

North Carolina Medical Board

Quarterly Board Actions Report | May - July 2015

The Board actions listed below are published in an abbreviated format. The report does not include non-prejudicial actions such as reentry agreements and non-disciplinary consent orders. Recent Board actions are also available at www.ncmedboard.org. Go to "Professional Resources" to view current disciplinary data or to sign up to receive notification when new actions are posted via the RSS Feed subscription service.

Name/license #/location	Date of action	Cause of action	Board action
ANNULMENTS			
NONE			
SUMMARY SUSPENSIONS			
NONE			
REVOICATIONS			
ZARATE, Enrique, MD (000031224) Tracy, CA	06/30/2015	MD entered into an agreement with the California medical board wherein he accepted a revocation, stayed, and agreed to have his license placed on probation for five years related to allegations about MD's quality of care and opioid prescribing.	Revocation of NC license, stayed; license placed on probation for five years.
SUSPENSIONS			
BIANCO, Salvatore Franco, MD (201200768) Cornelius, NC	06/25/2015	Aiding the unlicensed practice of medicine through violation of NC corporate practice of medicine laws; Inadequate supervision of a nurse practitioner.	One year suspension, immediately stayed. MD must pay a \$5,000 fine and sever ties to HealthMed of Charlotte, NC.
CORRIGAN, Francis Charles, MD (000034839) Pinehurst, NC	07/14/2015	Arrest for DWI on October 2, 2014; MD completed inpatient treatment from Oct. 27, 2014, through Jan. 23, 2015.	MD's license is indefinitely suspended, immediately stayed. MD must maintain his NCPHP contract and abide by all terms.
GETTINGS, Justin Luke, MD (RTL) Chapel Hill, NC	05/27/2015	History of substance abuse	MD is issued a resident training license. The license is indefinitely suspended, immediately stayed upon conditions. MD must refrain from use of mind and mood altering substances.
HAAHS, Michael M., MD (009400515) Mooresville, NC	06/01/2015	Arrest for DWI on Dec. 7, 2014; History of illicit drug use.	Indefinite suspension
LE, Mark Tuan, MD (09700088) Cornelius, NC	05/08/2015	On June 25, 2014, MD was convicted of felony health care fraud conspiracy, health care fraud and tax evasion.	Indefinite suspension
MITCHELL, Rajan, DO (200900432) Winston-Salem, NC	06/17/2015	Quality of care; DO terminated from practice on suspicion of participating in a kickback scheme.	Indefinite suspension of NC medical license, stayed on conditions. DO must undergo a comprehensive competency assessment and complete an ethics course.

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NIEMEYER, Meindert Albert, MD (000030440) Elon, NC	07/01/2015	MD prescribed controlled substances in violation of a prior order with the Board; history of inappropriate prescribing.	MD's license is suspended, immediately stayed except for a period of 60 days to begin on Sept. 1, 2015, and end on Oct. 31, 2015; \$10,000 fine. MD must surrender his DEA privileges.
SCALLION, Ralph Michael, MD (000023664) Durham, NC	06/19/2015	Boundary issues; MD engaged in a sexual relationship with a patient.	Indefinite suspension
WATT, Alan Henderson, PA (001000395) Greensboro, NC	06/02/2015	Boundary issue; PA engaged in a sexual relationship with a recent patient he had treated for post traumatic stress disorder, major depressive illness and ADHD.	Indefinite suspension
LIMITATIONS/CONDITIONS			
NONE			
REPRIMANDS			
ALBUQUERQUE, Maria Luiza Coutinho, MD (201200090) Doylestown, PA	06/25/2015	When her regular doctor became unavailable to her due to his own serious illness, MD began prescribing the same controlled substances her physician has been prescribing to herself. MD also wrote prescriptions for controlled substances to close family members. Prescribing controlled substances to oneself or to close family members is expressly prohibited by NC administrative rules.	Reprimand
FOX, Olin Mackay, MD (200901367) Pinehurst, NC	06/18/2015	MD prescribed controlled substances to himself and to an immediate family member, which is against the NCMB's position on treatment of self/family and is expressly prohibited by NC administrative rules. MD immediately stopped this prescribing when notified that it is not acceptable practice.	Reprimand
GROSSLIGHT, Kenneth Russell, MD (200601402) West Columbia, SC	06/02/2015	MD, an anesthesiologist, screened a surgical patient for appropriate pain medication and advised that it would be appropriate for the patient to be prescribed Methadone 10 mg, 1-2 tablets every eight hours for postoperative acute pain. The patient went home with a prescription for Methadone 10 mg and subsequently died of respiratory depression due to Methadone overdose.	Reprimand
LEE, Barry Russell, MD (000036758) Gastonia, NC	06/15/2015	MD prescribed Lomotil, a schedule VI controlled substance to himself and to a close friend in. Administrative rules prohibit prescribing controlled substances to oneself.	Reprimand
DENIALS OF LICENSE/APPROVAL			
NONE			
SURRENDERS			
BAILEY, Scott Allen, MD (200500604) Mebane, NC	05/19/2015		Voluntary Surrender of medical license

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PUBLIC LETTERS OF CONCERN			
ALEX, Vikki May, PA (000102576) Taylorsville, NC	08/06/2015	PA diverted controlled substances from her employer to treat leg pain. When confronted, PA stated that should could not afford medication to treat her pain.	Public Letter of Concern
BOWLING, (Jr.), Jack Wayne, MD (009601239) Wilmington, NC	07/07/2015	The Board is concerned that MD's care of a patient who presented with signs of infection following a hip surgery did not meet accepted standards. MD failed to timely respond to the patient's symptoms, resulting in complications and a delay in the treatment of the patient's staph infection.	Public Letter of Concern
CRUZ, Leonard Lee, MD (000036335) Asheville, NC	05/20/2015	MD made inappropriate physical contact with a patient during a physical therapy session.	Public Letter of Concern
GILBERT, David Branson, MD (000017131) Fayetteville, NC	07/14/2015	History of arrest for DWI on May 23, 2012; NCPHP assessment at the time concluded MD did not have alcohol abuse problem. History of arrest for DWI on Feb. 5, 2015; MD was referred by NCPHP for a comprehensive assessment and ultimately diagnosed with an alcohol use disorder. MD successfully completed six weeks of intensive outpatient treatment.	MD is issued a Consent Order that shall constitute a Public Letter of Concern; MD must maintain NCPHP contract and abide by all terms.
GODFREY, Joseph Lawrence, MD (009800255) Belmont, NC	05/26/2015	The Board is concerned that MD's diagnosis of ADHD in a three year old patient, and medication choices for this patient, did not conform to accepted standards of care.	Public Letter of Concern
LUTZ, Robert Brian, MD (201202380)	06/17/2015	MD relinquished his SC license to practice in Nov. 2014; MD's NC license is inactive as of June 2014.	Public Letter of Concern
MATSUURA, Ian Makoto, MD (200800125) Eden Prairie, MN	05/27/2015	MD erroneously reported an absence of free intraperitoneal air on the CT scan of a patient who had undergone gastric bypass surgery. The patient subsequently developed sepsis and died.	Public Letter of Concern
MATTHEWS, Charles Joseph, MD (000027245) Raleigh, NC	07/30/2015	The Board is concerned that MD's care of a patient who presented with complaints of recent onset of headache and neck pain was below accepted standards. MD failed to obtain and document a history sufficient to establish the time, course and associated clinical characteristics of the headache and neck pain and to justify MD's decision that brain imaging studies were not indicated. Approximately one month after MD last consultation with the patient, the patient was found at home unresponsive and later pronounced dead. A post-mortem examination revealed a third ventricle colloid cyst with enlargement of the lateral ventricles and cerebral edema. Cerebrospinal fluid obstruction by the colloid cyst was cited as the cause of death.	Public Letter of Concern

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MINIELLY, Richard Wesley, MD (000035991) Roanoke Rapids, NC	06/30/2015	MD care of a patient who presented to the hospital 39 weeks and 4 days pregnant for a scheduled induction did not meet accepted standards. MD failed to report to the delivery room when called by the delivery room nurse, failed to appropriately respond to signs of fetal distress and continued to administer Pitocin when it should have been stopped. The patient's baby died of respiratory failure and hypoxic encephalopathy.	Public Letter of Concern
OLSON, David George, MD (000022799) Clyde, NC	07/15/2015	The Board is concerned about the quality of care MD provided to a patient who presented to the ER with complaints of racing heart, chest tightness, shortness of breath and a history of deep vein thrombosis. Tests, including a d-dimer test, were ordered but the patient was discharged before results of the d-dimer test were available. The d-dimer results indicated a strong possibility of venous thrombosis or embolism. About an hour and half post discharge the patient became symptomatic again and was transported to another facility, where a pulmonary embolism was confirmed and the patient subsequently died. The Board is concerned that MD did not ensure that all tests were completed and documented prior to discharging the patient.	Public letter of concern
RATCLIFFE, (III), Robert Richard, MD (000016152) Rutherfordon, NC	06/29/2015	The Board is concerned that MD prescribed controlled substances to three former patients without appropriate patient examinations or establishing medical records. MD stated that he wrote the prescriptions as a favor to the former patients, each of whom did not have health insurance. MD's license is currently inactive.	Public Letter of Concern
SMITH, Alastair Douglas, MD (200300544) Durham, NC	07/02/2015	Boundary violations; MD admitted inappropriate behavior towards a co-worker and a patient.	Public Letter of Concern; The Board notes that MD has made his NC license inactive.
SUTTON, Jeremy Hunter, MD (201402368) Alabaster, AL	06/04/2015	Failure to disclose criminal charges of cyberstalking and having a concealed weapon after consuming alcohol on NC license application. MD passed a field sobriety test after a Dec. 31, 2014, stop for speeding but was charged with having a concealed weapon while consuming alcohol or after consuming alcohol after the officer smelled alcohol on the MD's breath and was told about MD's concealed weapon. MD also failed to disclose a Feb. 1, 2015, charge of cyberstalking, of which MD was subsequently found not guilty.	Public letter of concern; MD must complete a 2 1/2 day course on Problem Based Ethics with 12 months of followup and assessment.
TROJANOWSKI, Zbigniew, MD (200700287) Fayetteville, NC	06/18/2015	Action taken by Ohio medical board	Public Letter of Concern

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WILLIAMSON, Barry Eugene, MD, (009500477) Lumberton, NC	07/08/2015	The Board is concerned about the quality of care MD provided to two surgical patients. In one case, MD did not discontinue the patient's blood thinning medication prior to surgery. This patient developed significant internal bleeding after surgery and had to be returned to the OR, where approximately three liters of blood were removed. In the second case, the Board is concerned that MD failed to do a confirmatory study to ensure correct placement of a replacement PEG tube. The tube was not correctly placed with the distal tip in the patient's peritoneal cavity and free air was noted.	Public Letter of Concern
MISCELLANEOUS ACTIONS			
NISBETT, Donald A., MD (000026332) Laurinburg, NC	06/19/2015	Quality of care; inappropriate prescribing of opiates; medical knowledge deficiencies documented by CPEP.	MD's license is made inactive; MD may not petition to reactivate his license sooner than 12 months from the date of the order. If MD chooses to petition for reactivation, he must comply with conditions stated in the order.
CONSENT ORDERS AMENDED			
NONE			
STEMPORARY/DATED LICENSES			
NONE			
ISSUED, EXTENDED, EXPIRED, OR REPLACED BY FULL LICENSES			
HARRIS, Benjamin Scott, MD (RTL) Durham, NC	05/21/2015	History of substance use disorder	Temporary/Dated Licenses Issued; Resident must maintain NCPHP contract and abide by all terms.
COURT APPEALS/STAYS			
NONE			
DISMISSALS			
NONE			