

APPROVED

VIRGINIA BOARD OF MEDICINE FORMAL HEARING MINUTES

February 18, 2016 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 1:05 p.m.

MEMBERS PRESENT: Kenneth Walker, M.D., Chair
N. Ray Tuck, Jr., D.C.
Stuart Mackler, M.D.
Svinder Toor, M.D.
Maxine Lee, M.D.
David Giammittorio, M.D.

BOARD COUNSEL: James Rutkowski, Assistant Attorney General

STAFF PRESENT: William L. Harp, M.D., Executive Director of the Board

COURT REPORTER: Sheryl Rainey, Crane Snead & Associates, Inc.

**PARTIES ON BEHALF OF
COMMONWEALTH:** Julia Bennett, Adjudication Specialist

**COMMONWEALTH
WITNESSES:** Marcella Luna, Sr. Investigator, DHP (by phone)

RESPONDENT WITNESSES: None

MATTER SCHEDULED: Nelson F. Villarroel, M.D. License No.: 0101-253066
Case No.: 161339

DISCUSSION: The Chair noted that Dr. Villarroel was not present and the time was currently 1:07 p.m. Dr. Villarroel had been noticed to appear before the Board at 1:00 p.m. Ms. Bennett presented an affidavit attesting that the Notice had been sent to Dr. Villarroel'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. Villarroel and the formal hearing proceeded in Dr. Villarroel's absence. The Board

received sworn testimony from the witness called by the Commonwealth.

CLOSED SESSION:

Upon a motion by Dr. Mackler, and duly seconded by Dr. Tuck, 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. Villarroel. Additionally, he moved that Dr. Harp attend the closed meeting because his 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. Tuck, the Board made certain findings of fact (X) yes () no conclusions of law (X) yes () no and upon motion by Dr. Mackler, and duly seconded by Dr. Tuck, the Board voted to revoke the license of Dr. Villarroel.

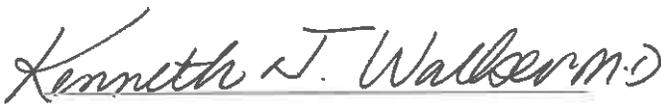
VOTE:

The vote was unanimous.

ADJOURNMENT:

The Board adjourned at 1:50 p.m.

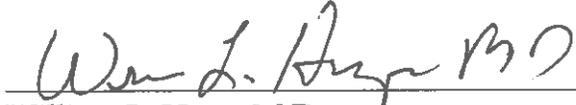
The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.



Kenneth Walker, M.D., Chair
President

3-17-2016

Date



William L. Harp, M.D.
Executive Director

3/17/16

Date

APPROVED

VIRGINIA BOARD OF MEDICINE FORMAL HEARING MINUTES

February 18, 2016 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 1:17 p.m.

MEMBERS PRESENT: Kevin O'Connor, M.D., Chair
Barbara Allison-Bryan, M.D.
J. Randolph Clements, D.P.M.
David Taminger, M.D.
Syed Ali, M.D.
Alvin Edwards, Ph.D.
Jane Hickey, J.D.

BOARD COUNSEL: Erin Barrett, Assistant Attorney General

STAFF PRESENT: Barbara Matusiak, M.D., Medical Review Coordinator
Tamika Hines, Discipline Case Manager

COURT REPORTER: Mary Treta, Crane Sned & Associates, Inc.

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

**COMMONWEALTH
WITNESSES:** William A. Norcross, M.D., Director, UCSD PACE Program (by phone)
Joyce Shelton-Jones, Sr. Investigator, DHP

RESPONDENT WITNESSES: Nazir Chaudhary, M.D.
Salmaan Khawaja, Licensed Clinical Psychologist
Mohammad Mujeebuddin, M.D.
Mariam Durrani

MATTER SCHEDULED: Abdul Durrani, M.D. License No.: 0101-028628
Case No.: 154378

PRELIMINARY MATTERS: Chair accepted Commonwealth's Exhibit 5 and Respondent's Exhibit B into evidence.

DISCUSSION:

Dr. Durrani appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated May 12, 2015. Dr. Durrani was represented by Michael L. Goodman, Esquire and Eileen Talamante, Esquire.

The Board received evidence and sworn testimony from witnesses called by the parties and from Dr. Durrani regarding the allegations in the Notice.

CLOSED SESSION:

Upon a motion by Dr. Ali, and duly seconded by Dr. Edwards, 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. Durrani. Additionally, he moved that Ms. Barrett, Dr. Matusiak and Ms. Hines 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. Edwards, and duly seconded by Dr. Allison-Bryan, the Board made certain findings of fact and conclusions of law and voted to deny Dr. Durrani's application for reinstatement.

VOTE:

The vote was unanimous.

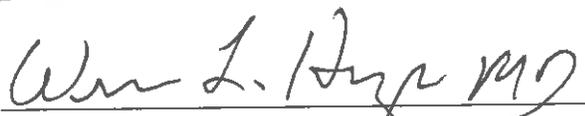
ADJOURNMENT:

The Board adjourned at 6:19 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.



Kevin O'Connor, M.D., Chair



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

3-9-16
Date

3/17/16
Date

APPROVED

**VIRGINIA BOARD OF MEDICINE
FORMAL HEARING MINUTES**

February 18, 2016 **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 2:04 pm.

MEMBERS PRESENT: Kenneth Walker, M.D., Chair
Rachel Carlson, P.A.
N. Ray Tuck, Jr., D.C.
Stuart Mackler, M.D.
Svinder Toor, M.D.
Maxine Lee, M.D.
David Giammittorio, M.D.

BOARD COUNSEL: James Rutkowski, Assistant Attorney General

STAFF PRESENT: William L. Harp, M.D., Executive Director of the Board

COURT REPORTER: Sheryl Rainey, Crane Snead & Associates, Inc.

**PARTIES ON BEHALF OF
COMMONWEALTH:** Julia Bennett, Adjudication Specialist

**COMMONWEALTH
WITNESSES:** Gayle Miller, Sr. Investigator DHP

RESPONDENT WITNESSES: None

MATTER SCHEDULED: Jennifer Plumley, P.A. **License No.: 0110-004146**
Case No.: 156898

DISCUSSION: Ms. Plumley appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated January 6, 2016. Ms. Plumley was not represented by counsel.

The Board received evidence and sworn testimony from witnesses called by the parties and from Ms. Plumley regarding the allegations in the Notice. The Commonwealth and Ms.

Plumley both stipulated the allegations as presented were accurate and correct.

CLOSED SESSION:

Upon a motion by Dr. Mackler, and duly seconded by Dr. Tuck, 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. Plumley. Additionally, he moved that Dr. Harp attend the closed meeting because his 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. Lee, the Board made certain findings of fact (X) yes () no conclusions of law (X) yes () no and upon motion by Dr. Mackler, and duly seconded by Ms. Carlson, the Board voted to impose no sanction.

VOTE:

The vote was 5 to 2.

ADJOURNMENT:

The Board adjourned at 3:46 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.

Kenneth T. Walker M.D.
Kenneth Walker, M.D., Chair
President

3-17-2016
Date

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

3/17/16
Date