

REVIEW TIMES

Antivax doctor investigated

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FREMONT — The state medical board says it is considering taking away or suspending the medical license of a Cleveland area doctor known for her opposition to COVID-19 vaccinations.

Dr. Sherri Tenpenny is probably best-known for claiming that the vaccines cause a magnetic effect that causes metal objects to stick to one's body.

“They can put spoons and forks all over them and they can stick because — now we think that there's a metal piece to that,” she said in June 2021 during testimony over a “medical freedom” bill in the Ohio General Assembly.

Tenpenny has requested a hearing on the board's proposed actions. It's scheduled for 9:30 a.m. April 7 in Columbus.

Tenpenny, who maintains a medical practice in Middleburg Heights, is being represented in her battle with the medical board by a Fremont attorney, Tom Renz, who is himself prominent in the anti-vaccination movement. Renz publishes a Substack newsletter, Tom's Newsletter, to publicize his pro-MAGA, anti-vaccination views. His newsletter refers to COVID-19 vaccinations as “deathjabs.”

A Sept. 14 letter to Tenpenny released by the State Medical Board of Ohio does not outline the original accusations against Tenpenny but instead alleges that she has repeatedly dodged attempts to investigate her. The letter alleges that Tenpenny ignored a July 2021 attempt to interview her, did not respond to questions sent in September 2021 by certified mail, did not show up at board offices in November 2021 after receiving a subpoena and failed to appear at an investigative office conference in July 2022 at board offices.

Instead, the letter says, Tenpenny maintained in a letter from her lawyer that the board doesn't have a lawful basis for its investigation of her. The letter says that Tenpenny is accused of failing to cooperate in a board investigation and faces a fine of up to \$20,000, in addition to any other action the board might choose to take.

A phone call to Renz seeking comment on the case was greeted with a recorded message that the office's voice mailbox is full and is not taking further messages. An email sent Monday to Renz did not receive an immediate response.

The actions taken by Ohio's medical board apparently are part of a larger debate over whether doctors should be punished for misinformation about COVID-19 or if they have a First

Amendment right to express dissenting views on matters of medical controversy. California's Democratic governor, Gavin Newsom, signed a bill in early October to discipline doctors, and possibly suspend their licenses, if the doctors spread COVID-19 misinformation to patients. The new state law was backed by the California Medical Association.

"I am signing this bill because it is narrowly tailored to apply only to those egregious instances in which a licensee is acting with malicious intent or clearly deviating from the required standard of care while interacting directly with a patient under their care," Newsom wrote in his signing message. "I am confident that discussing emerging ideas or treatments including the subsequent risks and benefits does not constitute misinformation or disinformation under this bill's criteria."

Dr. Jeffrey A. Singer, who discusses health issues on behalf of the libertarian Cato Institute, in Washington, D.C., criticized the measure in a Sept. 15 commentary for the Cato At Liberty blog. Singer wrote that it's true that doctors are expected to follow widely accepted standards of care, and that state medical boards police whether doctors are doing so. But Singer wrote that there's no standard of care yet for COVID-19, as the science for the new virus continues to evolve.

"Standard of care requires a length of time of experience with the disease for a true consensus to emerge regarding diagnosis and treatment," Singer wrote. "Our understanding of how the virus spreads, how best to control spread, how to accurately diagnose a COVID-19 infection, how to treat infection, and even how effectively vaccines work against the virus gets continually revised."

Ohio's 12-member medical board includes nine doctors.

"The Medical Board's regulatory responsibilities include investigating complaints against applicants and licensees and taking disciplinary action against those who violate the public health and safety standards set by the General Assembly and the Medical Board," the board says on its website.