

**CONSENT AGREEMENT
BETWEEN
MICHAEL BRUCE GANZ, M.D.
AND
THE STATE MEDICAL BOARD OF OHIO**

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

Dr. Ganz 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)(18), 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 "[v]iolation of any provision of a code of ethics of the American medical association, the American osteopathic association, the American podiatric medical association, or any other national professional organizations that the board specifies by rule."
- B. Dr. Ganz is licensed to practice medicine and surgery in the State of Ohio, License # 35-062000.
- C. Dr. Ganz states that he is not licensed to practice medicine and surgery in any other jurisdiction.
- D. On or about July 11, 2007, the Board issued to Dr. Ganz a Notice of Opportunity for Hearing ["July 2007 Notice"], a copy of which is attached hereto and fully incorporated herein.
- E. Dr. Ganz admits to the factual and legal allegations as set forth in the July 2007 Notice.

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. Ganz knowingly and voluntarily agrees with the Board to the following terms, conditions and limitations:

Reprimand

1. Dr. Ganz shall be and is hereby **REPRIMANDED**.

Required Reporting by Licensee

2. Within thirty days of the effective date of this Consent Agreement, Dr. Ganz shall provide a copy of this Consent Agreement to all employers or entities with which he is under contract to provide health care services or is receiving training; and the Chief of Staff at each hospital where he has privileges or appointments. Further, Dr. Ganz shall 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. This requirement shall continue for two years from the effective date of this Consent Agreement.
3. Within thirty days of the effective date of this Consent Agreement, Dr. Ganz shall provide a copy of this Consent Agreement by certified mail, return receipt requested, to the proper licensing authority of any state or jurisdiction in which he currently holds any professional license. Dr. Ganz further agrees to provide a copy of this Consent Agreement by certified mail, return receipt requested, at time of application to the proper licensing authority of any state in which he applies for any professional license or for reinstatement of any professional license. Further, Dr. Ganz shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt. This requirement shall continue for two years from the effective date of this Consent Agreement.

ACKNOWLEDGMENTS/LIABILITY RELEASE

Dr. Ganz 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. Ganz 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. Ganz 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.


MICHAEL BRUCE GANZ, M.D.

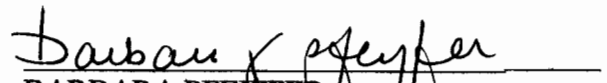
9/20/2007
DATE


LANCE A. TALMAGE, M.D.
Secretary

10-10-07
DATE


RAYMOND J. ALBERT
Supervising Member

10/10/07
DATE


BARBARA PFEIFFER
Assistant Attorney General

10/04/07
DATE



State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: www.med.ohio.gov

July 11, 2007

Michael Bruce Ganz, M.D.
25426 Maidstone Lane
Beachwood, Ohio 44122

Dear Doctor Ganz:

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, suspend, refuse to register or reinstate your certificate to practice medicine and surgery, or to reprimand you or place you on probation for one or more of the following reasons:

- (1) On or about January 2, 2003, notice was given in the United States Federal Register that the United States Department of Health and Human Services, Office of the Secretary, found that, based upon the report of investigation conducted by Case Western Reserve University, Cleveland, Ohio [Case Western Reserve], and additional analysis by the Office of Research Integrity, the United States Public Health Service found that you had engaged in scientific misconduct by falsification and fabrication of research in grant application R01 DK058674-01A2, "The role of protein kinase C and shuttling proteins in diabetic kidney disease" [Grant Application].
- (2) In or about June 2001, while you held a research position at the Cleveland Veterans Administration Center, Cleveland, Ohio, you caused said Grant Application to be submitted to the National Institute of Diabetes and Digestive and Kidney Diseases, National Institutes of Health, in order to obtain funding. In said Grant Application, you provided false data with respect to Figure 16 of said Grant Application, including:
 - (a) The claim that photomicrographs of glomeruli were from a streptozotocin model of induced diabetes in rat, when in fact, such photomicrographs were actually from normal rats;
 - (b) The claim that six photomicrographs were from the streptozotocin diabetic animal model, when, in fact, the photomicrographs were from animals in which you could not induce true diabetes through streptozotocin.
- (3) Further, in or about 2001 through 2002, in relation to said Grant Application, you provided documents to the Case Western Reserve inquiry committee purportedly showing that the source of the data was from Figure 16, but in fact, the documents you submitted included pathology data that were not from the specific model, Figure 16.

Your acts, conduct, and/or omissions as alleged in paragraphs (1), (2) and (3) above, individually and/or collectively, constitute "[v]iolation of any provision of a code of ethics of the American medical association, the American osteopathic association, the American

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Michael Bruce Ganz, M.D.

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podiatric medical association, or any other national professional organizations that the board specifies by rule," as that clause is used in Section 4731.22(B)(18), Ohio Revised Code, to wit: Principle II of the American Medical Association Principles of Medical Ethics.

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.

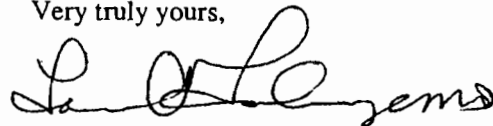
You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to *practice before this agency, or you may present your position, arguments, or contentions in writing*, and that 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, suspend, refuse to register or reinstate your 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 a certificate to an applicant, revokes an individual's certificate to practice, refuses to register an applicant, or refuses to reinstate an individual's 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 certificate to practice and the board shall not accept an application for reinstatement of the certificate or for issuance of a new certificate."

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Lance A. Talmage, M.D.
Secretary

LAT/KHM/flb
Enclosures

CERTIFIED MAIL #91 7108 2133 3931 8318 3961
RETURN RECEIPT REQUESTED



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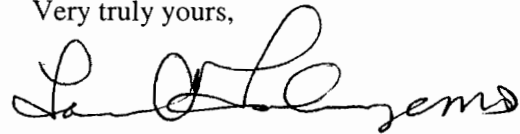
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In the event that there is no request for such hearing received within thirty days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, permanently revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand you or place you on probation.

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Copies of the applicable sections are enclosed for your information.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lance A. Talmage". The signature is fluid and cursive, with a large initial "L" and "A".

Lance A. Talmage, M.D.
Secretary

LAT/KHM/flb
Enclosures

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