



June 11,2025

Case number: 25-CRF- 0105

Timothy Sutton, M.D.

Dear Doctor Sutton:

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 about September 15, 2022, you were indicted in the United States District Court Northern District of Ohio for one count of Health Care Fraud a violation of 18 U.S.C. 1347 and 2 and one count of False Statements Related to Health Care Matters a violation of 18 U.S.C. 1035 and 2. That indictment was amended by Superseding Indictment on or about September 5, 2024 to include an additional thirty two felony counts.
- (2) On or about April 4, 2025, you pleaded guilty to one count of Attempt and Conspiracy, a violation of 18 U.S.C. 1349, one count of False Statements Relating to Health Care Matters a violation of 18 U.S.C. 1035, and one count of Aggravated Identity Theft a violation of 18 U.S.C. 1028(a)(1) in the United State District Court Northern District of Ohio. All the counts you pleaded guilty to are felonies. Sentencing in this matter is still pending.
- (3) You and your coconspirators defrauded Medicare by pre-signing exam forms that later were used to order Genetic Cancer Screenings and Durable Medical Equipment for patients that you did not examine. These forms purporting that you examined these patients were then submitted to Medicare for re-imbusement.

The facts as alleged in paragraphs (1) through (3) above, individually and/or collectively, constitute a "plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony," as that clause is used in Section 4731.22(B)(9), Ohio 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 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.

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.

Sincerely,



Kim G. Rothermel, M.D.
Secretary

KGR/PJH
Enclosures

CERTIFIED MAIL #
RETURN RECEIPT REQUESTED

Via Email:
