

APPROVED

VIRGINIA BOARD OF MEDICINE FORMAL HEARING MINUTES

Friday, April 13, 2012

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

Henrico, Virginia

CALL TO ORDER: A panel of the Board was called to order at 1:03 p.m.

MEMBERS PRESENT: Stephen Heretick, J.D., Chair
Stuart Mackler, M.D.
Jane Piness, M.D.
Karen Ransone, M.D.
Wayne Reynolds, D.O.
Jane Maddux

BOARD COUNSELS: Howard Casway, Senior Assistant Attorney General
Erin Barrett, Assistant Attorney General

STAFF PRESENT: Jennifer L. Deschenes, Deputy Executive Director, Discipline
Renee S. Dixson, Discipline Case Manager

COURT REPORTER: Lanieda Briggs, Crane Snead and Associates

PARTIES ON BEHALF OF COMMONWEALTH: J. Fielding Yelverton, Adjudication Specialist

COMMONWEALTH WITNESSES: Debra Hay-Pierce, Senior Investigator, DHP
Murry Cohen, M.D.
Amy Stewart, Case Manager, HPMP

RESPONDENT WITNESSES: Eliane Westcoat, LPC, LSATP
Penelope Ziegler, M.D., Medical Director, HPMP

MATTER SCHEDULED: John Philip Neisser, M.D. License No.: 0101-245966
Case No.: 138585

DISCUSSION: Dr. Neisser appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated March 6, 2012. Dr. Neisser was not represented by counsel.

The Board received evidence and sworn testimony from witnesses called by the parties regarding the matters as set forth in the Statement of Particulars dated March 6, 2012.

CLOSED SESSION:

Upon a motion by Dr. Piness, and duly seconded by Dr. Mackler, the Board 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. Neisser. Additionally, she moved that Mr. Casway, Ms. Barrett, Ms. Deschenes, and Ms. Dixon attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board 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 Board re-convened in open session and announced its decision.

DECISION:

Upon a motion by Dr. Mackler, and duly seconded by Dr. Piness the Board made certain findings of fact and conclusions of law and voted to indefinitely suspend Dr. Neisser's license subject to certain terms and conditions.

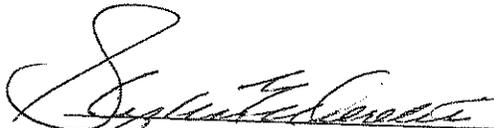
VOTE:

The vote was unanimous.

ADJOURNMENT:

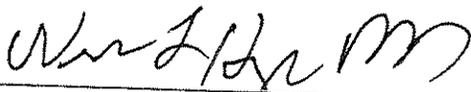
The Board adjourned at 3:59 p.m.

The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.



Stephen Heretick, J.D., Chair

5/14/12
Date



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

5/15/12
Date