



participated in the deliberations regarding this case: Thomas Cimonetti, M.D.; Karl F. Mech, M. D.; George Malouf, M.D.; Hilary T. O'Herlihy, M.D.; Alexander Williams, Jr., Esq.; and Robert L. Young, Jr., M.D. At the beginning of these hearings J. Roy Guyther, M.D. and Chris Papadopoulos, M.D., were members of the Commission and participated in a number of hearing sessions; their terms of appointment expired during the pendency of this case, and as a result neither of these two individuals participated in the Commission's deliberations or in this decision. Dr. O'Herlihy chaired each of the proceedings as the Chairman of the Commission. The Commission was advised by Ronald S. Gass and Varda N. Fink, Assistant Attorneys General. Thomas J. Kwiatkowski, Jr., Assistant Attorney General, was the administrative prosecutor on behalf of the State, and Judith O'Neill, Esq. and Thomas Morrow, Esq. appeared on behalf of the Respondent.

Following opening statements by Mr. Kwiatkowski and Ms. O'Neill, Mr. Kwiatkowski called the following witnesses to testify on behalf of the State: Maher W. Ishak, M.D.; Walter J. Alt, M.D.; and David S. McHold, M.D. He also introduced into evidence the documents listed in Appendix A. At the conclusion of the testimony of the various witnesses, Mr. Kwiatkowski concluded his case on behalf of the State.

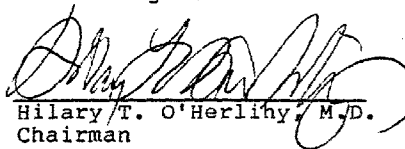
Ms. O'Neill and Mr. Morrow called the following witnesses to testify on behalf of Respondent: Madeline Stoltz;

Ralph P. Stoltz; Margaret Irene Okham; Oliver T. Grahn; Dean Burk, Ph. D.; Paula Durcan; Linda Faye Goddard; Clifton E. Johnson; Bruce W. Halstead, M.D.; Shirley K. Phillips; Dwight Raymond Smith, M.D.; Paul Beals, M.D.; Ahmad Shamim, M.D. They also introduced into evidence the documents listed in Appendix B. Among the documents introduced were 106 affidavits of patients and former patients of the Respondent. At the conclusion of the testimony of the various witnesses, Ms. O'Neill and Mr. Morrow concluded their case on behalf of Respondent.

Closing arguments by Mr. Kwiatkowski and Ms. O'Neill were heard by the Commission on November 1, 1983, after which the hearing was adjourned. Proposed Findings of Fact and Conclusions of Law were requested by the Commission and filed by the parties on March 12, 1984. The Respondent submitted a Response to the State's Proposed Findings of Fact and Conclusions of Law on March 22, 1984.

After the conclusion of the hearing, on March 12, 1984, Respondent filed a Renewed Motion of Recusal and Mistrial which renewed a motion which had previously been made orally during the hearing. The Commission voted unanimously to deny Respondent's Motion.

All other portions of the Findings of Fact, Conclusions of Law and Order remain the same and unchanged.



Hilary T. O'Herlihy, M.D.  
Chairman  
Commission on Medical  
Discipline of Maryland

PATIENT TREATMENT DISCLOSURE FORM

The purpose of this document is to inform my patients regarding my medical theories and methods of treatment. I am a general or family practitioner, and am not a specialist in the treatment of particular diseases or ills of particular bodily systems.

As a physician, I have a duty to diagnose your symptoms and to communicate to you and advise you regarding various medical treatment options available to you including conventional medical treatment. I will appropriately document in your medical record that specific treatment options, both alternative and conventional, and the benefits and risk associated with each, have been explained to you.

I believe that some conventional medical therapies can be enhanced, by the use of nutritional and metabolic support in the form of dietary suggestions, nutritional supplements, vitamin and mineral therapy (both by mouth and injection), herbal therapies, and supplements which I believe improve immune therapy, as well as other medications not generally prescribed by conventional physicians.

It is important to understand that these theories and treatments are considered by most physicians to be "alternative medicine" and not supported by generally accepted scientific evidence. I believe that conventional physicians may not provide nutritional or metabolic support, and may recommend other treatments including prescription drugs and/or surgery for the treatment of your medical problems.

I can make no specific claims for cure, treatment or amelioration of disease by the use of nutrition or the other modalities mentioned in this document. Treatment proposed by me may include adverse side effects. To this extent, I will provide patients with information specifying the possible side effects from any proposed treatment. I also must advise you whether delaying use of conventional medical treatments would be viewed by many doctors as having an adverse effect on your health.

I will advise you as to the relevant benefits or risks of conventional treatments for your symptoms. You also are advised to seek consultations with conventional specialists in order to enhance information about the conventional treatments which might be applicable to your case. You can then weigh the relative benefits and risks of conventional treatments versus plans of treatments proposed by me. I will monitor your treatment over time and communicate with you regarding appropriate care following the results of the treatment. I will explain alternatives open to you based upon your experience with the treatment prescribed by me.

By signing this document, I acknowledge that I have read

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this document, which Dr. Shamim has explained to me, and that I have had an opportunity to ask any questions which I have regarding my proposed treatment, and that I voluntarily agree to undergo this therapy. I understand that I am entitled to a copy of this document and have access under Maryland law to my medical records.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Patient's Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Patient's Name