

APPROVED

VIRGINIA BOARD OF MEDICINE FORMAL HEARING MINUTES

December 4, 2015 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 10:15 a.m.

MEMBERS PRESENT: Kevin O'Connor, M.D., Chair
Kenneth Walker, M.D.
Stuart Mackler, M.D.
Barbara Allison-Bryan, M.D.
Wayne Reynolds, D.O.
Deborah DeMoss Fonseca
Jane Hickey, J.D.

BOARD COUNSEL: Carrie Mitchell, AAG

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

COURT REPORTER: Ann Marie Nelson, Crane Snead & Associates, Inc.

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

**COMMONWEALTH
WITNESSES:** Karen Booke, DHP Investigator
Sheila Dwyer (by telephone)
Amy Stewart, HPMP, Case Manager (by telephone)

MATTER SCHEDULED: **William Burch, III, M.D.** **License No.: 0101-241845**
Case No.: 160665

DISCUSSION: The Chair noted that Dr. Burch was not present and the time was currently 10:16 a.m. Dr. Burch had been noticed to appear before the Board at 10:00 a.m. Ms. Robinson presented an affidavit attesting that the Notice had been sent to Dr. Burch's address of record with the Board by overnight and first class mail. The Chair opined proper notice of the proceeding had been provided to Dr. Burch and the formal hearing proceeded

in Dr. Burch's absence. The Board received sworn testimony from witnesses called by the Commonwealth.

CLOSED SESSION:

Upon a motion by Dr. Allison-Bryan, 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. Burch. Additionally, she moved that Ms. Mitchell, 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. Mackler, the Board made certain findings of fact and conclusions of law and voted to suspend 36 months from date of Order.

VOTE:

The vote was unanimous.

ADJOURNMENT:

The Board adjourned at 11:04 a.m.

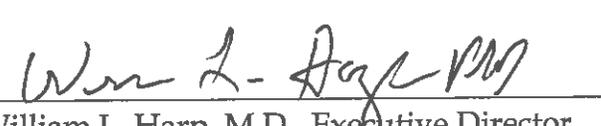
The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.



Kevin O'Connor, M.D., Chair

2.19.16

Date



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

2/19/16

Date