

Virginia Board of Medicine BOARD BRIEFS

Newsletter #73
September 2013

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GRACE PERIOD FOR LICENSURE OF BEHAVIOR ANALYSTS AND ASSISTANT BEHAVIOR ANALYSTS

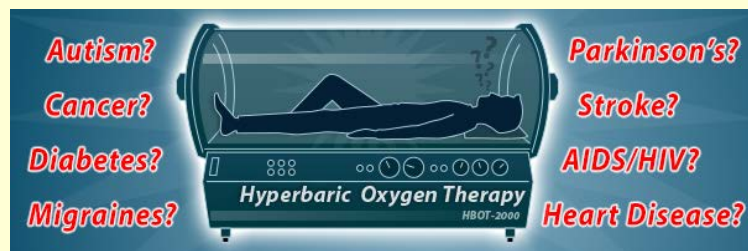
The initial date that the Board of Medicine could issue licenses for Behavior Analysts and Assistant Behavior Analysts was September 19, 2012. It is customary to allow a reasonable amount of time after the initial licensing date for qualified applicants to apply for a license. In keeping with this practice, the Board supported a period of 12 months (September 19, 2013) before any allegation of unlicensed practice is brought at the time of licensure. All licensees that receive this newsletter are encouraged to spread the word in your professional community.

REMINDER FROM THE BOARD OF PHARMACY

The Board of Pharmacy reminds all prescribers that you should only order drugs from entities that are properly licensed with the Virginia Board of Pharmacy. Also remember that you should not accept or dispense compounded “samples” from a pharmacy, as a pharmacy is not authorized to compound drugs for further distribution.

FDA – HYPERBARIC OXYGEN THERAPY

The Food and Drug Administration has asked that the Board provide the following information to you regarding the use of hyperbaric oxygen therapy. Some centers are making claims for use of hyperbaric oxygen in conditions that have not been approved by the FDA. You may wish to use this information in discussions with your patients should the topic of hyperbaric oxygen therapy arise.



August 22, 2013

To Whom It May Concern:

FDA's Center for Devices and Radiological Health (CDRH) has become aware of the use of hyperbaric oxygen chambers to treat a range of serious medical conditions for which the device has not been FDA-cleared or approved. Some of the claims being made by treatment centers offering hyperbaric oxygen therapy (HBOT) pose serious potential safety concerns. According to complaints we have received and websites that promote these uses, HBOT is being promoted to treat a variety of conditions that have not been cleared or approved, including:

- Asthma
- Autism
- AIDS/HIV

- Cancer
- Diabetes
- Heart Disease
- Migraine
- Parkinson's Disease
- Stroke

The FDA has cleared hyperbaric oxygen chambers for the following uses:

- Air or Gas Embolism
- Carbon Monoxide Poisoning
 - Carbon Monoxide Poisoning Complicated by Cyanide Poisoning
- Gas Gangrene (Clostridial Myonecrosis and Myonecrosis)
- Crush Injury, Compartmental Syndrome and Other Acute Traumatic Ischemias
- Decompression Sickness
- Arterial Insufficiencies
 - Central Retinal Artery Occlusion
 - Enhancement of Healing in Selected Problem Wounds
- Severe Anemia
- Intracranial Abscess
- Necrotizing Soft Tissue Infections
- Osteomyelitis (Refractory)
- Delayed Radiation Injury (Soft Tissue and Bony Necrosis)
- Compromised Grafts and Flaps
- Acute Thermal Burn Injury

The FDA does not regulate the practice of medicine, but is concerned that patients treated with HBOT for non-cleared conditions, especially in place of treatment options with established safety and effectiveness, may experience a lack of improvement or worsening of their existing condition(s). Patients may not be aware that the safety and effectiveness of HBOT has not been established for use in these condition(s).

The hyperbaric chamber operator is typically trained to operate the chamber and recognize signs and symptoms of injuries caused by pressure changes and how to respond, but is not typically trained in the treatment of the disease or condition.

Please share this information with the health care providers that you license and look closely at any complaints you may receive related to the treatment of patients with HBOT. The FDA recently posted a Consumer Update, [Hyperbaric Oxygen Therapy: Don't Be Misled](#) which urges patients to discuss HBOT directly with their health care providers to determine whether it is an appropriate treatment option. The FDA encourages you to inform your constituents about the potential risks of using HBOT for the conditions listed above for which these devices have not been cleared or approved.

Hyperbaric oxygen chambers are prescription devices, and we have received numerous complaints related to the sale of these devices to patients without a prescription. We have also received numerous complaints regarding their use in facilities not operated by a licensed physician. We would encourage your organization to work with these establishments to ensure they are in compliance with state and local regulations.

Additionally, any information that you can provide that may help us better understand this issue would be greatly appreciated. If you have any information about these or other issues that have come to your attention, please contact FDA's Division of Small Manufacturers, International and Consumer Assistance

(DSMICA) at DSMICA@FDA.HHS.GOV, or 800-638-2041, or 301-796-7100. You can also submit an adverse event report to FDA's [MedWatch](#), FDA's information and adverse events reporting program.

Thank you,

Food and Drug Administration
Center for Devices and Radiological Health

MORE ON CONTROLLED SUBSTANCES

Prescribers' Clinical Support System for Opioid Therapies

Prescription drug abuse and its attendant morbidity and mortality continue to be of great concern across the Commonwealth. Recently the topic of continuing education on the proper use of controlled substances for all prescribers licensed by the Board of Medicine was discussed by its Executive Committee. Although the Committee favored not requiring specific CME, it was very much in favor of licensees taking advantage of the many fine resources presently available about prescribing controlled substances.

Prescribers' Clinical Support System for Opioid Therapies (PCSS-O) is a three year grant funded by The Substance Abuse and Mental Health Services Administration (SAMHSA), Center for Substance Abuse Treatment (CSAT). It is a collaborative project led by the American Academy of Addiction Psychiatry with: the American Dental Association, American Medical Association, American Osteopathic Academy of Addiction Medicine, American Psychiatric Association, American Society for Pain Management Nursing, and International Nurses Society on Addictions. PCSS-O currently makes available 66 learning modules, which you can access from the list below. All are free of charge.



May 2, 2013

Dear Colleague,

I am writing to bring to your attention a number of free, evidence-based clinical resources designed to help prescribers' learn about safe opioid prescribing practices.

- All resources are 100% free. Funding is provided by Substance Abuse and Mental Health Services Administration (SAMHSA), Center for Substance Abuse Treatment (CSAT).
- Over 7,500 individuals have participated in various trainings within the past 18 months.
- 91% of participants were either very satisfied or satisfied with the quality of training.
- 90% strongly agreed or agreed that they would recommend the training to a colleague.
- 96% of information received during the training was found to be very useful or useful.
- Approximately 77% of participants have shared information from the training with others, while 82% have applied what they learned from the training to their work.

We are able to offer you these free resources through our initiative, “Prescribers’ Clinical Support System for Opioid Therapies (PCSS-O www.pcass-o.org)” which is a collaborative project led by the American Academy of Addiction Psychiatry and includes the American Dental Association, American Medical Association, American Osteopathic Academy of Addiction Medicine, American Psychiatric Association, American Society for Pain Management Nursing, and International Nurses Society on Addictions.

As you know opioid addiction has reached epidemic proportions in the United States with an estimated 3 million people having become dependent on prescription opioid analgesics or other opioids such as heroin. Opioid misuse is a significant public health problem that carries substantial morbidity and mortality (Kertesz et al. 2012, Gibson et al. 2011, Hser et al. 2007). While heroin use remains prevalent, prescription opioid abuse has risen dramatically in the past decade. The National Survey on Drug Use and Health (NSDUH) reports that among individuals aged 12 and older, 4.6% have used prescription opioids non-medically in the past year and 4.4% of pregnant women were current illicit drug users (NSDUH 2011). Of further concern is the finding that 14% of substance abusers cite pain medication as being the first substance they abused, suggesting that barriers for initiation of use are becoming very low even among adolescents (NSDUH 2011). Given the scope of the prescription opioid misuse epidemic, it is imperative that effective education be made available to a wide range of healthcare providers who will treat patients seen in a variety of treatment settings, including primary care, psychiatric care, dental and pain management settings.

While this problem is fast growing throughout all communities so are the demands that the medical community needs to take to prevent further abuse and to assist those patients who have developed addictions.

PCSS-O provides free training and education on the safe and effective prescribing of opioid medications in the treatment of pain and/or opioid addiction. The focus of this project is to reach prescribers’ and/or prescribers’-in-training from diverse healthcare professions including physicians, nurses, dentists, physician assistants, pharmacists, and program administrators to offer free, accessible, evidence-based trainings. The training topics focus on safe and appropriate prescribing of opioids and providing peer support to these prescribers. To reach the largest number of prescribers most cost-effectively and efficiently, PCSS-O provides a variety of educational materials dedicated to this topic. The establishment of this national training and mentoring program will help to improve the health and safety of Americans suffering with chronic pain and/or opioid-related addiction.

I am writing to make you aware of this project which is available at no cost. I hope that you will inform members of your medical society of this program and encourage them to visit www.pcass-o.org to take part. Trainings available on the PCSS-O site include clinical online modules, live and archived webinars, a peer support program, a listserv and an iPhone application. These resources are described in the attached flyer and brochure. Also attached you will find a training database which lists all PCSS-O trainings which have taken place to date. Furthermore, we hope to be able to provide CME credits in the near future.

We ask that you share this information with your members and let us know if you have any questions. We look forward to working with you on making expanded access to evidence based treatment available to those who suffer with opioid addiction and address this public health priority.

Sincerely,



Kevin Sevarino, MD, PhD
Medical Director, PCSS-O

Prescribers' Clinical Support System for Opioid Therapies

P: (855) 227-2776 I F: (401) 272-0922

www.pcoss-o.org I info@pcoss-o.org



PRESCRIPTION MONITORING PROGRAM

Virginia's Prescription Monitoring Program is in its 10th year of operation. The Program began in response to concerns about abuse and diversion of controlled substances. Giving prescribers access to a patient's record of controlled substances is seen to have a number of advantages: 1) with access to a patient's controlled substance prescriptions, a prescriber can make better clinical decisions for the patient; 2) the prescriber can better identify if a patient has a problem with substance abuse for purposes of diagnosis, treatment and referral; 3) clues to diversion can be spotted and dealt with appropriately.

Beginning with the collection of Schedule II drugs in Southwest Virginia, the Program's scope has grown dramatically over the past decade. Now all Schedule II, III and IV drugs dispensed by pharmacies in the Commonwealth or operating into the Commonwealth must be reported to the Program. Over 13 million prescriptions will be logged by the Program this year, and it will answer over 1 million requests for patient information.

Most requests come from prescribers; pharmacists and law enforcement also routinely make requests of the Program. The good news is that about 85% of the most prolific prescribers of controlled substances are signed up to use the Program. But controlled substances still manage to make it onto the street, and even if you only write a few prescriptions a month for substances that can be abused, the Program can be useful to you, good for your patients and good for the health of the public.

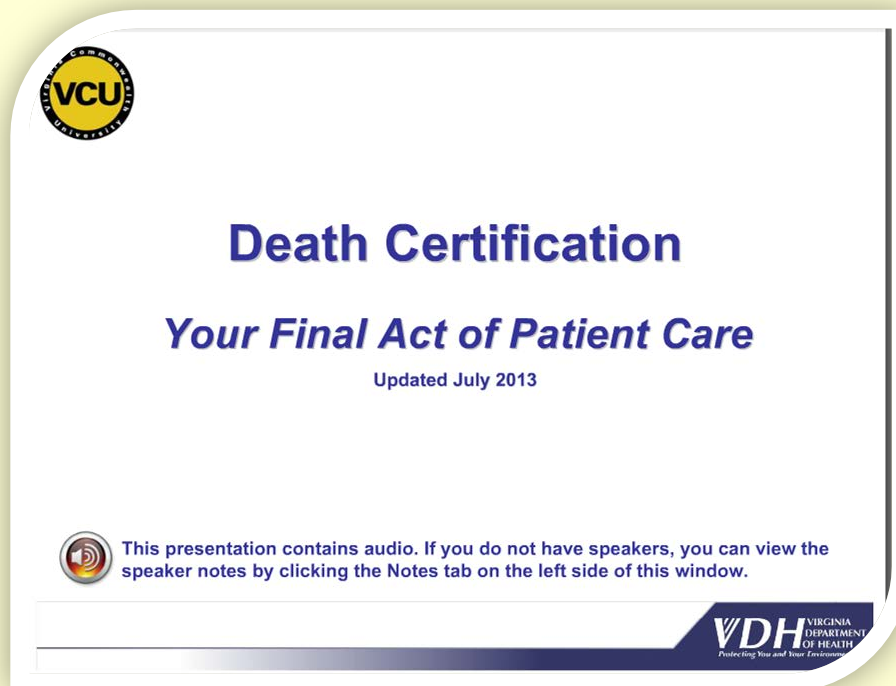
Three aspects of the Program should be mentioned. The law now allows a practitioner signed up with the Program to delegate access to an unlimited number of licensed healthcare professionals under his/her direct supervision. A busy practitioner can have licensed staff make requests of the Program when he/she was too busy to do so previously. Also, the Program is interoperable with 13 other states. Not only can you check a patient's prescription history in Virginia, but also in Tennessee, Ohio, Indiana, Connecticut, Illinois, Michigan, South Carolina, North Dakota, Arizona, Kansas, New Mexico, South Dakota and Louisiana. Additionally, Virginia's PMP introduced a new service for registered prescribers allowing them to request their prescribing history for the last 90 days. This feature is meant to assist them in reviewing their prescribing history to monitor possible misuse of their DEA registration by others.

If you are signed up with the Program, you are encouraged to use it whenever you anticipate prescribing controlled substances. If you are not signed up, click on the following link to do so.
<http://www.dhp.virginia.gov>

DEATH CERTIFICATE MODULE

The Virginia Department of Health, through its Office of Vital Records, keeps track of all births and deaths in the Commonwealth. Filling out a death certificate is the last act of care for your patient. To help you with the process, the Office of the Chief Medical Examiner has prepared a tutorial that you can view at your convenience. The Board has approved completion of this module for 1 hour of Type 1 continuing medical education for the purpose of licensure renewal. Click on the following link to access the module.

<http://www.vdh.virginia.gov/clinicians/Courses/DeathCertificate.html>



The image shows a presentation slide with a white background and rounded corners. In the top left corner is the VCU logo, which is a yellow circle with 'VCU' in black and 'VIRGINIA COMMONWEALTH UNIVERSITY' around the perimeter. The main title is 'Death Certification' in a large, bold, blue font. Below it is the subtitle 'Your Final Act of Patient Care' in a smaller, bold, blue font. Underneath the subtitle is the text 'Updated July 2013' in a smaller, black font. At the bottom left, there is a speaker icon and the text 'This presentation contains audio. If you do not have speakers, you can view the speaker notes by clicking the Notes tab on the left side of this window.' In the bottom right corner, there is the VDH logo, which consists of the letters 'VDH' in a large, bold, blue font, followed by 'VIRGINIA DEPARTMENT OF HEALTH' in a smaller, black font, and the tagline 'Protecting You and Your Community' in a very small font below it.



COMPENSATED COMMUNITY SERVICE OPPORTUNITY AS A LOCAL MEDICAL EXAMINER

Are you a fan of TV shows like CSI, Law and Order, and Criminal Minds or of novels by such authors as Grisham, Baldacci and Cornwell? As a licensed Virginia doctor, you have the opportunity to enter the real world of medicolegal death investigation by performing a valuable community service and assisting law enforcement within your locality while receiving monetary compensation. Serving the citizens of Virginia as a part-time Local Medical Examiner (LME) is not only rewarding but extremely interesting as it allows you, the physician LME, to enter the intriguing and restricted world of medicolegal death investigation and still maintain your full time medical practice.

There are many benefits to being appointed Local Medical Examiner in your community and it requires only a small investment of your time, about an hour for each case investigated.

1. As an agent of the Commonwealth of Virginia you would be **compensated \$150 for every case** you accept under the jurisdiction of the Office of the Chief Medical Examiner to investigate with an **additional \$50** for every non-hospital death scene you choose to visit as part of your investigation and for every cremation permit you certify for a funeral home.
2. While acting as LME you will **not require any additional malpractice coverage** as your medical examiner work as an agent of the Commonwealth is covered by the Commonwealth of Virginia.
3. As a LME you will be eligible to attend **free biannual LME training programs** provided within the districts by the Office of the Chief Medical Examiner for **8 hours of CME credit** per program.
4. While functioning as a LME you will get to know the **law enforcement officers** and Commonwealth's Attorneys within your community **expanding** your professional acquaintances and work partners from your interaction with them as a LME.
5. Through your LME duties you will be performing a very critical **community service** for the individuals who reside in your locality by ensuring that those who die a violent or unnatural death have their cases thoroughly and properly investigated and their cause and manner of death appropriately certified.
6. As a Virginia LME you will be working within a **nationally recognized, statewide medicolegal death investigation system** with four separate district offices employing fulltime, board certified forensic pathologists to perform autopsies on your medical examiner cases and fulltime medicolegal death investigators to assist you with your investigations and the minimal paperwork required for case completion.

If you have questions or are interested in serving as a Local Medical Examiner for your community, please contact Mrs. Donna Price, our Statewide LME Coordinator, directly at 804-786-1032 or through the Richmond Office of the Chief Medical Examiner phone number 804-786-3174 option #1. Thank you.

BOARD MEETING MINUTES

The Board regulates your practice. To keep you current with what the Board is discussing, here are the draft June 20, 2013 Full Board minutes, the draft August 2, 2013 Executive Committee minutes, and the draft August 20, 2013 minutes from the Ad Hoc Committee on Collaborative Practice between pharmacists and prescribers.

VIRGINIA BOARD OF MEDICINE FULL BOARD MINUTES

Thursday, June 20, 2013

Department of Health Professions

Henrico, VA

CALL TO ORDER: Dr. Hoffman called the meeting to order at 8:45 a.m.

ROLL CALL

MEMBERS PRESENT: Valerie Hoffman, DC, President
Stuart Mackler, MD, Vice-President
Wayne Reynolds, DO, Secretary-Treasurer
Barbara Allison-Bryan, MD
Randy Clements, DPM
Claudette Dalton, MD
Irina Farquhar, PhD
Robert Hickman, MD
William Hutchens, MD
Jane Maddux
Kevin O'Connor, MD
Jane Piness, MD
Kenneth Walker, MD

MEMBERS ABSENT: Kamlesh Dave, MD
Siobhan Dunnavant, MD
Stephen Heretick, JD
Michael Signer, PhD, JD

STAFF PRESENT: William L. Harp, MD, Executive Director
Jennifer Deschenes, JD, Deputy Executive Director, Discipline
Barbara Matusiak, MD, Medical Review Coordinator
Alan Heaberlin, Deputy Executive Director, Licensing
Colanthia Morton Opher, Operations Manager
Joy Langford, Office Specialist
Arne Owens, DHP Chief Deputy Director
Elaine Yeatts, DHP Senior Policy Analyst

OTHERS PRESENT: Elizabeth Carter, PhD, Healthcare Workforce Data Center

Mike Jurgensen, MSV
Ben Sharpe, VADRS
Carl Ameringer, PhD, JD, Wilder Institute
W. Scott Johnson, JD, HDJN/MSV

EMERGENCY EGRESS PROCEDURES

Dr. Mackler read the emergency egress procedures for Conference Room 2.

APPROVAL OF THE FEBRUARY 21, 2013 MINUTES

Dr. Piness moved to accept the minutes of February 21, 2013. The motion was seconded and carried unanimously.

ADOPTION OF AGENDA

Dr. Mackler moved to adopt the agenda as presented. The motion was seconded and carried unanimously.

PUBLIC COMMENT ON AGENDA ITEMS

Dr. Hoffman acknowledged and welcomed the guests that were present.

There was no public comment.

NEW BUSINESS

DHP DIRECTOR'S REPORT

Arne Owens, Chief Deputy, provided an update on the status of the National Governors Association project related to prescription drug abuse. He noted that a final draft should be completed by the first of September.

Elizabeth Carter, PhD presented a draft report on Virginia's physician workforce developed from a survey administered by the DHP Healthcare Workforce Data Center. She highlighted several areas of the report and asked the members for any feedback they might have to be forwarded by the end of the month.

Dr. Carter advised that the Healthcare Workforce Data Center had recently provided information regarding primary care physicians to the Richmond Times-Dispatch. Mr. Owens commented that the Associated Press appears to be working on a story about a potential decline in the number of primary care physicians.

REPORT OF OFFICERS AND EXECUTIVE DIRECTOR

PRESIDENT'S REPORT

Dr. Hoffman presented Dr. Dalton a certificate from the Federation of State Medical Boards that acknowledged her service in FSMB's Maintenance of Licensure effort.

VICE-PRESIDENT'S REPORT

Dr. Mackler had no report.

SECRETARY-TREASURER'S REPORT

Dr. Reynolds acknowledged the good work of the staff in keeping the Board's expenses under control. He further stated that with a healthy surplus, the Board would be voting on a fee reduction for its licensees a little later on the agenda.

EXECUTIVE DIRECTOR'S REPORT

- Revenue and Expenditures Report

Dr. Harp reported that the Board is still operating well within budget. The cash balance as of April 30, 2013 was \$8,560,662. Dr. Harp highlighted the fees spent on temporary employees, HPMP and medical experts.

Dr. Harp stated that the budget for 2015-2016 has been formulated. In it, the Board is requesting funding for two new licensing positions, for a retreat, and to cover additional Board members' attendance at the Annual Meeting of the Federation of State Medical Boards.

- Correspondence from FSMB regarding the Board Liaison Program

Dr. Harp announced that Mr. Heretick was our new liaison from FSMB.

- Letter to Senator Linda T. Puller, JCHC

Dr. Harp briefly reviewed the letter sent to Senator Puller and noted that the Board continues to meet its responsibility to the Joint Commission on Healthcare.

- Letter to David Johnson, FSMB

Dr. Harp reminded the Board of the decision to allow FSMB to take the responsibility for determining special test accommodations for USMLE 3.

- Letter to Greg Billings, C-Tel

Dr. Harp informed the Board that the Executive Committee met in April, and after discussion, concluded that the suggested language in C-Tel's document would require an amendment to the Code of Virginia by the General Assembly. Dr. Harp advised that Board staff will follow this issue as it continues to be in active discussion at the national level.

Ms. Deschenes pointed out that §54.1-3303 states that a prescription for a controlled substance may be issued only by a practitioner to persons with whom the practitioner has a bona fide practitioner-patient relationship and specifically has performed or had performed an appropriate examination of the patient either in person or by the use of instrumentation or diagnostic equipment.

Board members then had a brief discussion about contracted telemedicine services and whether a Virginia license was required for such activity. As an associated matter, the Board did opine that a member of a physician group could prescribe for a patient if a bona fide doctor-patient relationship had been established by one prescriber in the group.

- Prescription Monitoring Program (PMP) Update

Dr. Harp pointed out that the PMP will hit one million user requests for information this year.

Dr. Harp stated that 85% of the practitioners that are prolific prescribers are registered with the PMP, which is good. However, the number of pills written by the most conservative prescribers, many of whom are not users of the PMP, is still a very significant amount.

Mr. Owens advised that only 17% of those using the PMP said that they had altered their treatment plan for substance abuse patients. Mr. Owens also said that the General Assembly recently passed law that will allow local law enforcement access to the PMP.

In response to a Board member's inquiry as to what studies have been done on the demographics of drug abuse and drug deaths, Dr. Harp pointed out that Virginia physician Marti Wunsch had the NIH grant to study drug fatalities in Southwest Virginia. She reported the results of her review of 900 deaths to the medical community in 2007. To the best of Dr. Harp's recollection, he said the average description of a victim was male, mid-thirties, unemployed, with chronic pain, disability and substance abuse issues.

- Health Practitioners Monitoring Program Statistics

Dr. Harp noted the total number of Medicine participants in the program to be 110 with 73 MDs. This report was for informational purposes only. No action was required.

Dr. Harp announced that Dr. Penny Zeigler will be leaving the program; Dr. Silverman is actively recruiting for the medical director position.

- Board Briefs

Dr. Harp suggested that future board briefs be comprised of Board meeting minutes, updated disciplinary actions, and any topics of immediate interest. The briefs would be available three times a year.

The Board members unanimously agreed.

Committee and Advisory Board Reports

Dr. Dalton moved to accept the committee reports en bloc. The motion was seconded and carried unanimously.

Other Reports

Assistant Attorney General

Ms. Deschenes stood in for Ms. Barrett and provided an update on the disciplinary matters before the courts.

No action was required by the Board.

Board of Health Professions

Dr. Farquhar had no report.

Podiatry Report

Dr. Clements had no report.

Chiropractic Report

Dr. Hoffman had no report.

Joint Board of Nursing and Medicine

Dr. Hickman had no report.

Regulatory and Legislative Issues

- Chart of Regulatory Actions

Ms. Yeatts gave a brief overview of the status of regulations for the Board. She called attention to several including the emergency regulations for the Regulations that Govern the Practice of Physician Assistants and Qualifications for Fluoroscopy and pointed out that approval is still pending.

Dr. Dalton stated that the AMA Board of Trustees had recently issued a resolution that recommends direct physician supervision of PAs doing pain management with fluoroscopy.

Ms. Yeatts advised that the regulation for the elimination of the 4th visit rule has been approved. She stated that this information must now be captured in the practice agreement when submitted to the Board for approval. Ms. Yeatts suggested that this be highlighted in the next Board Brief.

Ms. Yeatts reminded the Board that behavior analysts and assistant behavior analysts were granted licensure by emergency regulation. Those regulations are currently in effect and will need to be replaced in September. She suggested that the Executive Committee ask for a 6-month extension of

the emergency regulations at its August meeting, just to be on the safe side.

Mr. Owens informed the Board that the Director's office met with Secretary Hazel and discussed the top ten items on DHP's list in hopes of moving the department's regulatory and legislative matters ahead.

- Regulatory Reform Project

Ms. Yeatts briefly reviewed the Notice of Periodic Review for Nurse Practitioner Regulations as part of the Governor's Regulatory Reform Project.

After a very brief discussion, Dr. Mackler moved to accept the recommendation of the Committee of the Joint Boards of Nursing and Medicine to make no changes to Chapters 30 and 40 at this time. The motion was seconded and carried unanimously.

- Action on Guidance Document

Ms. Yeatts advised that Guidance Document 90-11 was reviewed by the Committee of the Joint Boards of Nursing and Medicine, and only minor revisions are being recommended.

Dr. Mackler moved to adopt the proposed revisions to Guidance Document 90-11. The motion was seconded and carried unanimously.

- Recommendation for Legislative Proposals

Ms. Yeatts advised that the first legislative proposal was from the Advisory Board on Respiratory Care. The Advisory requested that the designation "licensed respiratory care practitioner" be changed to "licensed respiratory therapist" consistent with the national trend.

The second proposal seeks to further clarify the grounds for unprofessional conduct in §54.1-2915, specifically that incompetence to practice with reasonable skill and safety may be a violation of law.

After discussion, Dr. Dalton moved that both legislative proposals be sent to the DHP Director for consideration of inclusion in DHP's legislative packet for the 2014 General Assembly.

- Regulatory Action: Adoption of Amended Regulations for a Fee Reduction for all Professions

Ms. Yeatts referred to the letter from Dr. Reynolds-Cane regarding the financial analysis of the Board and the recommendation of a one-time fee reduction applicable to each profession's next renewal cycle in either 2014 or 2015. Ms. Yeatts stated that the intent is to reduce fees consistent with the law, but not to the point that the Board will have to increase fees again in the near future.

Dr. Reynolds moved to accept the recommendation. The motion was seconded and carried unanimously.

- Guidance Documents – Licensed Midwives

Ms. Yeatts advised that the guidance documents provide updated code cites, websites, and contact information with the Board of Health to facilitate compliance with law and regulations by licensed midwives.

Dr. Mackler moved to adopt the guidance documents for licensed midwives as presented. The motion was seconded and carried unanimously.

Licensing Report

Mr. Heaberlin reported that the Board's customer satisfaction rating has increased since his last report. And, with the help of two temporary employees, the medicine and surgery licensing process was running more smoothly and quickly.

Mr. Heaberlin also reported that he participated in an FSMB webinar that discussed the limit of six attempts to pass each step of the USMLE.

Discipline Report

Ms. Deschenes reported that the Board's numbers are holding steady insofar as cases received and those going forward. She advised that there are 115 cases currently at APD, but the Board is currently caught up and has no notices to issue at the moment. She related that half of APD's medicine adjudication analysts are out for various reasons. APD is working on filling all vacancies.

Dr. Harp congratulated Dr. Matusiak on her phenomenal 7-9 day time for probable cause review. He said it is in large part due to her efforts that the Board has the good disciplinary stats it does. Ms. Deschenes also thanked all the Board members for their assistance, especially Dr. Hickman, Dr. Dalton, and Dr. Mackler for the extra days they give to case review.

Nominating Committee Report

Dr. Piness, Chair of the Nominating Committee, presented the slate of officers:

Stuart Mackler, MD – President
Wayne Reynolds, DO – Vice-President
Kenneth Walker, MD – Secretary/Treasurer.

With no other nominations from the floor, Dr. Allison-Bryan moved to accept the slate as presented. The motion was seconded and carried unanimously.

Recognition of Board members whose terms are expiring

Dr. Hoffman presented Dr. Dalton with a plaque commemorating her service with the Board from 2005-2013. Dr. Dalton stated that it has been a privilege to work with all of her colleagues on the Board.

Dr. Mackler presented Dr. Hoffman with a plaque commemorating her service with the Board from 2005-2013 and remarked that it has been a privilege and honor to serve with her. Dr. Hoffman thanked everyone and said that she is proud to say that “after eight years on the Board, she is proud to be a DC and never written a prescription in her life.”

FSMB Annual Meeting Update

Dr. Hoffman, Dr. Dalton and Ms. Deschenes gave brief accounts of their attendance at FSMB’s Annual Meeting held in Boston two days after the marathon bombing. They stated that in spite of the distractions and extenuating circumstances, all went well.

Dr. Reynolds announced that he was appointed to the Editorial Board of the Federation of State Medical Boards.

2014 Proposed Meeting Dates

Dr. Harp noted that the schedule for 2014 managed to avoid a conflict with MSV’s Annual Meeting.

Dr. Mackler moved to approve the schedule as presented. The motion was seconded and carried unanimously.

Next Meeting Date

With the possibility of more than one member missing the scheduled October 24th meeting, Dr. Dalton moved to change it to October 17-19th. The motion was seconded and carried with one opposed. Staff will confirm room availability for this move.

Credentials Committee Recommendations

The Board reviewed the Credentials Committee recommendations for two applicants along with the applicants’ petitions to withdraw their applications for licensure.

Dr. Mackler moved to accept both withdrawal requests. The motion was seconded and carried unanimously.

Announcements

Dr. Mackler offered his personal travel reimbursement tracking form to the Board members to use if needed.

Dr. Harp mentioned that the Food and Drug Administration has hired the Brookings Institution to study the best ways to communicate the law prohibiting the purchase and use of unapproved medications to physicians/prescribers. Board staff has been on a call with researcher Joel Wu of Brookings; a meeting will be called in Washington, DC sometime in the near future.

Adjournment: With no other business to conduct, the meeting adjourned at 10:59 a.m.

**VIRGINIA BOARD OF MEDICINE
EXECUTIVE COMMITTEE MINUTES**

Friday, August 2, 2013

Department of Health Professions

Henrico, VA

CALL TO ORDER: The meeting convened at 8:36 a.m.

MEMBERS PRESENT: Stuart Mackler, MD, President
Wayne Reynolds, DO, Vice-President
Robert Hickman, MD, Secretary-Treasurer
Valerie Hoffman, DC
Kenneth Walker, MD

MEMBERS ABSENT: Claudette Dalton, MD
Stephen Heretick, JD
Jane Maddux

STAFF PRESENT: William L. Harp, MD, Executive Director
Jennifer Deschenes, JD, Deputy Executive Director for Discipline
Barbara Matusiak, MD, Medical Review Coordinator
Colanthia Morton Opher, Operations Manager
Erin Barrett, JD, Assistant Attorney General
Arne Owens, Deputy Director, Department Health Professions

OTHERS PRESENT: W. Scott Johnson, MSV
Michael Jurgensen, MSV

Call to Order

Dr. Mackler called the meeting to order.

Roll Call

A quorum for conducting business was declared.

Emergency Egress Procedures

Dr. Reynolds provided the emergency egress procedures.

Adoption of Agenda

Dr. Reynolds moved to adopt the agenda as presented. The motion was seconded and carried unanimously.

Public Comment on Agenda Items

Dr. Mackler welcomed the public in attendance and opened the floor for comment.

Mr. Jurgensen addressed the members of the Committee and expressed the Medical Society's support for the pending nurse practitioner regulations. He also noted that the Society has some concerns about requiring specific content for continuing medical education, but will review any proposal developed by the Board.

Approval of the April 5, 2013 Minutes

Dr. Reynolds moved to approve the minutes as presented. The motion was seconded and carried unanimously.

New Business

Report of the Executive Director – William L. Harp, MD

Revenue and Expenditures Report

Dr. Harp advised that the Board is still in good fiscal health, and that the cash balance as of May 31, 2013 was \$8.3 million.

Letter from Dr. Reynolds-Cane

Dr. Harp reviewed the letter from Dr. Reynolds-Cane, DHP Director, asking the Board to consider a one-time renewal fee decrease of approximately 14% for all professions at their next renewal.

Key Performance Measures

Dr. Harp reported on the 4th quarter performance measures, noting that 320 cases were received by the Board, and 262 were closed. The pending caseload older than 250 days was 18%, which is well under the 25% threshold. Cases closed within 250 business days was at 94%. Dr. Harp reminded the Committee that the multi-sequence process from initial complaint to resolution plays into the 250 business day clock.

Responding to the Committee's inquiry on how adequately staffed APD is for meeting the established goals, Ms. Deschenes said that Jim Banning, Director for APD, could best address that question. She did say that APD was currently addressing a staffing shortage which could affect how many and how quickly cases get to the Board for scheduling.

HPMP

Dr. Harp provided a quick review of the HPMP report and noted a slight decrease in the numbers for Medicine. He stated that the Virginian-Pilot may be printing a story regarding practitioners in monitoring programs since a reporter had recently requested information related to the topic.

Letter from Medical Society of Virginia (MSV)

Dr. Harp reviewed the letter from MSV confirming its support for the Virginia nurse practitioner regulations for patient care teams. Dr. Harp pointed out that the emergency regulations were effective May 8, 2013 and will need to be replaced by May 7, 2014.

Petition for Rulemaking – Ms. Cartwright

Dr. Harp brought to the Committee's attention a petition for rulemaking from Melody Cartwright who petitions the Board to amend the requirements for practice by chiropractors relating to diagnosis and treatment of curvature of the spine and the use of digital x-rays. Dr. Harp stated that the petition is currently on Townhall for public comment until August 28th, and that any comments received will be presented to the Full Board in October.

Chart of Regulatory Actions

In the absence of Elaine Yeatts, DHP Policy Analyst, Dr. Harp briefly went over the status of the pending regulations as of July 19, 2013. This report was for informational purposes only and did not require any action.

Amendments to Regulations Governing the Practice of Nurse Practitioners and Regulations for Prescriptive Authority for Nurse Practitioners

Dr. Harp led the Committee through the proposed regulations that must replace the emergency regulations currently in effect. The Committee thoroughly reviewed and discussed the suggested amendments to 18VAC90-30-10 et.seq. After clarification that an intern/resident cannot serve as a patient care team physician, Dr. Hickman moved to adopt the proposed regulations with amendments as presented. The motion was seconded and carried unanimously.

After further discussion regarding the proposed regulations for prescriptive authority for nurse practitioners and the suggested amendments, Dr. Reynolds moved to adopt the amended version of 18VAC90-40-10 as proposed regulations to replace the emergency regulations currently in effect. The motion was seconded and carried unanimously.

Request to Extend the Life of Emergency Regulations up to Six Months

Dr. Harp informed the Committee that the emergency regulations for the licensure of behavior analysts and assistant behavior analysts are due to expire September 18, 2013. The request would extend the life of the emergency regulations to April 18, 2014.

Dr. Reynolds moved to accept the request to extend the emergency regulations until the time noted. The motion was seconded and carried unanimously.

Proposal for new Physician Orientation Mini-Course

Dr. Mackler presented an overview of the Maryland Board of Physicians' New Physician Orientation and asked the Committee to consider revamping the Board's webpage. The majority of the members agreed that the current webpage was acceptable and did not need to be re-worked. Ms. Deschenes quoted from an email received earlier that morning from a reporter that commended Virginia for its user-friendly website.

After discussion, Dr. Reynolds moved not to revamp the existing page, but to approve the development an orientation module for new licensees. The motion was seconded and carried unanimously.

Name Designation for License Printing

Ms. Opher explained how the agency's licensing database is set up for the purpose of capturing a licensee's name, and how Board staff was required to populate a "doing business as" field from which the license is actually printed.

Ms. Opher advised that historically the Board's policy has been to populate the "doing business as" field with the licensee's legal first name, middle initial, and last name. However, staff was recently advised that a licensee should be allowed to have any name he/she wished on the license. Ms. Opher provided a scenario in which the licensee's request to use other than the first name, middle initial, last name in the "doing business as" section was honored. Board staff received an email from a hospital credentialing representative advising that the license printed from the "doing business as" line was not acceptable because it did not match the name in the Board's database.

After discussion about what constitutes the legal name of an applicant, the Committee said that the Board should simply stick to the first name, middle initial and last name. The applicant would have to have documentation to support the name he/she wished to use as the legal name.

Dr. Reynolds moved that the traditional process of using the first name, middle initial and last name for the purpose of issuing a license under the Board of Medicine remain unchanged. The motion was seconded and carried unanimously.

The Committee adjourned for a ten minute break and reconvened at 10:00 a.m.

Facility Online Employment Verifications

Ms. Opher advised that with more and more facilities going electronic, Board staff is receiving emails advising that employment/privileges verifications can be accessed from third-party services. Ms. Opher explained that some sites are straight-forward, but some can take up to 30 minutes to set up an account to access the information.

After discussion, the Committee continues to support the Board's current policy of requiring the applicant to have the primary source submit employment verification directly to the Board, whether by email, fax, or mail.

Discipline Report

Ms. Deschenes advised that the discipline unit has issued all available notices through September, but there are approximately 185 pending completion. Ms. Deschenes advised the Committee to expect a

decrease in our key performance measures in the next six months because of the aging cases in APD. Ms. Deschenes reiterated that APD is doing its best, given the staffing challenges.

Ms. Deschenes stated that Board staff will do its best to settle as many cases as possible, but the members should expect to have a heavy case load in early 2014.

Petition for Rulemaking to Require CME on the Use of Opioids and Addiction

Dr. Harp provided an overview of how the use of opioids has changed since the mid-1990s. He reminded the Committee that in 1997 FSMB published a Model Policy which was revised in 2004 and has just been revised again. Dr. Harp noted that with the steady climb in overdose deaths, the alarm has been sounded for action nationwide. He commented that a three-pronged approach was needed to combat the drug scourge—education, enforcement, and treatment.

Dr. Harp recounted that in 2006 the PMP and the Board began to hold educational symposia for prescribers of controlled substances around the Commonwealth. In 2007, the Board formed an Ad Hoc Committee on Pain Management that met several times and developed proposed regulations. However, during the regulatory review process, the Executive Branch requested that the Board withdraw the regulations in 2009. It did so reluctantly. In 2008, FSMB gifted the Virginia Board of Medicine 20,000 copies of its “*Responsible Opioid Prescribing*” which were sent to licensed MDs and DOs showing a Virginia address. More recently, the Medical Society of Virginia has held several meetings in conjunction with the PMP and OneCare. Even with these efforts at education, the death toll remains approximately 500 a year from overdose deaths. So, the question is, “Is it time for mandatory CME on addiction and proper prescribing?”

Dr. Harp noted that the Board has always been in favor of practitioners choosing the CME that would best help them in their daily practice. However, there have been bills in the General Assembly in recent years that sought mandatory CME. In light of all the foregoing, it may be the time for the Board to consider regulation to require CME on this topic.

Drs. Walker and Reynolds agreed that while it’s good to have the mandate, what good would it do? There are 5 -6 states that have these mandates, but what analysis is available to support that it does any good? They added that the treatment system in the Commonwealth cannot meet the need.

After discussion, the Committee agreed that this issue would be better addressed in the confines of a workgroup. Mr. Jurgensen restated his support to have any recommendations developed reviewed by MSV. The Committee also agreed that all prescribers should not be mandated to take a prescribing CME course, just those that are prolific prescribers.

Recognizing that there would need to be a statutory change in order for PMP to share information with the Board, the Committee asked Dr. Harp to author a letter to Dr. Reynolds-Cane asking for consideration of a bill that would allow the PMP to identify the most prolific prescribers for the purpose of requiring CME of them.

Credentials Committee Recommendation

The Board was provided with the Credentials Committee’s recommendation in the matter heard on July 19, 2013.

On a motion made by Dr. Hoffman and duly seconded, the Board voted unanimously to accept the Recommendation of the Credentials Committee.

Announcements

The Committee welcomed Erin Barrett, Sr. AAG back from leave.

Next scheduled meeting: December 6, 2013

Adjournment: With no other business to conduct, the meeting adjourned at 11:13 a.m.

Ad Hoc Committee of the Boards of Pharmacy and Medicine to Amend the Regulations Governing Collaborative Practice Agreements Minutes

The Ad Hoc Committee of the Boards of Pharmacy and Medicine to Amend the Regulations Governing Collaborative Practice Agreements met on Tuesday, August 20, 2013 at 9:00 a.m. at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Henrico, Virginia.

MEMBERS PRESENT: Ellen Shinaberry, PharmD Co-Chair
Kenneth Walker, MD, Co-Chair
Siobhan Dunnavant, MD
Robert Hickman, MD
Dave Kozera, RPh
Cynthia Warriner, RPh

MEMBERS ABSENT: None

STAFF PRESENT: William L. Harp, MD, Executive Director, Medicine
Caroline Juran, RPh, Executive Director, Pharmacy
Sammy Johnson, RPh, Deputy Executive Director, Pharmacy
Elaine Yeatts, Senior Regulatory Analyst for DHP
Colanthia Morton Opher, Operations Manager, Medicine

GUESTS PRESENT: Kent E. Willard, MD, VAFP
Anne Leigh Kerr, PhRMA
Matt Mansell, MSV
Tim Musselman, VPhA
John Rick Pagadman, VPhA
Teresa Graham, CVTC Pharmacy
Susan Ward, VHHA
Cal Whitehead, VSHP
Richard Grossman, Vectre Corp.

SUMMARY OF MEETING

Dr. Walker called the meeting to order. A roll call was conducted and the Emergency Egress Instructions were given. Self-introductions by the Committee members, Board staff and guests were made.

Dr. Shinaberry moved to adopt the agenda as amended by Ms. Yeatts. The motion was seconded and carried unanimously.

There was no public comment.

New Business:

Ms. Yeatts advised that the charge of the Committee was to review the existing regulations for collaborative practice agreements, HB1501, and VA Code §54.1-3303, and prepare recommended changes for each respective Board to separately and jointly adopt at their fall meetings.

The Committee reviewed and briefly discussed the background information provided including the interpretation of “implementation” obtained from the Office of the Attorney General.

In addition, the Committee discussed what elements should be contained in a typical collaborative practice agreement protocol, whether a patient should be required to opt out/in, and how an effective line of communication can be established between the pharmacist and the prescriber.

18VAC110-40-10 – Definitions.

The Committee also discussed what constitutes a valid prescription and a bona fide practitioner/patient relationship. After discussion, Dr. Dunnivant moved to adopt the following amendments to 18VAC110-40-10:

“Agreement” means a collaborative practice agreement ~~by which practitioners of medicine, osteopathy or podiatry and pharmacists enter into voluntary, written agreements to improve outcomes for their mutual patients using drug therapies, laboratory tests, and medical devices, pursuant to the provisions of~~ as defined in §54.1-3300 of the Code of Virginia.

"Practitioner" means, ~~notwithstanding the definition in §54.1-3401 of the Code of Virginia, a doctor of medicine, osteopathy, or podiatry who writes the order and is directly and ultimately responsible for the care of a patient being treated under an agreement and who holds an active license to practice from the Virginia Board of Medicine. A a person authorized to have an agreement with a pharmacist and his designated alternative pharmacists as prescribed in the definition of a collaborative agreement in §54.1-3300 of the Code of Virginia.~~

The motion was seconded and carried unanimously.

18VAC110-40-20 – Signed authorization for an agreement.

Dr. Dunnivant moved to adopt the following amendments:

A. The signatories to an agreement shall be a practitioner ~~of medicine, osteopathy, or podiatry~~ involved directly in patient care and a pharmacist involved directly in patient care. ~~The practitioner may designate alternate practitioners, and~~ Within the agreement, the pharmacist may designate alternate pharmacists, provided the alternates are involved directly in patient care at a single physical location where patients receive services.

The motion was seconded and carried unanimously.

18VAC110-40-30. Approval of protocols outside the standard of care.

The Committee proposed no amendments to this section.

18VAC110-40-40. Content of an agreement and treatment protocol.

Ms. Juran suggested that the following language be added to 18VAC110-40-40 (b): Implementation, modification, or continuation of drugs in Schedules II through V shall only be performed by a pharmacist as authorized by federal law.

The Committee agreed to the added language with the proviso that it be dropped if the Office of the Attorney General thought it could not be exempt or fast-tracked.

18VAC110-40-50. Record retention.

The Committee proposed no amendments to this section.

18VAC110-40-60. Rescindment or alteration of the agreement.

The Committee proposed no amendments to this section.

18VAC110-40-70. Compliance with statutes and regulations.

The Committee proposed no amendments to this section.

After review, Ms. Yeatts explained the regulatory process and advised that the proposed amendments will be presented at the Board of Pharmacy meeting in September and at the Board of Medicine meeting in October.

With no further business to discuss, the meeting was adjourned at 12:15 p.m.

License Counts as of September 16, 2013

Occupation	Count
Assistant Behavior Analyst	48
Athletic Trainer	1,209
Behavior Analyst	318
Chiropractor	1,730
Interns & Residents	2,996
Licensed Acupuncturist	447
Licensed Midwife	71
Limited Radiologic Technologist	695
Medicine & Surgery	35,747
Occupational Therapist	3,392
Occupational Therapy Assistant	1,098
Osteopathy & Surgery	2,449
Physician Assistant	2,672
Podiatry	493
Radiologic Technologist	3,789
Radiologist Assistant	10
Respiratory Care Practitioner	3,814
Restricted Volunteer	68
University Limited License	19
Volunteer Registration	2
TOTAL	61,067

**VIRGINIA BOARD OF MEDICINE
BOARD MEMBERS 2013**

<p>Barbara Allison-Bryan, MD 1st Term Expires June 2016 District: 1 - North</p>	<p>William Hutchens, Jr., MD 1st Term Expires June 2015 District: 3 – Norfolk</p>
<p>J. Randolph Clements, DPM 1st Term Expires June 2014 Podiatrist - Roanoke</p>	<p>Stuart F. Mackler, MD, President 2nd Term Expires June 2016 District: 2 - Franktown</p>
<p>Claudette Dalton, MD 2nd Term Expires June 2013 District: 5 – Earlysville</p>	<p>Jane Sheffield Maddux 1st Term Expires June 2013 Citizen Member - Charlottesville</p>
<p>Kamlesh Dave, MD 1st Term Expires June 2015 District: 4 - Chester</p>	<p>Kevin O’Connor, MD 1st Term Expires June 2016 District: 10 – Leesburg</p>
<p>Siobhan S. Dunnivant, MD 1st Term Expires June 2016 District: 7 – Henrico</p>	<p>Jane E. Piness, MD 2nd Term Expires June 2012 District: 11 – Dunn Loring</p>
<p>Irina Farquhar, Ph.D 1st Term Expires June 2015 Citizen Member - Burke</p>	<p>Wayne Reynolds, DO, Vice-President 2nd Term Expires June 2016 Osteopath - Gloucester Point</p>
<p>Stephen E. Heretick, JD 2nd Term Expires June 2011 Citizen Member - Portsmouth</p>	<p>Michael Signer, JD 1st Term Expires June 2013 Citizen Member - Arlington</p>
<p>Robert Hickman, MD 1st Term Expires June 2014 District: 6 - Lynchburg</p>	<p>Kenneth J. Walker, MD, Secretary-Treasurer 1st Term Expires June 2016 District 9 - Pearisburg</p>
<p>Valerie Lowe Hoffman, DC 2nd Term Expires June 2013 Chiropractor - Danville</p>	<p>VACANT District: 8 - Arlington</p>

ADVISORY BOARD MEMBERS

Advisory Board on Acupuncture

Lynn Almloff, L.Ac., Vice-Chair

Virginia Beach

Term: 7/1/10 to 6/30/14

Mari K. Eder

Springfield

Term: 7/1/10 to 6/30/14

Floyd M. Herdrich, L.Ac.

Richmond

Term: 7/1/10 to 6/30/14

Elaine Komarow, L.Ac, Chair

Vienna

Term: 7/1/10 to 6/30/14

Chheany W. Ung, MD

Roanoke

Term: 7/1/10 to 6/30/14

Advisory Board on Athletic Training

Jon Almquist, ATC

Vienna

Term: 7/1/03 – 6/30/11

Mitchell Callis, ATC

Chesapeake

Term Date: 7/1/11 - 6/30/14

Brent L. Arnold, AT, Chair

Goochland

Term Date: 7/1/10 - 6/30/14

Reg E. Roland

Richmond

Term: 7/1/03-6/30/11

Cynthia Su, MD, Vice-Chair

Chesapeake

Term: 7/1/07-6/30/15

Advisory Board on Midwifery

Christian A. Chisholm, MD

Charlottesville

Term: 7/1/11 to 6/30/13

Deb McPherson

Lynchburg

Term: 7/1/11-6/30/15

Leslie Payne, CPM, Vice Chair

Lynchburg

Term: 7/1/05 to 6/30/13

Kim Pekin, CPM

Purcellville

Term: 7/1/11 to 6/30/15

Bettie Sheets, CPM

Gloucester

Term: 7/1/12 to 6/30/16

Advisory Board on Occupational Therapy

Jean A. Hearst, OT

Virginia Beach

Term: 7/1/2004-6/30/12

Mitch Lovinger, OT, Vice-Chair

Bridgewater

Term: 7/1/11-6/30/15

Eugenio Monasterio, MD, Chair

Mechanicsville

Term Expires 6/30/13

Kathleen C. Smith, OT

McLean

Term: 7/1/11-6/30/15

VACANT

Advisory Board on Physician Assistants

Rachel A. Carlson, MSDS, PA-C, Chair

Winchester

Term: 7/1/10 to 6/30/14

Paul Marino, PA-C

Reston

Term: 7/1/10 to 6/30/14

Thomas Parish, PA-C, Vice-Chair

Virginia Beach

Term: 7/1/10 to 6/30/14

James Potter, MD

Wise

Term: 7/1/10 to 6/30/14

Kishore Thota

McLean

Term: 7/1/10 to 6/30/14

Advisory Board on Polysomnographic Technology

Debbie Akers, RPSGT - Chair

Virginia Beach

Term: 7/1/10 to 6/30/14

Marie Quinn

Bon Air

Term: 7/1/10 to 6/30/14

Anna Rodriguez, RPSGT

Henrico

Term: 7/1/10 to 6/30/14

Michelle Sartelle, RPSGT, RRT

Henrico

Term: 7/1/10 to 6/30/14

Robert Vorona, MD, Vice-Chair

Virginia Beach

Term: 7/1/10 to 6/30/14

Advisory Board on Radiological Technology

Renee Hess, RT

Richmond

First Term: 7/1/10 to 6/30/14

Rebecca Keith, RT, Vice Chair

Springfield

First Term: 7/1/10 to 6/30/14

Karsten Konerding, MD

Henrico

First Term: 7/01/10 to 6/30/14

Elizabeth L. Meixner, RT, Chair

Richmond

Second Term: 10/12/04 to 6/30/14

VACANT

Advisory Board on Respiratory Care

VACANT

Unexpired Term: - to 6/30/14

Michael Blumberg, MD, Vice-Chair

Richmond

Term: 7/1/10 to 6/30/14

Damie Carter

Jonesville

Term: 7/1/10 to 6/30/14

Stan Holland, RRT

Harrisonburg

Term: 7/1/10 to 6/30/14

Daniel Rowley, RRT, Chair

Charlottesville

Term: 7/1/10 to 6/30/14

ADVISORY BOARD MEETING MINUTES

Advisory Board on Acupuncture

http://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\Meeting\26\19138\Minutes_DHP_19138_v1.pdf

Advisory Board on Athletic Training

http://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\Meeting\26\19144\Minutes_DHP_19144_v1.pdf

Advisory Board on Midwifery

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Advisory Board on Occupational Therapy

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Advisory Board on Physician Assistants

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Advisory Board on Polysomnographic Technology

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Advisory Board on Radiological Technology

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Advisory Board on Respiratory Care

http://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\meeting\26\19136\Minutes_DHP_19136_v1.pdf

BOARD DECISIONS

The following list contains decisions from March 2013 thru August 2013. You may access these decisions at www.dhp.virginia.gov (select "License Lookup") or at www.vahealthprovider.com for most MDs, DOs and DPMs. You may also contact the Board Office at (804) 662-7693 to request a copy.

NAME AND LICENSE NO.	DATE OF ACTION	March 2013 THRU August 2013 ACTIONS
Aaron, Maureen M., MD 0101-036310 Martinsville, VA	08/05/13	Voluntary surrender of license based on two patient cases of failure to document history or complete physical examination or obtain prior medical records, failure to maintain accurate and complete medical records, issued written opinion regarding patients' mental competencies in absence of sufficient supporting medical records and without performing adequate mental status evaluations; one patient case of prescribing narcotics without developing a comprehensive treatment plan and without documenting a medical indication or diagnosis; while out of the country authorized registered nurse to provide treatment to patients while not under direct supervision of a physician and left signed blank prescription forms for purpose of allowing registered nurse to complete prescription forms to renew pain medications for patients.
Altman, Brian R., MD 0101-243739 Louisville, KY	07/03/13 <i>nunc pro tunc</i> 07/01/13	Indefinitely suspended, suspension stayed subject to condition to maintain a course of conduct in practice of medicine commensurate with requirements of the Code of Virginia and laws of the Commonwealth based on multiple patient cases of poor patient selection for surgical interventions, repeatedly operating prematurely without first attempting, or allowing sufficient time for non-operative interventions; over-diagnosing and mis-diagnosing patella instability and hence frequently performing unnecessary surgery to treat condition; displaying a lack of clinical understanding of the diagnosis and surgical management of shoulder conditions; and generally exhibiting incompetence and inadequate knowledge, clinical decision making, and technical operative skills during performance of many different kinds of orthopedic surgeries.
Amoah, Nana O., MD 0101-245529 Alexandria, VA	04/15/13 <i>nunc pro tunc</i> 01/23/13	Reprimand based on one patient case of ordering sterile water for IV when patient presented to hospital in a hyperglycemic, hyperosmolar state and stuporous condition with severe dehydration.
Ansari, Abulhasan U., MD 0101-031608 Clinton, MD	06/10/13	Reprimand, monetary penalty (\$1000.00) based on action taken by the Maryland Board of Physicians.
Balaklaw, Lee, MD 0101-249168 Louisa, KY	07/15/13	Voluntary surrender of license based on conviction of ten (10) misdemeanor counts of theft by deception in violation of Kentucky Revised Statute 514.040.
Basco, Michael A., MD 0101-250243 Washington, DC	07/24/13	Mandatory suspension based on action by the Maryland State Board of Physicians.

Beach, Machell, DO 0102-202048 Newport News, VA	08/28/13	Reprimand, required CME based on one patient case of failure to obtain ED records, assess possible pneumocystis pneumonia and evaluate weight loss; failed to take note of patient's HIV status; failed to conduct appropriate assessment and order appropriate lab analyses after multiple visits.
Bergman, Kenneth, MD 0101-102580 Reston, VA	05/22/13	Reprimand and monetary penalty (\$5000.00) based on acting as co-medical director of 1 st Class Sleep Diagnostics engaging in solicitation of individuals for the performance and interpretation of sleep studies based on erroneous or misleading recommendations made to individuals that was necessary to perform annual sleep study follow ups; receiving payments from individuals and/or their insurance companies for foregoing solicited/ recommended sleep studies; prescribing or facilitating the ordering of sleep studies and CPAP, BiPAP or other sleep –related durable medical equipment for individuals tested at 1 st Class Diagnostics without establishing or having a bona fide physician-patient relationship; and he nor any other licensed physician at 1 st Class Diagnostics determined the medical necessity for performance of individual sleep studies prior to performance, thereby aiding and abetting, having a professional connection with, or lending name to unlicensed practice of medicine by 1 st Class non-physician employees who scheduled/ordered such sleep studies.
Bonsu, Osei A., DO 0102-202065 Galax, VA	06/05/13	Compliance with the Board's Order entered 03/05/2013; license reinstated, license reflects full and unrestricted status.
Childs, Ronald C., MD 0101-049702 Fairfax, VA	07/05/13	Compliance with the Board's Order entered 02/13/2013; license reflects full and unrestricted status.
Cobaugh, Donn, MD 0101-027319 Chester, VA	05/31/13	Indefinitely suspended, license shall be immediately reinstated upon satisfaction of terms and conditions based on two patient cases of failure to perform a physical examination or assessment prior to prescribing narcotics; failure to develop comprehensive treatment plan and/or review and monitor efficacy of treatment; failure to order drug screens or pill counts; failure to adequately respond to drug seeking behavior or signs that patients were abusing or misusing medications; enabled and facilitated patients addiction and substance abuse by continuously prescribing narcotics; failure to respond to evidence of illegal diversion of controlled substances; failure to treat or refer a patient for treatment of substance abuse; and prescribing medications to a patient that were contraindicated or potentially dangerous. Compliance with the Board's Order entered 05/31/2013; license reinstated and reflects full and unrestricted status.
	06/25/13	
Curry, Charlene A., MD 0101-226498 Great Falls, VA	06/07/13	Voluntary surrender for indefinite suspension based on being unable to practice medicine with reasonable skill and safety due to substance abuse and depression and failure to

		comply with terms of Recovery Monitoring Contracts with HPMP.
Desai, Robert K., MD 0101-034707 Westborough, MA	07/22/13	Mandatory suspension based on action by the State of Maine Board of Licensure in Medicine.
Doebler, William C., MD 0101-025752 Bonita Springs, FL	04/24/13	Mandatory suspension based on action taken by the State of Illinois Department of Financial and Professional Regulation.
Doeren, Brian R., MD 0101-241949 Colonial Heights, VA	04/02/13 04/29/13	Reprimand, license subject to terms and conditions based on aiding and abetting the unlicensed practice of medicine, when unavailable, allowed medical assistant to prescribe controlled substances in absence. Compliance with the Board's Order entered 04/02/2013; terms terminated and license restored to full and unrestricted status.
Farley, Melissa A., RT 0120-002310 Falls Church, VA	07/15/13	Indefinitely suspended, suspension immediately stayed and license subject to terms and conditions, shall remain in HPMP and continue to comply with terms of monitoring contract based on being unable to practice as a radiologic technologist with reasonable skill and safety due to illness or substance abuse.
Faulhaber, Jason R., MD 0101-252957 Roanoke, VA	04/30/13	Mandatory suspension based on action taken by the Commonwealth of Massachusetts Board of Medicine.
Ford, Michael B., MD 0101-020991 Appalachia, VA	07/22/13	Compliance with the Board's Order entered 02/13/2013; terms terminated and license restored to full and unrestricted status.
Frazier, Joe W., PA 0110-002736 New Windsor, MD	06/28/13	Reinstatement denied; license revoked.
Garner, Daniel C., MD 0101-053369 Franklin, TN	08/06/13	Mandatory suspension based on voluntary surrender of medical license from the Medical Board of California.
Glaeser, Richard D., MD 0101-225613 Williamsburg, VA	07/10/13	Voluntary surrender for suspension based on the intent to evade the law with respect to the sale, use and disposition of controlled substances when prescribing Xanax in the name of family member for own personal and unauthorized use; and being incompetent and unfit to practice medicine and surgery with reasonable skill and safety to patients and public because of illness, substance abuse and mental illness.
Graham, Cecil C., MD 0101-228021 Phoenix, AZ	05/23/13	Reprimand based on actions taken by the West Virginia Board of Medicine and Medical Board of California.
Gresinger, Thomas, MD 0101-018451 Falls Church, VA	08/15/13	Reprimand, shall submit written certification to Board that the laws and regulations governing the practice of medicine were reviewed and read based on one patient case of failure to meet with patient to discuss care, explain procedure, risks, benefits, or alternatives prior to performing an abortion procedure and without examining or communicating with said patient or providing a specific medication order, allowed or authorized an unlicensed clinic administrator to give patient Xanax for sedation prior to procedure.
Hadi, Sabah M., MD 0101-059359 Herndon, VA	04/01/13	Compliance with the Board's Order entered 01/14/2013; terms terminated and license restored to full and unrestricted status.

Hardcopf-Bickley, Jan G., OT 0119-004289 Clarksville, VA	05/02/13	Stay of suspension effective 12/14/2012 vacated, license indefinitely suspended effective 05/01/2013 based on dismissal from HPMP program.
Harding, John L., MD 0101-235086 Salem, VA	03/19/13	Monetary penalty (\$1000.00) based on practice improperly disinfecting larger medical instruments including speculums used for gynecological examinations from February 2010 through July 2011.
Harris, Pamela, RCP 0117-004476 Appomattox, VA	06/28/13	License indefinitely suspended for a period not less than two (2) years from date of entry of Order based on conviction of Obtaining Prescription by Fraud and conviction of misdemeanor Petit Larceny; being impaired or unfit to practice respiratory therapy with reasonable skill and safety due to mental illness; incompetence to practice respiratory care therapy as evidenced by recent terminations from three different facilities due to negligent performance of patient care and duties; and providing false, misleading, or deceptive information on job applications, to the Board, and a DHP investigator.
Hasspieler, Ralph A., MD 0101-057731 Ontario, Canada	04/10/13	Monetary penalty (\$1500) based on dispensing and/or authorizing staff to dispense phentermine to patients, at a medspa where was acting as medical director, without being licensed to do so by the Virginia Board of Pharmacy; failure to ensure complete and accurate records of the receipt and distribution of phentermine were maintained at the medspa; failure to ensure appropriate history and physical examinations were performed or that lab work was reviewed; and failure to ensure diet and exercise program was recorded and prescribed to patients.
Hite, Paul D., MD 0101-037090 Richmond, VA	08/28/13	Mandatory suspension based on conviction of felony charges in the United States District Court for the District of Columbia, to wit: Two (2) Counts of Attempted Coercion and Enticement of a Minor.
Hunasikatti, Mahadevappa, MD 0101-058372 Fairfax, VA	06/10/13	Reprimand, monetary penalty (\$5000) based on as acting as co-medical director of 1 st Class Sleep Diagnostics engaging in solicitation of individuals for the performance and interpretation of sleep studies based on erroneous or misleading recommendations made to individuals that was necessary to perform annual sleep study follow ups; receiving payments from individuals and/or their insurance companies for foregoing solicited/ recommended sleep studies; prescribing or facilitating the ordering of sleep studies and CPAP, BiPAP or other sleep –related durable medical equipment for individuals tested at 1 st Class Diagnostics without establishing or having a bona fide physician-patient relationship; and he nor any other licensed physician at 1 st Class Diagnostics determined the medical necessity for performance of individual sleep studies prior to performance, thereby aiding and abetting, having a professional connection with ,or lending name to unlicensed practice of medicine by 1 st Class non-physician employees who scheduled/ordered such sleep studies.

Hunt, Carl V., DO, 0102-036979 Manassas, VA	04/10/13	Voluntary permanent surrender of license effective 04/30/2013 based on suffering from neurological condition.
Kahan, Barry E., MD 0101-029305 Richmond, VA	05/31/13	Reprimand based on one patient case of interpreting x-ray films as normal when in fact each contained evidence that was suspicious for malignancy.
Kamaka, Joseph K., III, MD 0101-248128 Wailuku, HI	08/06/13	Mandatory suspension based on action taken by the State of Illinois Department of Financial and Professional Regulation.
Kamguia, Pierre, MD 0101-243591 Yaounde, Cameron	04/30/13 08/07/13	Mandatory suspension based on action taken by New York State Board for Professional Medical Conduct. License reinstated; shall remain on indefinite probation, license subject to terms and conditions in Board Order entered October 25, 2011.
Keeley, Christopher C., MD 0101-057979 Salem, VA	03/19/13	Monetary penalty (\$1000) based on practice improperly disinfecting larger medical instruments including speculums used for gynecological examinations from February 2010 through July 2011.
Kelly, Peter C., RCP 0117-004641 Arlington, VA	07/22/13	Mandatory suspension based on felony conviction in the Circuit Court for the County of Arlington, Virginia, to wit: One (1) Count of Driving Under the Influence (Third Offense).
Keverline, Michael R., MD 0101-230614 Chesapeake, VA	04/19/13	Reprimand, monetary penalty (\$4500) based on authorizing and allowing registered nurses, licensed practical nurses and several staff members employed by Dermacare and not licensed by Virginia Department of Health Professions to independently perform duties requiring the exercise of professional judgment related to informed consent, evaluation, treatment and follow up care; allowed or authorized Valtrex to be prescribed or dispensed in his name to a patient without performing a physical examination, assessment or evaluation; two patient cases of injecting Botox without documenting expiration date or Lot Number in patient's record; and DHP investigator's inspection revealed several deficiencies; open, undated vials of Botox, and lidocaine found in treatment rooms and an Epi-Pen with an expired date.
Knapp, Renda K., MD 0101-238797 Kingsport, TN	03/25/13	Monetary penalty (\$1000) based on failure to perform a physical examination prior to prescribing phendimetrazine and phentermine and failure to document physical examination at any time during course of treatment of obesity in one patient case.
Kolnik, Sarah E., MD 0101-253168 Arlington, VA	05/08/13	Mandatory suspension based on voluntary surrender of license, in lieu of disciplinary action, issued by the Medical Board of California.
Lagasse, Joshua D., PA 0110-002540 Virginia Beach, VA	06/18/13	Reprimand, license subject to terms and conditions based on one patient case of prescribing Dilaudid and authorizing prescriptions prior to time when said medication should have run out and without office visits; failure to properly monitor patient's Dilaudid usage or use urine drug screens, pain management contract, or pill counts; failure to adequately respond to drug seeking behavior; failure to

	07/05/13	follow up with referrals to other practitioners or coordinate treatment; failure to record adequate justification or medical indication for amounts of narcotics prescribed; and failure to have supervising physician listed in practice agreement. Compliance with the Board's Order entered 06/18/2013; license reflects full and unrestricted status.
Lamberson, Faith N., PA 0110-001957 Williamsburg, VA	07/10/13	Voluntary surrender of license based on being unable to practice as a physician assistant with reasonable skill and safety due to physical and psychological conditions.
Lin, Michael T., MD 0101-102494 Warrenton, VA	06/04/13	Reprimand, license subject to terms and conditions based on one patient case of prescribing escalating doses of multiple controlled substances without documenting medical necessity, failure to properly manage and monitor patient's medication usage, failure to take appropriate corrective action in response to drug seeking behavior, failure to manage and maintain complete patient records, and failure to note medical necessity and justification for patient's prescriptions.
Massumi, M. M., MD 0101-047873 Towson, MD	07/02/13	License reinstated, indefinite probation, license subject to terms and conditions.
Match, Joel W., MD 0101-040957 Falls Church, VA	05/02/13	Compliance with the Board's Order entered 10/16/2012; indefinite probation and terms terminated, permanent restriction remains in effect.
McBride, Timothy O., MD 0101-229648 Big Stone Gap, VA	06/03/13	Compliance with the Board's Order entered 09/04/2012; probation and terms terminated, license reflects full and unrestricted status.
McKay, Theresa M., MD 0101-235178 La Porte, TX	08/26/13	License subject to terms and conditions, prohibited from practicing in Commonwealth of Virginia until verification received by Board of successful completion of supervision plan or entrance into HPMP based on restriction of clinical privileges due to mental illness.
**McMahon, Michael T., DO 0102-203355 Washington, DC	10/31/12 02/05/13	Prior to issuance of medical license, ordered to pass SPEX or COMVEX. Compliance with the Board Order entered 10/31/2012; license granted and reflects full and unrestricted status.
McNamara, Joseph G., MD 0101-039965 Massanutten, VA	04/22/13	Reinstatement granted, license placed on indefinite probation and subject to terms and conditions.
Mehndiratta, Yash, MD 0101-235675 Potomac, MD	06/10/13	Reprimand, monetary penalty (\$15,000) based on as acting as co-medical director of 1 st Class Sleep Diagnostics engaging in solicitation of individuals for the performance and interpretation of sleep studies based on erroneous or misleading recommendations made to individuals that was necessary to perform annual sleep study follow ups; receiving payments from individuals and/or their insurance companies for foregoing solicited/ recommended sleep studies; prescribing or facilitating the ordering of sleep studies and CPAP, BiPAP or other sleep –related durable medical equipment for individuals tested at 1 st Class Diagnostics without establishing or having a bona fide

		physician-patient relationship; and he nor any other licensed physician at 1 st Class Diagnostics determined the medical necessity for performance of individual sleep studies prior to performance, thereby aiding and abetting, having a professional connection with ,or lending name to unlicensed practice of medicine by 1 st Class non-physician employees who scheduled/ordered such sleep studies.
Meredith, Margaret L., DPM 0103-000830 Pearisburg, MD	06/12/13	Compliance with the Board's Order entered 02/14/2013; license reflects full and unrestricted status.
Miller, Richard G., DO 0102-202003 Troutville, VA	07/02/13	Indefinite suspension based on being unable to practice medicine with reasonable skill and safety due to mental health diagnoses and alcohol abuse.
Mirczak, John A., MD 0101-025304 Washington, DC	08/14/13	Summary suspension based on the Board's finding that continued practice by this individual constitutes a substantial danger to the public health or safety, after receipt of information indicating that the practitioner may have violated certain laws and regulations relating to the practice of medicine and surgery in the Commonwealth.
Mohanty, Nibedita, MD 0101-045978 Stafford, VA	04/11/13	Summary suspension based on the Board's finding that continued practice by this individual constitutes a substantial danger to the public health or safety, after receipt of information indicating that the practitioner may have violated certain laws and regulations relating to the practice of medicine and surgery in the Commonwealth.
Mountcastle, Timothy S., MD 0101-239935 Ashburn, VA	05/19/13 05/29/13	Monetary penalty (\$1500) and shall provide Board with written statement verifying has read and will comply with Regulations and laws governing practice of medicine based on while serving as medical director of a medspa failure to properly manage the nurse practitioner and registered nurse who performed medical procedures at facility. Compliance with the Board's Order entered 05/09/2013; terms terminated and license reflects full and unrestricted status.
Nayyar, Rashid, MD 0101-231228 Springfield, VA	05/22/13	Reprimand and monetary penalty (\$5000) based on as acting as co-medical director of 1 st Class Sleep Diagnostics recommending and soliciting individuals for and to perform annual updates of prior sleep studies; receiving payments from individuals and/or their insurance companies for foregoing solicited/ recommended sleep studies; prescribing or facilitating the ordering of sleep studies and CPAP, BiPAP or other sleep –related durable medical equipment for individuals tested at 1 st Class Diagnostics without establishing or having a bona fide physician-patient relationship; and he nor any other licensed physician at 1 st Class Diagnostics determined the medical necessity for performance of individual sleep studies prior to performance, thereby aiding and abetting, having a professional connection with ,or lending name to unlicensed practice of medicine by 1 st Class non-physician employees who scheduled/ordered such sleep studies.

Niazi, Saifullah K. MD 0101-024968 Richmond, VA	08/29/13	Summary suspension based on the Board's finding that continued practice by this individual constitutes a substantial danger to the public health or safety, after receipt of information indicating that the practitioner may have violated certain laws and regulations relating to the practice of medicine and surgery in the Commonwealth.
Ong, Joseph G., MD 0101-241554 Virginia Beach, VA	06/24/13	Reprimand based on one patient case of instructing physician assistant to prescribe Dilaudid and allowing physician assistant to authorize prescriptions prior to time when said medication should have ran out and without office visits while supervising said physician assistant, failure to properly monitor patient's Dilaudid usage or use urine drug screens, pain management contract, or pill counts, failure to adequately respond to drug seeking behavior, failure to obtain medical records from other providers involved in patient's care; failure to record adequate justification or medical indication for amounts and frequency of narcotics prescribed; and failure to be listed as supervising physician when in fact supervising physician assistant and failure to adequately supervise and evaluate physician assistant's prescribing in patient case.
Perini, Michael A., MD 0101-230768 Midlothian, VA 23113	05/31/13	Compliance with the Board's Order entered 03/31/2008; terms terminated and license reflects full and unrestricted status.
Pittaluga, Juan M., MD 0101-050179 Winchester, VA	07/19/13	Indefinitely suspended, suspension stayed pursuant to continuing to comply with HPMP contract and shall remain in HPMP and fully comply with terms of contract based on being unfit for the performance of professional obligations and duties; being unable to practice with reasonable skill and safety due to illness or substance abuse; engaging in conduct posing a danger to patients; and engaging in a pattern of unprofessional and disruptive conduct in a health care setting which interfered with, or could reasonably be expected to adversely impact the care of patients.
Pole, Shriharsh L., MD 0101-048251 Woodbridge, VA	04/11/13	Summary restriction, prohibited from prescribing, dispensing, or administering Schedule II and III controlled substances based on the Board's finding that there is a substantial danger to the public health or safety that warrants this action, after its receipt of information indicating that the practitioner may have violated certain laws and regulations relating to the practice of medicine and surgery in the Commonwealth.
Pollock, Michael D., DC 0104-000305 Richmond, VA	05/03/13	Compliance with the Board's Order entered 04/30/2012; terms terminated and license restored to full and unrestricted status.
Rand, William K., III, MD 0101-034084 Chesapeake, VA	08/21/13	Restricted from performing total laparoscopic hysterectomy surgeries until verification provided to Board of compliance with Chesapeake Hospital Authority approved corrective action plan based on multiple patient cases of complications with total laparoscopic hysterectomy surgeries that were

		performed and resulted in the need for corrective surgeries.
Rezba, Benjamin V., MD 0101-024115 Winchester, VA	05/21/13	Reprimand, effective 05/31/2013 permanently restricted from prescribing, dispensing, or administering Schedule II, III, and IV controlled substances to patients based on several patient cases of failure to consistently document complete patient history prior to prescribing controlled substances; prescribing narcotics in escalating doses without adequate medical indication or objective evidence; failure to monitor and manage patients usage of narcotic and/or benzodiazepine medications; failure to have pain management or similar contract in place with patients or enforce such contracts; failure to order any urine/ serum drug screens; failure to take responsive and appropriate action with urine screens produced inconsistent results; failure to respond to drug-seeking behavior or signs that patients were abusing or misusing medications; and failure to consistently document consultation and coordination of treatment of patients with other practitioners involved in care.
Rosario, Olimpia, MD 0101-230251 Jonesboro, AR	05/31/13	Compliance with the Board's Order entered 06/03/2008; terms terminated and license reflects full and unrestricted status.
Saado, Walid, MD 0101-050943 Clintwood, VA	06/18/13	Compliance with the Board's Order entered 02/14/2013; license reflects full and unrestricted status.
Salsano, Alessio C., MD 0101-035449 Virginia Beach, VA	08/21/13	Reprimand, license subject to terms and conditions based on patient cases of failure to obtain or request treatment record from prior physicians; failure to take responsive action and continued prescribing narcotics when patients indicated they may have been abusing medications; failure to perform physical examinations prior to prescribing narcotics; failure to develop comprehensive treatment plan and/or review efficacy of treatment and monitor narcotic usage; failure to conduct pill counts; failure to take appropriate measures to determine if patients were taking medications as prescribed; continued to prescribe narcotics to patient when knew patient was seeing another practitioner for chronic pain who was prescribing narcotics and prescribed Schedule IV controlled substances to family member outside of bona fide practitioner-patient relationship.
Shareghi, Gholamreza, MD 0101-248590 Marshall, MI	07/15/13	License reinstated, license subject to terms and conditions, prohibited from practicing the subspecialty of interventional pain medicine and from practicing anesthesiology until the completion of a Board-approved six month academic clinical training program.
Simon, Derron M., MD 0101-232169 Midlothian, VA	03/25/13	Reprimand, shall provide Board with written statement verifying read and will comply with laws and regulations, indefinite probation, license continued on terms and conditions imposed in Board's Order entered 05/08/2012 based on dispensing a Schedule III medication without possessing a license to dispense controlled substances issued

	05/02/13	by the Virginia Board of Pharmacy; fraudulently dispensing syringes of testosterone cypionate in plastic bags with a label that did not contain side effects, contraindications, and effectiveness, with another practitioner's name; telephonically ordering phentermine for a patient using another practitioners DEA number and name because he did not possess a valid DEA registration; and prescribing phentermine to a patient without recording a diet or exercise program. Compliance with the Board's Order entered 03/25/2013; license shall remain on indefinite probation subject to terms and conditions of the Board's Order entered 05/08/2012.
Smith, Garrett H., M.D. 0101-242036 Washington, DC	05/28/13	Monetary penalty (\$5000), continued on indefinite suspension until provides Board with satisfactory written evidence of compliance with terms and conditions of 2006 Michigan Order, upon satisfactory evidence of compliance with foregoing terms license shall be automatically reinstated based on violation of Board Order entered 09/05/2012 restricting him from practice of medicine and surgery in Commonwealth until submission of verification of compliance with terms of 2006 Michigan Order; violation of 2006 Michigan Order by treating chronic pain patients from Virginia in rental office in Michigan as a solo practitioner; making numerous false, misleading, and deceptive statements to a Special Conference Committee of the Board at an informal hearing held on 08/28/2012; advertised or caused to be advertised statements that are false, misleading, or deceptive, or contain a claim of superiority; not competent to practice medicine with safety to patients and the public based on his inability to refrain from deceptive, fraudulent, and harmful conduct as evidenced by the behavior and statements and extensive history of disciplinary action taken against license; and in two patient cases failure to document any office visits, physical examinations, or assessments after October 2012 even though continued to prescribe narcotics and other controlled substances.
Smith, Robert M., RT 0120-003502 Wirtz, VA	05/08/13	Compliance with the Board's Order entered 12/17/2012; terms terminated and license restored to full and unrestricted status.
Soori, Mohammed K.B., MD 0101-237535 New York, NY	07/23/13	Reinstatement denied; shall not petition for reinstatement for a period not less than thirty-six (36) months from entry of Order.
Tetalman, Bruce, MD 0101-052269 Martinez, GA	07/05/13	Indefinitely suspended based on being unfit for the performance of professional obligations and duties and/or impaired to practice medicine with reasonable skill or safety due to illness or substance abuse; making false, deceptive, and misleading statements in application for reinstatement of license to practice medicine in the Commonwealth of Virginia in March 2010; several patient cases of failure to obtain prior treatment records prior to initiating narcotic therapy, prescribing large quantities of narcotics on patients

		unverified pain conditions, failure to attempt non-narcotic treatment modalities, regularly prescribed narcotics without adequate medical indication, failure to properly monitor and manage patients usage of narcotics, benzodiazepine, and other controlled substances, failure to adequately respond to drug seeking behavior, repeatedly authorized prescriptions or refills of controlled substances prior to time medications should have run out, failure to properly consult and coordinate treatment with other healthcare providers, failure to maintain timely, legible, complete and accurate medical records and failure to publish prior notice of closure of office in a newspaper of general circulation notifying patients how to obtain their records required by Board of Medicine Regulations.
Trepiccone, Audrey A., LM 0129-000016 Emporia, VA	04/25/13	Continued on indefinite suspension for not less than two years from entry of Order.
Tynes, William V., II, MD 0101-016018 Norfolk, VA	04/05/13	Reprimand, monetary penalty (\$1000), shall provide Board with written statement verifying read and will comply with laws and regulations based on writing prescriptions for individuals outside of a bona fide practitioner-patient relationship; engaging in selling and dispensing controlled substances without appropriate license by the Board of Pharmacy; failure to register practice with Board of Pharmacy as an alternative delivery site while acting in such capacity for a licensed resident pharmacy and a licensed non-resident pharmacy; failure to take initial and biennial inventory of stock of controlled substances; presenting to public as a licensed pharmacy by displaying medical practice a Virginia non-resident pharmacy license when in fact does not have said license; permitting unlicensed individuals to make refill determinations for controlled substances; providing false, deceptive, and misleading information on clinic's Internet website regarding approvals of medications by the FDA; providing patients a sample medication that has not been approved for distribution by the FDA; and willfully refusing to provide records as requested by the Board pursuant to an investigation. Compliance with the Board's Order entered 04/05/2013; terms terminated and license reflects full and unrestricted status.
	05/29/13	
VanPala, Henry J., MD 0101-254631 Garner, NC	07/22/13	Violation of felony conviction in Superior Court in the Judicial District of Fairfield at Bridgeport, Connecticut January 31, 1986; no sanction imposed; license granted.
Walsh, William K., MD 0101-237419 Salem, VA	04/02/13	Monetary penalty (\$1000) based on practice improperly disinfecting larger medical instruments including speculums used for gynecological examinations from February 2010 through July 2011.
Webster, Karen S., LM 0129-000023	08/19/13	Voluntary surrender for indefinite suspension based on one

		expected to adversely impact the quality of care rendered to patients.
Winke, Beth M., MD 0101-054160 Virginia Beach, VA	04/16/13	Monetary penalty (\$1000) based on failure to perform physical examinations on several patients treating for chronic pain; failure to obtain or request records from prior treatment providers and coordinate care before prescribing narcotics; failure to review/address urine drug screen results when two patients tests indicated medication was not being taken as prescribed; and one patient case of regularly prescribing or authorizing refills of narcotic medications prior to time medications should have been refilled.
Woolard, Douglas W., MD 0101-038235 Eden Prairie, MN	08/06/13	Mandatory suspension based on action taken by the State of Michigan Department of Licensing and Regulatory Affairs.
Yu, Benson W., MD 0101-048810 Fairfax, VA	08/29/13	Summary suspension based on the Board's finding that continued practice by this individual constitutes a substantial danger to the public health or safety, after receipt of information indicating that the practitioner may have violated certain laws and regulations relating to the practice of medicine and surgery in the Commonwealth.
Zakaria, Hassan, MD 0101-239322 Norfolk, VA	08/02/13 <i>nunc pro tunc</i> 07/18/13	Indefinite probation, license subject to terms and conditions, shall comply with HPMP contract based on prescribing hydrocodone on approximately ten (10) occasions in other individual's names to divert them for personal and unauthorized use; obtaining and receiving Suboxone under false pretenses; possessed and used without a valid prescription morphine and oxycodone.
Zinnanti, William J., MD 0101-250714 Mountain View, CA	04/18/13	Mandatory suspension based on conviction of felony in the United States District Court for the Middle District of Pennsylvania, to wit: One (1) Count of Introducing Adulterated Medical Devices.

The following Radiologic Technologists (“Rad-tech”) or Radiologic Technologists-Limited (“Limited”), Respiratory Care Practitioners, Occupational Therapists or Athletic Trainers were issued a license and a reprimand, based upon practicing without a license for a period of time:

Alkire, Cali J., OTA 0131-001141	04/17/13
Boyd, Denni L, OTA 0131-001147	04/29/13
Brooks- Ford, Kira, RT 0120-007560	07/16/13
Hogan, Tawny L., OTA 0131-001152	05/09/13
Ivey, Tiffany K., R.T 0120-007526	05/14/13

The following individuals were suspended due to submitting a check, money draft, or similar instrument for payment of a fee required by statute or regulation which is not honored by the bank or financial institution named thereon:

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** Entry was inadvertently omitted from previous Board Brief

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