applicable rules include the following:

Mailed 3/10/2022

- (a) While the patients' vital signs were recorded preoperatively, there was a failure to record and document the vital signs postoperatively for all the patients listed in the Patient Key, except Patient 5.
- (b) While you removed more than 100 ml of aspirate during the liposuction procedures you performed on Patients 1 through 12, you failed to provide and/or failed to document providing continuous blood pressure monitoring and cardiac monitoring with pulse oximetry.
- (c) While you removed more than 100 mg of aspirate during the procedures, you failed to have an intravenous line running, which you failed to have appropriately monitored.
- (d) Rather than complying with the rule requiring a running intravenous line that was appropriately monitored, you presented consent forms to Patients 1 through 12, which included the following provision:

The law requires us to have IV access. However, the current medical law for local anesthetic procedures does not require emergency pharmaceuticals to be on site. Due to the lack of update in this law you have the right to refuse this portion of the procedure. In the unlikely case of an emergency, 911 will be contacted and the RN may place peripheral IV at that time. I am refusing IV insertion at this time.

At your request, for each liposuction procedure, Patients 1 through 12 initialed the above provision in the consent forms. In addition, at your request, the Patients 1 through 12 also signed a second form, entitled "IV Option," which included the same or similar language that was contained in the consent forms.

Your acts, conduct, and/or omissions as alleged in paragraphs (1) through (3) above, individually and/or collectively, constitute "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board," as that clause is used in Section 4731.22(B)(20), Ohio Revised Code, to wit: Liposuction in the Office Setting, Rule 4731-25-05, Ohio Administrative Code. Further, pursuant to Rule 4731-25-05(G), Ohio Administrative Code, a violation of any provision of Rule 4731-25-05, Ohio Administrative Code shall constitute "a departure from, or the failure 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," as that clause is used in division (B)(6) of section 4731.22 of the Revised Code.

Furthermore, for any violations that occurred on or after September 29, 2015, the Board may impose a civil penalty in an amount that shall not exceed twenty thousand dollars, pursuant to Section 4731.225, Ohio Revised Code. The civil penalty may be in addition to any other action the Board may take under section 4731.22, Ohio Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, the request must be made in writing

and must be received in the offices of the State Medical Board within thirty days of the time of mailing of this notice.

You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing received within thirty days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, permanently revoke or suspend your license or certificate, or refuse to grant or register or issue the license or certificate for which you have a pending application in accordance with Section 9.79 of the Ohio Revised Code, or refuse to renew or reinstate your license or certificate to practice medicine and surgery, or to reprimand you or place you on probation.

Please note that, whether or not you request a hearing, Section 4731.22(L), Ohio Revised Code, provides that “[w]hen the board refuses to grant or issue a license or certificate to practice to an applicant, revokes an individual's license or certificate to practice, refuses to renew an individual's license or certificate to practice, or refuses to reinstate an individual's license or certificate to practice, the board may specify that its action is permanent. An individual subject to a permanent action taken by the board is forever thereafter ineligible to hold a license or certificate to practice and the board shall not accept an application for reinstatement of the license or certificate or for issuance of a new license or certificate.”

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Kim G. Rothermel, M.D.
Secretary

KGR/MRB/brs
Enclosures

CERTIFIED MAIL # 9489 0090 0027 6431 0705 19
RETURN RECEIPT REQUESTED

**IN THE MATTER OF
JACK GILBERT
SIEBENALER, M.D.**

22-CRF-0042

**MARCH 9, 2022, NOTICE OF
OPPORTUNITY FOR HEARING -
PATIENT KEY**

**SEALED TO
PROTECT PATIENT
CONFIDENTIALITY AND
MAINTAINED IN CASE
RECORD FILE.**