

# APPROVED

## VIRGINIA BOARD OF MEDICINE FORMAL HEARING MINUTES

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January 24, 2014      Department of Health Professions      Henrico, Virginia  
Perimeter Center  
9960 Mayland Drive, Suite #300

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**CALL TO ORDER:** A panel of the Board was called to order at 12:20 p.m.

**MEMBERS PRESENT:** Siobhan Dunnivant, Chair  
Daniel Rowley, RRT  
J. Randolph Clements, D.P.M.  
Kenneth Walker, M.D.  
Deborah DeMoss Fonseca

**BOARD COUNSEL:** Erin Barrett, Assistant Attorney General

**STAFF PRESENT:** Jennifer L. Deschenes, Deputy Executive Director, Discipline  
Jennie Wood, Discipline Case Manager

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

**PARTIES ON BEHALF OF COMMONWEALTH:** Wayne Halbleib, Assistant Attorney General  
Gerald Milsky, Adjudication Specialist

**COMMONWEALTH WITNESSES:** Jennifer Baker, Sr. Investigator, DHP

**MATTER SCHEDULED:** Leah B. Leedy, R.C.P.      License No.: 0117-006739  
Case No.: 150283

**PRELIMINARY MATTER:** The Chair noted that the time was 12:20 p.m. and Ms. Leedy was noticed to appear before the Board at 11:00 a.m., and it appeared that she was not present. The Chair inquired whether Ms. Leedy was properly noticed for the proceeding.

Mr. Halbleib presented Commonwealth Exhibit #3, an affidavit signed by the Executive Director of the Board, attesting that the Notice and copies of the exhibits were sent to Ms. Leedy at her address of record with the Board by overnight and first class mail.

**RULING:**

Based on the representations of the Sr. Assistant Attorney General Wayne Halbleib, and the information contained in Commonwealth Exhibit #3, the Chair ruled that Ms. Leedy had been properly noticed for the hearing, therefore, the hearing would proceed in her absence. Further, the Chair ruled that Commonwealth Exhibit #3 would be admitted into evidence.

**DISCUSSION:**

Ms. Leedy did not appear before the Board in person in accordance with the Board's Notice of Formal Hearing dated December 10, 2013, nor was she represented by counsel at the proceeding.

The Board received sworn testimony from witnesses called by the Commonwealth regarding the allegations in the Notice and considered the evidence before it.

**CLOSED SESSION:**

Upon a motion by Dr. Walker, and duly seconded by Ms. Fonseca, 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 Ms. Leedy. Additionally, he moved that Ms. Barrett, Ms. Deschenes 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 and announced its decision.

**DECISION:**

Upon a motion by Ms. Fonseca, and duly seconded by Dr. Walker, the Board made certain findings of fact and conclusions of law and voted to suspend Ms. Leedy's license for two years.

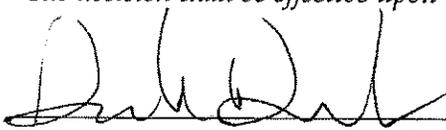
**VOTE:**

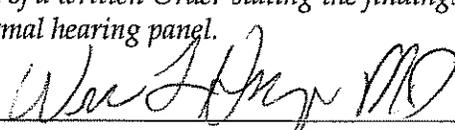
The vote was unanimous.

**ADJOURNMENT:**

The Board adjourned at 1:20 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.*

  
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Siobhan Dunnivant, M.D., Chair

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

1/3/14  
Date

2/3/14  
Date

**APPROVED**

**VIRGINIA BOARD OF MEDICINE  
FORMAL HEARING MINUTES**

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January 24, 2014      Department of Health Professions      Henrico, Virginia  
Perimeter Center  
9960 Mayland Drive, Suite #300

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**CALL TO ORDER:**                      A panel of the Board was called to order at 1:31 p.m.

**MEMBERS PRESENT:**                Siobhan Dunnavant, Chair  
Barbara Allison-Bryan, M.D.  
J. Randolph Clements, D.P.M.  
Kenneth Walker, M.D.  
Deborah DeMoss Fonseca

**BOARD COUNSEL:**                    Erin Barrett, Assistant Attorney General

**STAFF PRESENT:**                    Jennifer L. Deschenes, Deputy Executive Director, Discipline  
Jennie Wood, Discipline Case Manager

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

**PARTIES ON BEHALF OF  
COMMONWEALTH:**                 Corie E. Tillman-Wolf, Assistant Attorney General  
J. Fielding Yelverton, Adjudication Specialist

**COMMONWEALTH  
WITNESSES:**                         Nicholas Sutingo, M.D. (*by phone*)  
Pamela Kincheloe, Sr. Investigator, DHP  
Jeffrey Wilkin, Ph.D.  
Richard C. Seestedt, M.D. (*by phone*)

**RESPONDENT WITNESSES:**         Dr. Raz Chand  
Dr. Michael L. Stuts (*by phone*)

**MATTER SCHEDULED:**                Edward F. Geneva, M.D.                      License No.: 0101-037866  
Case No.: 142634

**DISCUSSION:**                         Dr. Geneva appeared before the Board in person in accordance  
with the Board's Notice of Formal Hearing dated October 9,  
2013. Dr. Geneva was represented by Michael L. Goodman,  
Esquire and Eileen Talmante, Esquire.

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

**CLOSED SESSION:**

Upon a motion by Ms. Fonseca, and duly seconded by Dr. Allison-Bryan, 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. Geneva. Additionally, she moved that Ms. Barrett, Ms. Deschenes 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 and announced its decision.

**DECISION:**

Upon a motion by Dr. Allison-Bryan, and duly seconded by Dr. Walker the Board made certain findings of fact and conclusions of law and voted to put Dr. Geneva's license on indefinite probation subject to certain terms and condition.

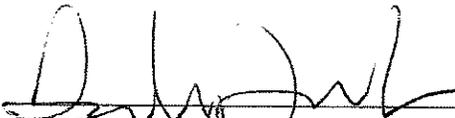
**VOTE:**

The vote was unanimous.

**ADJOURNMENT:**

The Board adjourned at 9:45 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.*

  
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Siobhan Dunnivant, M.D., Chair

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

1/31/14  
Date

2/3/14  
Date