

APPROVED

VIRGINIA BOARD OF MEDICINE FORMAL HEARING MINUTES

Friday, October 25, 2013 Department of Health Professions Henrico, Virginia
Perimeter Center
9960 Mayland Drive, Suite #300

CALL TO ORDER: A panel of the Board was called to order at 9:05 a.m.

MEMBERS PRESENT: Stephen Heretick, J.D., Chair
Syed S. Ali, M.D.
J. Randolph Clements, D.P.M.
Lori D. Conklin, M.D.
Siobhan Dunnavant, M.D.
Robert Hickman, M.D.
Kevin O'Connor, M.D.
Deborah DeMoss Fonseca

BOARD COUNSEL: Erin Barrett, Assistant Attorney General
Amanda Lavin, Assistant Attorney General

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

COURT REPORTER: Terri Pata, Crane Snead

**PARTIES ON BEHALF OF
COMMONWEALTH:** James Schliessmann, Sr. Assistant Attorney General
Julia Bennett, Adjudication Specialist

MATTER SCHEDULED: **Anandababu Chellappan, M.D. License No.: 0101-035017
Case Nos.: 142184, 144455, 148186, 148919, 149307, 150293**

Dr. Chellappan appeared before the Board in person in accordance with the Board's Notice dated January 24, 2013, and Amended Statement of Particulars dated September 20, 2013. Dr. Chellappan was represented by J. Paul Gregorio, Esquire.

PRELIMINARY MATTERS: After discussion with the Chair, Mr. Schliessmann, on behalf of the Commonwealth, and Mr. Gregorio, as counsel for Dr. Chellappan, requested a recess in order to reach a possible settlement agreement in lieu of proceeding with the formal hearing.

RULING:

The Chair granted the request and the Chair called for a motion to go into close session to deliberate.

CLOSED SESSION:

Upon a motion by Dr. Hickman, and duly seconded by Dr. O'Connor, 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. Chellappan. Additionally, he moved that 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.

The parties presented a Consent Order signed by Dr. Chellappan and confirmed that they were in agreement with the proposed settlement offer to the Board.

The Consent Order made certain findings of fact and conclusions of law, and ordered that Dr. Chellappan's license be revoked.

On a motion from Dr. Dunnivant, and duly seconded by Dr. O'Connor, the Board voted to accept the Consent Order as presented.

VOTE:

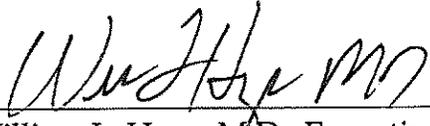
The vote was unanimous.

ADJOURNMENT:

The Board adjourned at 9:37 a.m.



Stephen Heretick, J.D., Chair



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

10/31/13

Date

11/5/13

Date

APPROVED

VIRGINIA BOARD OF MEDICINE FORMAL HEARING MINUTES

Friday, October 25, 2013 Department of Health Professions Henrico, Virginia
Perimeter Center
9960 Mayland Drive, Suite #300

CALL TO ORDER: A panel of the Board was called to order at 9:40 a.m.

MEMBERS PRESENT: Stuart Mackler, M.D., Chair
Kamlesh Dave, M.D.
David C. Giammittorio, M.D.
Wayne Reynolds, D.O.
Kenneth Walker, M.D.
Michael Blumberg, M.D., Advisory Member
Irene Farquhar, Ph.D.

BOARD COUNSEL: Charis Mitchell, Assistant Attorney General

STAFF PRESENT: William L. Harp, Executive Director of the Board
Jennie F. Wood, Case Manager

COURT REPORTER: Denise Holt, Crane Snead & Associates, Inc.

**PARTIES ON BEHALF OF
COMMONWEALTH:** Fielding Yelverton, Adjudication Specialist
Tracy Robinson, Adjudication Specialist

**WITNESS ON BEHALF
OF COMMONWEALTH:** Gayle Miller, Sr. Investigator, DHP

MATTER SCHEDULED: Peter Christopher Kelly, R.C.P. License No.: 0117-004641
Case No.: 152512

PRELIMINARY MATTERS: Ms. Robinson presented Commonwealth Exhibits #7 and #8
and moved that they be admitted into the record.

RULING: Hearing no objections from Mr. Kelly, Commonwealth
Exhibits #7 and #8 were admitted as evidence into the record.

DISCUSSION: Mr. Kelly appeared before the Board in person in accordance
with the Board's Notice of Formal Hearing dated September
23, 2013. Mr. Kelly was not represented by counsel.

Mr. Kelly acknowledged for the record that he wished to proceed with the hearing without counsel.

The Board received sworn testimony from witnesses called by the Commonwealth and from Mr. Kelly regarding the allegations in the Notice.

CLOSED SESSION:

Upon a motion by Dr. Reynolds, and duly seconded by Dr. Walker, 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 Mr. Kelly. Additionally, he moved that Ms. Mitchell, Dr. Harp, and Ms. Wood 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.

DECISION:

Upon a motion by Dr. Walker, and duly seconded by Dr. Reynolds, the Board made certain findings of fact and conclusions of law and voted to continue Mr. Kelly's license on suspension subject to certain terms and conditions.

VOTE:

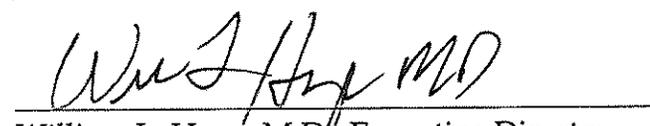
The vote was 6-1 with Dr. Farquhar voting "no".

ADJOURNMENT:

The Board adjourned at 11:00 a.m.


Stuart Mackler, M.D., Chair

11/5/2013
Date


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

11/5/13
Date