

# **FINAL APPROVED**

## **VIRGINIA BOARD OF MEDICINE SPECIAL CONFERENCE COMMITTEE MINUTES**

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**Thursday, March 25, 2010**     **Department of Health Professions**     **Henrico, Virginia**  
**Perimeter Center**  
**9960 Mayland Drive, Suite #300**

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**CALL TO ORDER:**                     A Special Conference Committee of the Board was called to order at 9:15 a.m.

**MEMBERS PRESENT:**                Malcolm L. Cothran, Jr., M.D., Chair  
Stephen Heretick, J.D.  
General Clara Adams-Ender, R.N.

**STAFF PRESENT:**                     Jennifer L. Deschenes, Deputy Executive Director, Discipline  
Renée S. Dixon, Discipline Case Manager  
Julia Bennett, Adjudication Specialist

**MATTER:**                                Jerome Smith, M.D.                License No.: 0101-034708  
Case No.: 125574

**PRELIMINARY MATTERS:**        (1) Ms. Bennett made several corrections to Allegations #1(b) (ii) and (d) (i). Hearing no objections to the corrections from counsel, the Chair accepted the changes to the Notice.

(2) General Adams-Ender advised that she was a client of Mr. Kane, however, she felt that she could render a fair and impartial decision in this matter. No objections were noted by counsel or the other Committee members to her continued participation on Dr. Smith's informal conference.

**DISCUSSION:**                         Dr. Smith appeared before the Committee in person in accordance with a Notice of the Board dated February 22, 2010. Dr. Smith was represented by James E Kane, Esquire.

The Committee fully discussed the allegations in the Notice with Dr. Smith.

**CLOSED SESSION:**                    Upon a motion by General Adams-Ender, and duly seconded by Mr. Heretick, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the

matter of Dr. Smith. Additionally, she moved that Ms. Deschenes and Ms. Dixon attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

**RECONVENE:**

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Committee re-convened in open session and announced its decision.

**DECISION:**

Upon a motion by General Adams-Ender, and duly seconded by Mr. Heretick, the Committee made certain Findings of Fact and Conclusions of Law and voted to place the license of Dr. Smith on indefinite probation subject to certain terms and conditions.

**VOTE:**

The vote was unanimous.

**ADJOURNMENT:**

The Committee adjourned at 12:55 p.m.

*As provided by law this decision shall become a Final Order thirty (30) days after service of such Order on Dr. Smith, unless a written request to the Board for a formal hearing on the allegations made against him is received from Dr. Smith, within such time. If service of the Order is made by mail three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of the Special Conference Committee shall be vacated.*

  
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Malcolm L. Cothran, Jr., M.D. Chair

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Date

  
\_\_\_\_\_  
William L. Harp, M.D., Executive Director

6/25/10  
Date

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## VIRGINIA BOARD OF MEDICINE SPECIAL CONFERENCE COMMITTEE MINUTES

Thursday, March 25, 2010

Department of Health Professions  
Perimeter Center  
9960 Mayland Drive, Suite #300

Henrico, Virginia

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- CALL TO ORDER:** A Special Conference Committee of the Board was called to order at 1:05 p.m.
- MEMBERS PRESENT:** Clara L. Adams-Ender, R.N., MSN, BG USA Ret., Chair  
Stephen Heretick, J.D.  
Malcolm L. Cothran, Jr., M.D.
- STAFF PRESENT:** Jennifer L. Deschenes, Deputy Executive Director, Discipline  
Renée S. Dixson, Discipline Case Manager  
Tracy Robinson, Adjudication Specialist
- OTHERS PRESENT:** Maged Hamza, M.D. [*present on behalf of Dr. Lee*]
- MATTER:** Gerald K. Lee, M.D. License No.: 0101-057543  
Case No.: 127081
- DISCUSSION:** Dr. Lee appeared before the Committee in person in accordance with a Notice of the Board dated February 22, 2010. Dr. Lee was represented by Donna Foster, Esquire.
- The Committee fully discussed the allegations in the Notice with Dr. Lee and received information from other parties.
- CLOSED SESSION:** Upon a motion by Mr. Heretick, and duly seconded by Dr. Cothran, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Lee. Additionally, he moved that Ms. Deschenes and Ms. Dixson attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.
- RECONVENE:** Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Committee re-convened in open session and announced its decision.

**DECISION:**

Upon a motion by Dr. Cothran, and duly seconded by Mr. Heretick, the Committee made certain Findings of Fact and Conclusions of Law and voted to place the license of Dr. Lee on indefinite probation subject to certain terms and conditions.

**VOTE:**

The vote was unanimous.

**ADJOURNMENT:**

The Committee adjourned at 5:55 p.m.

*As provided by law this decision shall become a Final Order thirty (30) days after service of such Order on Dr. Lee, unless a written request to the Board for a formal hearing on the allegations made against him is received from Dr. Lee, within such time. If service of the Order is made by mail three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of the Special Conference Committee shall be vacated.*

Clara L. Adams-Ender

Clara L. Adams-Ender, R.N., MSN,  
BG USA Ret., Chair

04/21/2010

Date

William L. Harp, M.D.

William L. Harp, M.D. Executive Director

6/25/10

Date

# **FINAL APPROVED**

## **VIRGINIA BOARD OF MEDICINE SPECIAL CONFERENCE COMMITTEE MINUTES**

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Thursday March 25, 2010

Department of Health Professions  
Perimeter Center  
9960 Mayland Drive, Suite #300

Henrico, Virginia

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- CALL TO ORDER:** A Special Conference Committee of the Board was called to order at 6:05 p.m.
- MEMBERS PRESENT:** Stan Holland, RRT, Chair  
Stephen Heretick, J.D.  
Malcolm L. Cothran, Jr., M.D.
- STAFF PRESENT:** Jennifer L. Deschenes, Deputy Executive Director, Discipline  
Renée S. Dixson, Discipline Case Manager  
Virginia Scher, Adjudication Specialist
- MATTER:** George P. Glover, R.C.P. License No.: 0117-006129  
Case No.: 127084
- DISCUSSION:** Mr. Glover appeared before the Committee in person in accordance with a Notice of the Board dated February 22, 2010. Mr. Glover was not represented by counsel.
- The Committee fully discussed the allegations in the Notice with Mr. Glover.
- CLOSED SESSION:** Upon a motion by Dr. Cothran, and duly seconded by Mr. Heretick, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Mr. Glover. Additionally, she moved that Ms. Deschenes and Ms. Dixson attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.
- RECONVENE:** Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Committee re-convened in open session and announced its decision.

**DECISION:**

Upon a motion by Mr. Heretick, and duly seconded by Dr. Cothran, the Committee voted to refer this matter to the Board for a formal hearing since suspension or revocation of Mr. Glover's license may be justified which is not within the authority of this Committee pursuant to Va. Code Section 54.1-2400 (10).

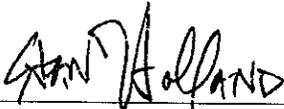
**VOTE:**

The vote was unanimous.

**ADJOURNMENT:**

The Committee adjourned at 7:31 p.m.

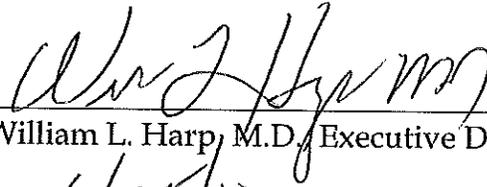
*A formal hearing will be scheduled for a future date for a final determination.*



Stan Holland, RRT, Chair

6/21/10

Date



William L. Harp, M.D., Executive Director

6/25/10

Date