## ATHLETICS



Department of Athletics Andy Geiger Director of Athletics Room 224, St. John Arena 410 Woody Hayes Drive Columbus, OH 43210-1166 Telephone (614) 292-7572 Telefax (614) 292-0506

### PRIVILEGED AND CONFIDENTIAL

November 7, 1994

Paul Krebs
Department of Athletics
St. John Arena
410 Woody Hayes Drive
CAMPUS

Dear Paul:

I have investigated the concerns raised by the fencing coach, Charlotte Remenyik, concerning her athletes and the medical care system.

I have spoken with her and her concerns are based on rumors which have been generated for 10 years with no foundation. However, due to the pervasive nature of these rumors, the male athletes do not feel comfortable with Dr. Strauss as their physician.

I have spoken with Dr. Strauss concerning this issue. He is aware of the unfounded rumors which began 10 years ago among the fencers and has never been informed as to any problems concerning the rumors. In view of the present situation, Dr. Strauss has suggested that another physician, in this case Dr. Trent Sickles, assume the primary role as physician for the fencers. I have spoken with Dr. Sickles and he is agreeable to this.

In my discussions with both Dr. Strauss and Coach Remenyik, there has been no information given which would necessitate further investigation of this situation.

If you have any questions concerning this, please contact me.

Sincerely,

John A. Lombardo, M.D. Director of Sports Medicine



Paul,

It would probably be a good idea if you shared this with Charlotte and Dick or if you would like, I can send a copy to them. Thanks.

John

2050 Kenny Road, Columbus, Ohio 43221 (614) 293-3600

from the desk of <b>Paul Kreb</b>	S
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Office of the Vice President for Student Affairs

Suite 115 33 West 11th Avenue Columbus, OH 43201-2013 Phone 614-292-9334 FAX 614-292-2954

August 5, 1996

Dr. Richard H. Strauss 1501 Doone Road Columbus, OH 43221

Dear Dr. Strauss:

In January 1996 you were placed on administrative leave as a result of a complaint filed by a patient who had been examined by you. In March you were notified that the Office of Student Affairs was considering nonrenewal of your 20% position with Student Health Services. This was based on a total of three complaints by students in a period of 13 months. On June 5 you and your counsel met with me and Helen Ninos, Associate General Counsel for Human Resources, for approximately two hours while you relayed to me your position on these complaints. At that time you also provided extensive written materials for my review.

I have considered all of the information you have provided and have received information from Judy Brady, Dr. Miller and Dr. Grace. Based upon the information received during this entire process, your appointment with Student Health Services will not be renewed. This action is effective immediately. As discussed previously, your faculty appointment in the School of Public Health will continue, and should you have any questions concerning that position you should contact Dr. Ronald St. Pierre. I regret having to make this decision but based on the information provided, believe that the nonrenewal of your appointment in the Student Health Services is in the best interest of all concerned.

Sincerely.

David Williams, II

Vice President for Student Affairs

and Professor of Law

DW/jep

c: Timothy Nagy

bc: Mary A. Daniels; Ted W. Grace; Andy Geiger; Helen M. Ninos; John A. Lombardo; Ronald L. St. Pierre; Linda Tom; Virginia M. Tretheway; Manuel Tzagournis

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#### Office of Human Resources Employee Relations

Fourth Floor, Archer House 2130 Neil Avenue Columbus, OH 43210-1156

Phone 614-292-2800 FAX 614-292-0549

March 13, 1996

Timothy P. Nagy
Taft, Stettinius & Hollister
Twelfth Floor
21 East State Street
Columbus, Ohio 43215-4221

Re: Dr. Richard Strauss

Dear Mr. Nagy:

This letter is a response to your letters to	and Dr. Richard Sisson on
behalf of your client, Dr. Richard Strauss. I am concerned	that the certified letter to
a young student, uses the implied threat of legal	
and others at the University to ask that and hi	s parents "reconsider" his
version of the exam of January 5. I also note that, despite	the fact that I have been
working with you to resolve this matter, you chose to directly	contact and my
client, Dr. Sisson without prior notification to me. I caution ye	
further direct contact with any administrator at the Univers	
University counsel.	
Furthermore, the letters to and	to Dr. Sisson contain
misrepresentations, inaccurate statements of fact as well	
information a patient shared with a physician. If your client h	
has refused to discuss complaint with him, this	is untrue. Dr. Grace has
had no fewer than three conversations with Dr. Strauss concer	
Dr. Grace never instructed Dr. Strauss to create a false	e medical record as alleged

responsible for his own medical records and the contents thereof.

Vous sweeping statements that the University has "violated its own policies and

in your letters to Dr. Sisson and It goes without saying that the contents of medical records are the responsibility of the physician preparing them. Dr. Strauss is

Your sweeping statements that the University has "violated its own policies and procedures in connection with the suspension, without hearing, of Dr. Strauss' clinical

privileges" is without substance. No action has been taken against Dr. Strauss. He has been placed on administrative leave while these matters have been examined. He has suffered no loss of pay and continues to be an employee of Student Health. Dr. Strauss has a 20% appointment with Student Affairs as a physician in the Student Health Services. This is not a clinical appointment associated with his tenured faculty position. Dr. Strauss is paid as an employee on an annual appointment with Student Affairs and both he and the University can end the appointment with no impact on his faculty appointment.

Your request for an investigation in this matter goes beyond any process provided to any employee, faculty or otherwise, in the rules of this University. The Student Health Center has had three complaints involving Dr. Strauss. Bear in mind that this is a physician who only works 8 hours a week in the clinic. The University has also experienced similar complaints from another area of Student Affairs. Dr. Strauss will be given the opportunity to explain to an administrator from Student Affairs why four complaints do not warrant non-renewal of the appointment. The University is not obliged to employ a physician for whom there are multiple complaints of a similar nature from patients.

I have enclosed a notice to your client of a meeting where he will be given the opportunity to be heard on this issue. This is not being sent directly to Dr. Strauss as per your request. I remind you that this is an opportunity for Dr. Strauss to relate his position on these complaints. This is not an adversarial hearing. You are welcome to attend the meeting and it is anticipated that you will respect the parameters of the meeting.

Finally, I question the disregard of privacy in revealing a preliminary diagnosis to the Provost. To include such information in a letter to an administrator of a public institution, subject to the Public Records Law in Ohio, is misuse of the information Dr. Strauss obtained in the course of this patient's medical examination.

It is deeply regrettable that you and your client have decided to take such action in this matter. If you choose to pursue the threatened legal action, the University will support its administrators and any student complaining of Dr. Strauss' behavior. I have enclosed the letter to Dr. Strauss relating to the meeting with Student Affairs and I trust you will convey the information to him. If Dr. Strauss is not available for the meeting please let me know as soon as possible so that we can reschedule.

Sincerely,

Helen M. Ninos

Associate General Counsel

eleum Minos

for Human Resources



#### Office of Human Resources Employee Relations

Fourth Floor, Archer House 2130 Neil Avenue Columbus, OH 43210-1156

Phone 614-292-2800 FAX 614-292-0549

March 13, 1996

Dr. Richard Strauss Preventive Medicine B217 Starling Loving Hall 320 W 10th Avenue

Dear Dr. Strauss:

Please be advised that the University is considering non-renewal of your 20% appointment with Student Health Services which is part of the Student Affairs office. This letter does not concern your full-time position as a tenured professor in Public Health. This action is being considered because the University has received at least three (3) complaints regarding your behavior during the course of medical examinations within one year. Additionally, complaints from one athletic team led you to step down as the team physician.

The specific pattern of complaints is:

On January 3, 1995 a student complained regarding the extent of the examination and the relation of the exam to the medical complaint.

On January 6, 1995 a second student complained that conducted yourself in an inappropriate manner in the course of an examination and asked inappropriate questions. This student also questioned the extent of the examination in relation to his medical problem.

On January 5, 1996 another student complained that you had inappropriately touched him and unnecessarily prolonged an examination. Additionally, you used inappropriate language during the examination.

You have been made aware of the specifics of each complaint. You actually spoke directly to the first two complainants. Dr. Grace has had at least three conversations, one of which was 2 hours in duration, regarding the complaint of January 5, 1996. During those conversations, Dr. Grace discussed specific allegations of the student.

Additionally, the action taken by you regarding the athletic team was taken in conjunction with discussions between you and Dr. John Lombardo.

You will be given the opportunity to be heard regarding these complaints and the pattern of complaints. This discussion will take place with the Vice President of Student Affairs, David Williams. That meeting will take place on Thursday, March 28, 1996 in the Office of the Vice President, 33 West 11th Avenue. This is not an adversarial hearing, but is an opportunity for you to be heard regarding these complaints and the apparent pattern of complaints.

Sincerely,

Helen M. Ninos

Associate General Counsel

llea M. Vines

for Human Resources

HN/vte

cc: Tim Nagy

#### Geiger.13@osu.edu, 08:12 AM 1/10/96, Dr. Strauss

1

To: Geiger.13@osu.edu

From: pkrebs@postbox.acs.ohio-state.edu (Paul Krebs)

Subject: Dr. Strauss

#### Andy,

Dr. Richard Strauss is one of our team physicians. He works 80% for Ahtletics and 20% for the Student Health Center. He has been put on administrative leave effective immediately pending a review for an alledged incident that occurred at the Health Center. The incident did not involve a student athlete. David Williams called to inform us a preliminary review will be held today, Wednesday January 10.

I did mentioned to David that we had a complaint filed against of Dr. Strauss by the fencing team roughly two years ago. Dr. Lombardo investigated and found no basis for the complaint but we did remove Dr. Strauss from covering the fencing team.

-Paul

## ATHLETICS



Department of Athletics Andy Geiger Director of Athletics Room 224, St. John Arena 410 Woody Hayes Drive Columbus, OH 43210-1166 Telephone (614) 292-7572 Telefax (614) 292-0506

June 27, 1994

TO: Richard Strauss

FR: Andy Geige

RE! Annual Salary

#### Dear Dick:

I am writing to inform you that your salary for academic year 1994-95 will be \$8,431.20. Please make an appointment with me if you have any questions about your salary.

I am looking forward to working with you as we endeavor to achieve great progress in our athletic programs.

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#### THE OHIO STATE UNIVERSITY PERSONNEL **ACTION REQUEST**

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Emeritus Appt. Rec.

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### THE OHIO STATE UNIVERSITY PERSONNEL

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## THE OHIO STATE UNIVERSITY FO

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# DOCTORS MURPHY, KEITH, & LICHTBLAU 1975 GUILFORD ROAD COLUMBUS, OHIO 43221 486-0249

ROBERT J. MURPHY, M.D. PAUL F. KEITH, M.D. STEVEN H. LICHTBLAU, M.D.

August 18, 1981

Hugh Hindman
Director of Athletics
St John Arena
Ohio State University
Columbus, Ohio 43210

Dear Hugh,

I am requesting the appointment of Richard H. Strauss, M.D. as a team physician for the athletic department. His duties will include attendance at the Sports Medicine Clinic two mornings a week and will cover the training rooms in Larkins Hall during most of the year.

Dr. Strauss graduated from the University of Chicago Medical School. He is an internist with a background in physiology. He is at present an assistant professor of medicine and is associate director of the section of Sports Medicine in the Department of Preventive Medicine. He has been the editor of two text books, one on Diving Medicine and the other on Sports Medicine and Physiology.

For the past year, Dick has volunteered his services to our staff at Larkins Hall and has served as the team physician for many of our sports teams based at Larkins Hall. We are undertaking a research study during the 1981-82 season on the injuries in various sports.

Since he is under full contract with the University, there will be no salary commitments from the Athletic Department but the title would be very helpful.

Sincerely yours,

Robert J. Murphy, M.D. Head Team Physician