



January 4, 2019

Ohio State Board of Medical Examiners  
Attn: Andrew P. Schachat, MD, President  
30 East Broad Street, 3rd Floor  
Columbus, OH 43215

To Andrew P. Schachat, MD:

By way of introduction, the American Center for Law and Justice (ACLJ) is an organization dedicated to the defense of constitutional liberties secured by law. ACLJ attorneys have argued before the Supreme Court of the United States in a number of significant cases involving the freedoms of speech and religion.<sup>1</sup> In protecting these liberties our organization has had decades of experience engaging legal, legislative, and cultural issues through advocacy, education, and litigation, and in negotiating the lines between right and wrong.

The Zionist Organization of America (ZOA) is the oldest pro-Israel organization in the United States. ZOA's distinguished presidents have included U.S. Supreme Court Justice Louis Brandeis, Rabbi Abba Hillel Silver, and current president Morton Klein. During the 121 years of its existence, the ZOA has been at the forefront of combatting antisemitism, and advocating in the courts, in administrative hearings, and other forums, for the safety and civil rights of the Jewish people and the pro-Israel community in the United States and elsewhere.

We are writing to file a formal complaint against Dr. Lara Kollab, a physician who currently has an active license with the Medical Board of Ohio that is set to be effective through June 20, 2021. The license type is a "Training Certificate (DO)" with license number 58.030190.

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<sup>1</sup> See, e.g., *Pleasant Grove v. Summum*, 555 U.S. 460 (2009) (unanimously holding that the Free Speech Clause does not require the government to accept counter-monuments when it has a war memorial or Ten Commandments monument on its property); *McConnell v. FEC*, 540 U.S. 93 (2003) (unanimously holding that minors have First Amendment rights); *Lamb's Chapel v. Center Moriches Sch. Dist.*, 508 U.S. 384 (1993) (unanimously holding that denying a church access to public school premises to show a film series on parenting violated the First Amendment); *Bd. of Educ. v. Mergens*, 496 U.S. 226 (1990) (holding by an 8-1 vote that allowing a student Bible club to meet on a public school's campus did not violate the Establishment Clause).

It has come to light that for years Dr. Kollab had been openly posting anti-Semitic social media comments containing violent and dehumanizing rhetoric towards members of the Jewish faith.<sup>2</sup> A published compilation of Dr. Kollab's social media posts shows she actually wrote that she would purposely give all Jewish people the wrong medications.<sup>3</sup>

Dr. Kollab's statements and intentions go far beyond the realms of free speech. Allowing her near any patients could literally jeopardize lives. Dr. Kollab is obviously unfit to practice medicine: Her medical school has released a statement saying that they were shocked and appalled at her behavior.<sup>4</sup> The Cleveland Clinic, where Dr. Kollab had been employed, promptly fired her when they became aware of her dangerous posts.<sup>5</sup>

While it is true that Dr. Kollab's temporary license limits her to practicing medicine at the Clinic and is therefore practically useless for the moment, the purpose of this letter is to officially ask the Board to revoke her medical license permanently, so that no other clinic or medical practice in Ohio might inadvertently hire her, and no other patients will be put at risk.

The matter giving rise to this letter involves blatant and open antisemitism, which has no place anywhere in society, and certainly cannot be allowed to fester in a professional medical setting.

The U.S. Department of State has defined antisemitism as "a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."<sup>6</sup> The State Department notes that such manifestations could also target the state of Israel, conceived as a Jewish collectivity. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for "why things go wrong." It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.<sup>7</sup>

Antisemitic threats can quickly turn into violent acts that jeopardize the safety of innocent people. It is important to note that according to a report last year by the FBI, the majority of religiously motivated hate crimes in the United States were committed against

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<sup>2</sup> [https://canarymission.org/individual/Lara\\_Kollab](https://canarymission.org/individual/Lara_Kollab)

<sup>3</sup> *Id.*

<sup>4</sup> [https://twitter.com/WeAreTouro/status/1079889660992733184?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etw eetembed%7Ctwterm%5E1079889660992733184&ref\\_url=https%3A%2F%2Fwww.breitbart.com%2Ftech%2F2019%2F01%2F02%2Fcleveland-clinic-lets-resident-go-after-anti-semitic-social-media-posts-exposed%2F](https://twitter.com/WeAreTouro/status/1079889660992733184?ref_src=twsrc%5Etfw%7Ctwcamp%5Etw eetembed%7Ctwterm%5E1079889660992733184&ref_url=https%3A%2F%2Fwww.breitbart.com%2Ftech%2F2019%2F01%2F02%2Fcleveland-clinic-lets-resident-go-after-anti-semitic-social-media-posts-exposed%2F)

<sup>5</sup> <https://newsroom.clevelandclinic.org/2018/12/31/cleveland-clinic-statement-on-social-media-posts-by-former-employee/>

<sup>6</sup> U.S. Department of State, *Defining Anti-Semitism*, June 8, 2010, <http://www.state.gov/j/drl/rls/fs/2010/122352.htm>.

<sup>7</sup> *Id.*

Jewish people- and this despite Jews making up less than 2% of the population.<sup>8</sup> In fact, since the FBI began reporting these statistics in 1993, there has not been a single year in which Jewish people were not the victims of the majority of religiously motivated hate crimes.<sup>9</sup> Threats of physical harm made because a doctor abhors Jews need to be taken very seriously.

No patient should ever have to seek medical help in a facility that employs a doctor who is so full of hatred in her heart necessary to commit violence upon another person. The trust between a patient and a medical professional is so essential that any suggestion of violence should be investigated thoroughly and dealt with promptly. In Dr. Kollab's case the actual written statements speak for themselves.

We hope that the seriousness of the situation is apparent enough on its face to move the Board to promptly permanently revoke Dr. Kollab's license, for the safety of all Ohio residents. In addition, the relevant legal statutes warrant the revocation of Dr. Kollab's medical license. These statutes include the following:

#### **Ohio Revised Code 4731.22 Disciplinary Actions:**

**(B)** The board, by an affirmative vote of not fewer than six members, shall, to the extent permitted by law, limit, revoke, or suspend a license or certificate to practice or certificate to recommend, refuse to issue a license or certificate, refuse to renew a license or certificate, refuse to reinstate a license or certificate, or reprimand or place on probation the holder of a license or certificate for one or more of the following reasons:

**(4)** Willfully betraying a professional confidence

**(6)** A 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;

**(14)** Commission of an act involving moral turpitude that constitutes a misdemeanor in this state, regardless of the jurisdiction in which the act was committed;

**(18)** Subject to section 4731.226 of the Revised Code, **violation of any provision of a code of ethics of the American Medical Association (AMA), the American Osteopathic Association, the American Podiatric Medical Association, or any other national professional organizations that the board specifies by rule....**

The AMA code of Medical Ethics is founded upon nine foundational principles.<sup>10</sup> Dr. Kollab's conduct has violated at least six of them:

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<sup>8</sup> <https://ucr.fbi.gov/hate-crime/2016>.

<sup>9</sup> <https://www.tabletmag.com/scroll/249434/fbi-jews-subject-to-54-percent-of-religiously-motivated-hate-crimes-in-2016-despite-being-just-two-percent-of-u-s-population>.

<sup>10</sup> <https://www.ama-assn.org/sites/ama-assn.org/files/corp/media-browser/principles-of-medical-ethics.pdf>

I. A physician shall be dedicated to providing competent medical care, with compassion and respect for human dignity and rights.

II. A physician shall uphold the standards of professionalism, be honest in all professional interactions, and strive to report physicians deficient in character or competence, or engaging in fraud or deception, to appropriate entities.

III. A physician shall respect the law and also recognize a responsibility to seek changes in those requirements which are contrary to the best interests of the patient.

IV. A physician shall respect the rights of patients, colleagues, and other health professionals, and shall safeguard patient confidences and privacy within the constraints of the law.

VIII. A physician shall, while caring for a patient, regard responsibility to the patient as paramount.

IX. A physician shall support access to medical care for all people.<sup>11</sup>

Aside from the foundational principles, here are just a few other highlights of all the ethical provisions that Dr. Kollab has violated:

#### **American Medical Association Code of Ethics:**

##### 9.6.6 Prescribing & Dispensing Drugs & Devices

In keeping with physicians' ethical responsibility to hold the patient's interests as paramount, in their role as prescribers and dispensers of drugs and devices, physicians should: (a) **Prescribe drugs, devices, and other treatments based solely on medical considerations, patient need, and reasonable expectations of effectiveness for the particular patient.** (b) **Dispense drugs in their office practices only if such dispensing primarily benefits the patient....** AMA Principles of Medical Ethics: II,III,IV,V

##### 2.3.2 Professionalism in the Use of Social Media

...Physicians and trainees have an ethical responsibility to weigh a number of considerations when maintaining a presence online... (c) When using the Internet for social networking, they should use privacy settings to safeguard personal information and content to the extent possible but should realize that privacy settings are not absolute and that once on the Internet, content is likely there

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<sup>11</sup> *Id.*

permanently. **Thus, physicians should routinely monitor their own Internet presence to ensure that the personal and professional information on their own sites and, to the extent possible, content posted about them by others, is accurate and appropriate.** ...**(f)** When they see content posted by colleagues that appears unprofessional they have a responsibility to bring that content to the attention of the individual, so that he or she can remove it and/or take other appropriate actions. If the behavior significantly violates professional norms and the individual does not take appropriate action to resolve the situation, the physician should report the matter to appropriate authorities. **(g) They must recognize that actions online and content posted may negatively affect their reputations among patients and colleagues, may have consequences for their medical careers (particularly for physicians-in-training and medical students), and can undermine public trust in the medical profession.**  
AMA Principles of Medical Ethics: I,II,IV

#### **American Osteopathic Association Code of Ethics:**

Section 2. The physician shall give a candid account of the patient's condition to the patient or to those responsible for the patient's care.

Section 3. A physician-patient relationship must be founded on mutual trust, cooperation, and respect. The patient, therefore, must have complete freedom to choose her/his physician. The physician must have complete freedom to choose patients whom she/he will serve. However, the physician should not refuse to accept patients for reasons of discrimination, including, but not limited to, the patient's race, creed, color, sex, national origin, sexual orientation, gender identity, or disability. In emergencies, a physician should make her/his services available.

Section 5. A physician should make a reasonable effort to partner with patients to promote their health and shall practice in accordance with the body of systematized and scientific knowledge related to the healing arts. A physician shall maintain competence in such systematized and scientific knowledge through study and clinical applications.

Section 13. A physician shall respect the law. When necessary a physician shall attempt to help to formulate the law by all proper means in order to improve patient care and public health.

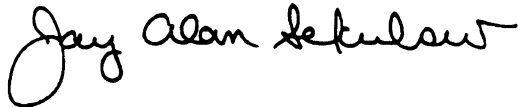
Demonstrably then, Dr. Kollab has violated multiple provisions of the relevant ethical codes. According to a statement released by Tessie Pollock the director of communications for the license board, “[i]t is the Mission of the State Medical Board of Ohio to protect the health and safety of all Ohioans. Malicious acts and attitudes toward any population go against the Medical Practice Act and are denounced by the board.”<sup>12</sup>

We know that no licensing board wants to find itself in the unenviable position of having to revoke a professional license once given, but when innocent patients’ lives are at stake there can be absolutely no room for hesitation.

You have been tasked with the awesome responsibility of ensuring the health and safety of all Ohioans, and we urge you to restore the public’s faith in Ohio medical institutions by taking swift action to revoke the medical license of someone who poses an immediate threat to that health and safety.

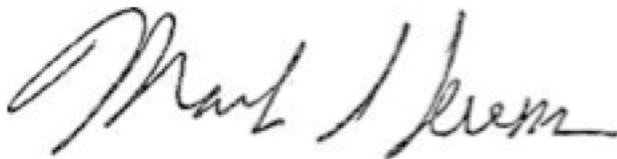
No person anywhere should have to fear that in their moment of crisis, as they seek medical attention, they might be discriminated against and even harmed for their beliefs. As a law firm we reserve the right to take all appropriate legal action in this matter, but as concerned citizens we are hopeful that no further action will be necessary, and we look forward to hearing your decision in this matter.

Respectfully,



Jay Sekulow,  
Chief Counsel

The *Zionist Organization of America* has joined the American Center for Law in Justice in signing on to this letter, sharing our serious concerns in this matter and supporting our position stated herein.



Mark Levenson,  
Chair  
Zionist Organization of America

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<sup>12</sup> <https://heavy.com/news/2019/01/lara-kollab/>