

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

*

*

CASE NO. 23-CRF-0220

*

24-CRF-0023

Jan Kriwinsky, M.D.

ENTRY OF ORDER

On September 4, 2025, Jan Kriwinsky, M.D., executed a Surrender of his license to practice medicine and surgery in the state of Ohio with consent to permanent revocation, which document is attached hereto and fully incorporated herein.

Wherefore, upon ratification by the Board of the surrender, it is hereby ORDERED that Certificate No. 35.052622 authorizing Jan Kriwinsky, M.D., to practice medicine and surgery in the state of Ohio be permanently REVOKED.

This Order is hereby entered upon the Journal of the State Medical Board of Ohio for the 10th day of September 2025, and the original thereof shall be kept with said Journal. This Order shall become effective immediately upon the date of service of the notification of approval by the Board.



Kim G. Rothermel M.D.

Kim G. Rothermel, M.D.

Secretary

9/10/25

Date

STATE OF OHIO
THE STATE MEDICAL BOARD
PERMANENT SURRENDER OF CERTIFICATE
TO PRACTICE MEDICINE AND SURGERY
23-CRF-0220; 24-CRF-0023

Do not sign this Agreement without reading it. An individual who permanently surrenders a certificate issued by the Board is forever thereafter ineligible to hold a certificate to practice or to apply to the Board for reinstatement of the certificate or issuance of any new certificate. You are permitted to be accompanied, represented and advised by an attorney, at your own expense, before deciding to sign this voluntary Agreement.

I, Jan Kriwinsky, M.D., am aware of my right to representation by counsel and the rights of being formally charged and having a formal adjudicative hearing and do hereby freely execute this Permanent Surrender of Certificate [Agreement] and choose to take the actions described herein. I acknowledge and agree that I am entering into this Agreement of my own free will and volition and have not been coerced to do so, nor am I under duress at the time of executing this Agreement. I further acknowledge that I had an opportunity to ask questions concerning the terms of this Agreement and that all questions asked have been answered in a satisfactory manner. I aver that I fully understand all of the terms and provisions of this voluntary Agreement. I further agree that no representations have been made by the Board, its members, employees, agents, officers and representatives regarding any of the legal ramifications of this Agreement, including but not limited to the effect this Agreement may have on my current or future employment, my specialty board certifications, or any licenses, past, present or future, to practice in other states or jurisdictions.

I, Jan Kriwinsky, M.D., do hereby voluntarily, knowingly, and intelligently surrender my certificate to practice medicine and surgery, License #35.052622, to the State Medical Board of Ohio [Board], thereby relinquishing all rights to practice medicine and surgery in Ohio.

I understand that as a result of the surrender herein I am no longer permitted to practice medicine and surgery in any form or manner in the State of Ohio.

I agree that I shall be ineligible for, and shall not apply for, reinstatement or restoration of my certificate to practice medicine and surgery, License #35.052622, or issuance of any other certificate pursuant to the authority of the State Medical Board of Ohio, on or after the date of signing this Permanent Surrender of Certificate to Practice Medicine and Surgery. Any such attempted reapplication shall be considered null and void and shall not be processed by the Board.

I hereby authorize the State Medical Board of Ohio to enter upon its Journal an Order permanently revoking my certificate to practice medicine and surgery, License #35.052622, in conjunction with which I expressly waive the provision of Section 4731.22(B), Ohio Revised Code, requiring that six (6) Board Members vote to revoke said certificate, and further expressly and forever waive all rights as set forth in Chapter 119., Ohio Revised Code, including but not limited to my right to counsel, right to a hearing, right to present evidence, right to cross-examine witnesses, and right to appeal the Order of the Board revoking my certificate to practice medicine and surgery.


I, Jan Kriwinsky, M.D., hereby release the Board, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

This document 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. I, Jan Kriwinsky, M.D., acknowledge that my social security number will be used if this information is so reported and agree to provide my social security number to the Board for such purposes.

I stipulate and agree that I am taking the action described herein in lieu of further formal disciplinary proceedings in Case Nos. 23-CRF-0220 and 24-CRF-0023, pursuant to Sections 4731.22(B)(20) and 4731.22(B)(6), Ohio Revised Code, as set forth in the Notices of Opportunity for Hearing issued by the Board on November 22, 2023, a copy of which is attached hereto as Exhibit A and fully incorporated herein, and January 10, 2024, a copy of which is attached hereto as Exhibit B and fully incorporated herein. I hereby admit to pleading guilty to Sexual Imposition, a third-degree misdemeanor, and to Endangering Children, a first-degree misdemeanor, in Cuyahoga County Common Pleas Court, Case No. CR 23-687886A. These acts were committed in the course of my medical practice.

EFFECTIVE DATE


It is expressly understood that this Permanent Surrender of Certificate 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, I specifically acknowledge that the electronic transmission of a scanned or photostatic copy of any executed signature to this Permanent Surrender of Certificate, upon being received by the Board, shall be deemed to have the full legal force and effect as the original.



JAN KRIWINSKY, M.D.
Respondent

9/4/2025


DATE



S. MICHAEL LEAR
Attorney for Dr. Kriwinsky

9.4.25


DATE



KIM G. ROTHERMEL, M.D.
Secretary

9/10/25

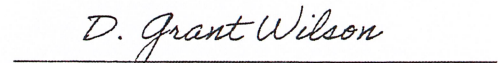
DATE



HARISH KAKARALA, M.D.
Supervising Member

9/10/25

DATE



D. Grant Wilson
Assistant Attorney General

9/5/2025

DATE



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

November 22, 2023

Case number: 23-CRF- 0220

Jan Kriwinsky, M.D.
3690 Orange Pl, Suite 100
Beachwood, OH 44122
yksenwirk@gmail.com

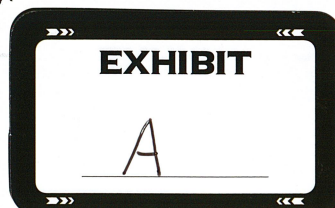
Dear Doctor Kriwinsky:

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 Section 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 paragraph (1), 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) On or around November 14, 2023, you treated Patient 1, a minor, as identified on the attached Patient Key, in a follow-up appointment for acne treatment. (Patient Key is confidential and to be withheld from public disclosure.)
 - a. During the examination, you engaged in sexual impropriety when you made sexually suggestive remarks to Patient 1 that were not clinically relevant including asking him if he "ever put anything up his butt." Furthermore, you required him to undress in front of you without leaving the room and without offering him a gown, neglecting to employ disrobing and draping practices that respect patient privacy.



- b. Additionally you had sexual contact with Patient 1 when you touched his penis and inserted your fingers into his anus without the purpose of an appropriate health care service, and you touched his penis and anus without wearing gloves.
 - c. Finally you engaged in sexual interaction with Patient 1 when you told him that you needed a semen sample for his acne treatment and encouraged him to masturbate as you watched. You further engaged in sexual interaction when you tried to masturbate Patient 1 by rubbing his penis with your hand. You further engaged in sexual interaction with Patient 1 by inserting your fingers into his anus as you continued to masturbate him, asking him "what else do I need to do?" The patient asked to produce the sample alone and for you to leave the room. When you returned to the room the patient reported that his penis hurt from the friction burns. You told him to take off his pants and had the patient again undress in front of you without gowning. You asked the child if you had made his penis red, pressed your fingers on the injuries on the child's penis without wearing gloves, and told him that you wanted to see him in one month and instructed him next time not to ejaculate for two days prior to the appointment so you could "get a better look at [his] semen."
- (2) On or around September 17, 2019 you treated Patient 2, a minor, as identified on the attached Patient Key.
- a. During the examination, you neglected to employ disrobing and draping practices that respect patient privacy when you made Patient 2 undress to his underwear in front of you and without offering him a gown, actions which constitute sexual impropriety.
 - b. Furthermore, you engaged in sexual contact with Patient 2 when you examined and touched his scrotum without wearing gloves.

Your acts, conduct, and/or omissions as alleged in paragraph (1) 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 Prohibitions, Rule 4731-26-02, Ohio Administrative Code, regarding sexual misconduct, as currently in effect.

Pursuant to Rule 4731-26-03, Ohio Administrative Code, as currently in effect, a violation of Rule 4731-26-02, Ohio Administrative Code, also constitutes a violation of Section 4731.22(B)(6), Ohio Revised Code, "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."

Additionally, your acts, conduct, and/or omissions as alleged in paragraph (2) 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 Prohibitions, Rule 4731-26-02, Ohio Administrative Code, regarding sexual misconduct, as in effect from November 30, 2010 until September 30, 2021.



Pursuant to Rule 4731-26-03, Ohio Administrative Code, as in effect from November 30, 2010 until June 30, 2016, a violation of Rule 4731-26-02, Ohio Administrative Code, also constitutes a violation of Section 4731.22(B)(6), Ohio Revised Code, "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."

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.

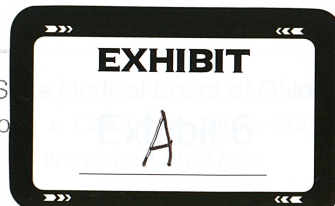
Please note that, whether or not you request a hearing, Section 4731.22(L), Ohio Revised Code, provides that "[w]hen the board refuses to grant or issue a license or certificate to practice to an applicant, revokes an individual's license or certificate to practice, refuses to renew an individual's license 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/RCL/LV
Enclosures

Via email: yksniwirk@gmail.com

cc: BY PERSONAL DELIVERY

cc: Larry W. Zukerman
Attorney for Jan Kriwinsky, M.D.
3912 Prospect Ave.
Cleveland, OH 44115

Via email: lwz@zukerman-law.com





State Medical Board of
Ohio

30 E. Broad St., 3rd Floor
Columbus, Ohio 43215
(614) 466-3934
www.med.ohio.gov

January 10, 2024

Case number: 24-CRF-0023

Jan Kriwinsky, M.D.
3690 Orange Pl, Suite 100
Beachwood, OH 44122
yksniwirk@gmail.com

Dear Doctor Kriwinsky:

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) On or around December 21, 2019, you treated Patient 3, a minor, as identified on the attached Patient Key, for a complaint of strep throat. (Patient Key is confidential and to be withheld from public disclosure.)
 - a. During the examination, you engaged in sexual contact with Patient 3 when you touched his penis without the purpose of an appropriate health care service, and you touched his penis without wearing gloves.
- (2) On or around December 26, 2019 to on or around May 18, 2021 you treated Patient 4, as identified on the attached Patient Key, for annual well check appointments.
 - a. You failed to employ disrobing or draping practices that respect patient privacy, requiring Patient 4 to completely disrobe without offering a gown or draping. Furthermore, you made comments not clinically relevant about Patient 4's sexual activity and his girlfriend. While Patient 4 was disrobed, you asked him about his girlfriend, inquiring to the effect, "Does she use this?" and then flicked his bare penis.
 - b. Furthermore, you engaged in sexual contact with Patient 4 when you examined and touched his genitals without wearing gloves.
- (3) On or around May 13, 2021 to August 17, 2021 you treated Patient 5, a minor, as identified on the attached Patient Key.
 - a. You engaged in sexual impropriety when you subjected Patient 5 to an intimate examination in the presence of a third party without consent and when you



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neglected to employ disrobing and draping practices that respect patient privacy. You directly pulled down Patient's 5's underwear and shorts yourself, exposing Patient 5's genitals and then conducted an intimate examination. You did not leave the room, offer him a gown, or provide him an opportunity to excuse a friend who was present in the room.

- b. Furthermore, you engaged in sexual contact with Patient 5 when you examined and touched his genitals without wearing gloves.

Your acts, conduct, and/or omissions as alleged in paragraphs (1-3) 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 Prohibitions, Rule 4731-26-02, Ohio Administrative Code, regarding sexual misconduct, as in effect from November 30, 2010 until September 30, 2021.

Pursuant to Rule 4731-26-03, Ohio Administrative Code, as in effect from June 30, 2016 until September 30, 2021, a violation of Rule 4731-26-02, Ohio Administrative Code, also constitutes a violation of Section 4731.22(B)(6), Ohio Revised Code, "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."

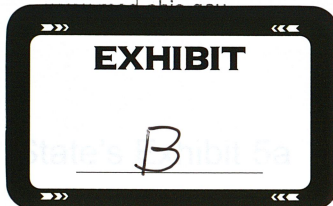
Furthermore, for any violations that occurred on or after September 29, 2015, the Board may impose a civil penalty in an amount that shall not exceed twenty thousand dollars, pursuant to Section 4731.225, Ohio Revised Code. The civil penalty may be in addition to any other action the Board may take under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

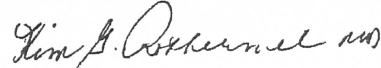
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THE STATE MEDICAL BOARD OF OHIO



Kim G. Rothermel, M.D.
Secretary

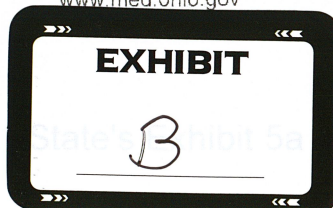
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Via email: yksniwirk@gmail.com

cc: Larry W. Zukerman
Attorney for Jan Kriwinsky, M.D.
3912 Prospect Ave.
Cleveland, OH 44115

Via email: lwz@zukerman-law.com

State Medical Board of Ohio
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January 10, 2024

Case number: 24-CRF-0023

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3690 Orange PI, Suite 100
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yksniwirk@gmail.com

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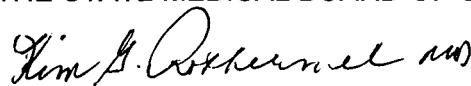
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THE STATE MEDICAL BOARD OF OHIO



Kim G. Rothermel, M.D.
Secretary

KGR/RCL/LV
Enclosures

Via email: yksniwirk@gmail.com

cc: Larry W. Zukerman
Attorney for Jan Kriwinsky, M.D.
3912 Prospect Ave.
Cleveland, OH 44115

Via email: lwz@zukerman-law.com

**IN THE MATTER OF
Jan Kriwinsky, M.D.
24-CRF-0023**

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

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

BEFORE THE STATE MEDICAL BOARD OF OHIO

JAN KRIWINSKY, M.D.)	CASE NO.
3690 Orange Pl, Suite 100)	
Beachwood, Ohio 44122,)	JUDGE:
)	
Appellant,)	Board Case No. 23-CRF-0220
)	
-vs-)	APPEAL FROM ENTRY OF
)	ORDER OF NOVEMBER 22, 2023
STATE MEDICAL BOARD OF OHIO)	
30 East Broad Street, 3 rd Floor)	
Columbus, Ohio 43215,)	
)	
Appellee.)	

NOTICE OF APPEAL

Appellant JAN KRIWSINSKY, M.D., by and through undersigned counsel, Larry W. Zukerman, Esq., S. Michael Lear, Esq., and Adam M. Brown, Esq., and pursuant to R.C. 119.12, hereby timely submits his *Notice of Appeal* from the Entry of Order of Appellee, the State Medical Board of Ohio (“Board”), which Ordered that the certificate of Jan Kriwinsky, M.D. to practice medicine and surgery in the State of Ohio be summarily suspended and/or that Jan Kriwinsky, M.D. shall immediately cease the practice of medicine and surgery in Ohio and immediately refer all active patients to other appropriate physicians. The Board’s Entry of Order is dated November 22, 2023 and was mailed that same day. The grounds for this appeal are that the Board’s Entry of Order effective November 22, 2023 is not supported by reliable, probative, and substantial evidence and is not in accordance with the law.

A copy of the Board’s Entry of Order is attached hereto as Exhibit A.

Respectfully Submitted,

/s/ Larry W. Zukerman
LARRY W. ZUKERMAN, Esq. (0029498)

S. MICHAEL LEAR, Esq. (0041544)
ADAM M. BROWN, Esq. (0092209)
Zukerman, Lear & Murray, Co., L.P.A.
3912 Prospect Ave., East
Cleveland, Ohio 44115
(216) 696-0900 telephone
lwz@zukerman-law.com
sml@zukerman-law.com
amb@zukerman-law.com
Counsel for Jan Kriwinsky, M.D.

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of December, 2023, the foregoing *Notice of Appeal* was filed via fax and email with the State Medical Board of Ohio, and was filed via the Franklin County Court of Common Pleas' E-filing system, and with an additional copy served via ordinary U.S. mail, postage prepaid, upon the following:

Kim G. Rothermel, M.D.
Secretary
State Medical Board of Ohio
30 E. Broad St., 3rd Floor
Columbus, Ohio 43215

/s/ Larry W. Zukerman
LARRY W. ZUKERMAN, Esq.
S. MICHAEL LEAR, Esq.
ADAM M. BROWN, Esq.

EXHIBIT
A

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF :
JAN KRIWINSKY, M.D. :
CASE NUMBER: 23-CRF- 0220 :

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio the 22nd day of November 2023.

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. Kriwinsky has violated Section 4731.22(B)(20), Ohio Revised Code and Section 4731.22(B)(6), 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. Kriwinsky'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 22nd day of November 2023:

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

It is hereby ORDERED that Dr. Kriwinsky, 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

November 22, 2023

Date



November 22, 2023

Case number: 23-CRF-0220

Jan Kriwinsky, M.D.
3690 Orange Pl, Suite 100
Beachwood, OH 44122


Dear Doctor Kriwinsky:

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 special session on November 22, 2023, 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


Kim G. Rothermel, M.D.
Secretary

KGR/RCL/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 special session on November 22 2023, 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 Jan Kriwinsky, M.D., Case number: 23-CRF- 0220 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
Kim G. Rothermel, M.D., Secretary

November 22, 2023

Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF :
JAN KRIWINSKY, M.D. :
CASE NUMBER: 23-CRF- 0220 :

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio the 22nd day of November 2023.

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. Kriwinsky has violated Section 4731.22(B)(20), Ohio Revised Code and Section 4731.22(B)(6), 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. Kriwinsky'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 22nd day of November 2023:

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

It is hereby ORDERED that Dr. Kriwinsky, 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

November 22, 2023
Date



EXCERPT FROM TELECONFERENCE OF NOVEMBER 22, 2023

VIDEO CONFERENCE CALL OF NOVEMBER 22, 2023 TO CONSIDER THE SUMMARY
SUSPENSION OF A CERTIFICATE

JAN KRIWINSKY, M.D. – ORDER OF SUMMARY SUSPENSION AND NOTICE OF
OPPORTUNITY FOR HEARING

.....

Ms. Montgomery moved to enter an Order of Summary Suspension in the matter of Jan Kriwinsky, M.D., in accordance with Section 4731.22(G), Ohio Revised Code, and to issue the Notice of Summary Suspension and Opportunity for Hearing to Dr. Kriwinsky. Dr. Boyle seconded the motion. A vote was taken:

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

The motion carried.



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

November 22, 2023

Case number: 23-CRF- 0220

Jan Kriwinsky, M.D.
3690 Orange PI, Suite 100
Beachwood, OH 44122
yksniwirk@gmail.com

Dear Doctor Kriwinsky:

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 Section 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 paragraph (1), 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) On or around November 14, 2023, you treated Patient 1, a minor, as identified on the attached Patient Key, in a follow-up appointment for acne treatment. (Patient Key is confidential and to be withheld from public disclosure.)
 - a. During the examination, you engaged in sexual impropriety when you made sexually suggestive remarks to Patient 1 that were not clinically relevant including asking him if he “ever put anything up his butt.” Furthermore, you required him to undress in front of you without leaving the room and without offering him a gown, neglecting to employ disrobing and draping practices that respect patient privacy.

- b. Additionally you had sexual contact with Patient 1 when you touched his penis and inserted your fingers into his anus without the purpose of an appropriate health care service, and you touched his penis and anus without wearing gloves.
 - c. Finally you engaged in sexual interaction with Patient 1 when you told him that you needed a semen sample for his acne treatment and encouraged him to masturbate as you watched. You further engaged in sexual interaction when you tried to masturbate Patient 1 by rubbing his penis with your hand. You further engaged in sexual interaction with Patient 1 by inserting your fingers into his anus as you continued to masturbate him, asking him "what else do I need to do?" The patient asked to produce the sample alone and for you to leave the room. When you returned to the room the patient reported that his penis hurt from the friction burns. You told him to take off his pants and had the patient again undress in front of you without gowning. You asked the child if you had made his penis red, pressed your fingers on the injuries on the child's penis without wearing gloves, and told him that you wanted to see him in one month and instructed him next time not to ejaculate for two days prior to the appointment so you could "get a better look at [his] semen."
- (2) On or around September 17, 2019 you treated Patient 2, a minor, as identified on the attached Patient Key.
- a. During the examination, you neglected to employ disrobing and draping practices that respect patient privacy when you made Patient 2 undress to his underwear in front of you and without offering him a gown, actions which constitute sexual impropriety.
 - b. Furthermore, you engaged in sexual contact with Patient 2 when you examined and touched his scrotum without wearing gloves.

Your acts, conduct, and/or omissions as alleged in paragraph (1) 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 Prohibitions, Rule 4731-26-02, Ohio Administrative Code, regarding sexual misconduct, as currently in effect.

Pursuant to Rule 4731-26-03, Ohio Administrative Code, as currently in effect, a violation of Rule 4731-26-02, Ohio Administrative Code, also constitutes a violation of Section 4731.22(B)(6), Ohio Revised Code, "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."

Additionally, your acts, conduct, and/or omissions as alleged in paragraph (2) 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 Prohibitions, Rule 4731-26-02, Ohio Administrative Code, regarding sexual misconduct, as in effect from November 30, 2010 until September 30, 2021.

Pursuant to Rule 4731-26-03, Ohio Administrative Code, as in effect from November 30, 2010 until June 30, 2016, a violation of Rule 4731-26-02, Ohio Administrative Code, also constitutes a violation of Section 4731.22(B)(6), Ohio Revised Code, "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."

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/RCL/LV
Enclosures

Via email: yksniwirk@gmail.com

cc: BY PERSONAL DELIVERY

cc: Larry W. Zukerman
Attorney for Jan Kriwinsky, M.D.
3912 Prospect Ave.
Cleveland, OH 44115

Via email: lwz@zukerman-law.com

**IN THE MATTER OF
JAN KRIWINSKY, M.D.
23-CRF-0220**

**November 22, 2023, NOTICE OF
OPPORTUNITY FOR HEARING -
PATIENT KEY**

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