

North Carolina Medical Board

Quarterly Disciplinary Report | May-July 2010

Board actions are now published in an abbreviated format. The report no longer includes non-prejudicial actions such as reentry agreements and non-disciplinary consent orders. If you prefer the previous method of reporting Board actions, you may access an expanded disciplinary report by visiting the Board's website at www.ncmedboard.org. Readers who prefer the more comprehensive version may sign up on the website to be notified when a new report is posted. Go to "Professional Resources" and select "Subscriptions" to sign up for an RSS Feed to be notified. Be sure to select the feed for "Bimonthly Disciplinary Report."

Name/license#/location	Date of action	Cause of action	Board action
REVOCATIONS			
BERKOWITZ, Howard Martin, MD (000023174) Atlanta, GA	05/14/2010	MD entered a guilty plea to felony health care fraud in NY	MD's NC medical license is revoked
SUSPENSIONS			
APOSTOLOU, Michael Phillip, MD (009701222) Roanoke, VA	06/24/2010	MD had a relationship with a patient and did not document treatment of the patient. Complaints indicated MD delayed providing patients with medical records and exhibited bizarre behavior; Voluntarily surrendered license	MD's NC medical license is indefinitely suspended
BUMBALO, Thomas Samuel, MD (009800203) Wilmington, NC	05/14/2010	MD periodically smoked marijuana; MD has no disciplinary/complaint history and nothing suggests patient care is compromised; MD agreed to self-refer to NC Physicians Health Program (NCPHP)	MD's NC medical license is suspended for six months; immediately stayed
CARLSON, James Lennart, MD (200200010) Cerro Gordo, NC	05/17/2010	MD admitted to abusing prescription opiate medications; voluntarily surrendered license	MD's NC medical license is indefinitely suspended
CATLIN, Roger William, MD (000021633) Hixson, TN	07/07/2010	MD surrendered license in TN and PA based on misuse of prescription medication, health and substance abuse problems	MD's NC medical license is indefinitely suspended
DEVIRGILIIS, Juan Carlos, MD (000028719) Boone, NC	06/24/2010	MD lost DEA authorization to prescribe Schedule II, III and IV controlled substances yet continued to prescribe controlled substances using another MD's presigned prescription blanks and through supervision of an NP with a valid DEA registration	MD's NC medical license is indefinitely suspended
DUNN, Lawrence Anthony, MD (000030018) Durham, NC	05/20/2010	Three experts testified MD's care of patients A-G fell below standard in several respects	MD's NC medical license is indefinitely suspended
FANN, Benjamin Bradley, MD (000033034) Boone, NC	07/19/2010	MD assisted another MD in circumventing DEA laws by presigning prescription blanks when the other MD had restrictions on prescribing	MD's NC medical license is suspended for six months
GARRITY, Alyce Loretta, MD (009900047) Cordova, AK	07/08/2010	MD became intoxicated while on call; MD was summarily suspended of her duties at community medical center; surrendered Alaska medical license	MD's NC medical license is indefinitely suspended
GRAY, Robert Bourdeaux, MD (000028198) Morehead City, NC	07/02/2010	KY action based on MD admitting that he abused alcohol, including multiple alcohol related arrests	MD's NC medical license is indefinitely suspended
HALL, Charles Daniel, MD (009401205) Supply, NC	07/20/2010	MD has history of substance abuse and was arrested for DWI; surrendered license in May 2009	MD's NC medical license is indefinitely suspended
MBADINUJU, Adanna Ijeoma, MD (200501741) Monroe, NC	06/17/2010	MD prescribed to a family member and diverted the prescription for self use. MD called in and forged prescriptions for self use in the name of two other physicians without their authorization	MD's medical license is indefinitely suspended; stayed all but three mos./probation for 12 mos.
OGILVIE, James William, PA (000101326) Raeford, NC	05/24/2010	PA prescribed controlled substances using blank prescription pad of MD no longer at PA's office. PA admitted problem with opioid pain medications; voluntarily surrendered license	PA's license is indefinitely suspended
SANCHEZ, Clare Jeanne, MD (000028335) Raleigh, NC	06/14/2010	MD allegedly appeared to be impaired as a result of her alcohol use. MD inactivated medical license and agreed to NCPHP evaluation and treatment	MD's NC medical license is indefinitely suspended
SMITH, Bryan Dorsey, MD (200201531) Durham, NC	05/21/2010	MD determined he was an abuser of alcohol, obtained assessment and entered into a residential treatment program; voluntarily surrendered license	MD's NC medical license is indefinitely suspended

DISCIPLINARY REPORT

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WARD, Amy Elizabeth, MD (009600833) Pfafftown, NC	05/07/2010	MD was not forthcoming in responses to NCMB members' questions during an informal interview; MD's temporary license was allowed to expire	MD's NC medical license is indefinitely suspended
SUMMARY SUSPENSIONS			
DYER, David G. (0000225621) Wilmington, NC	05/11/2010	MD prescribed controlled substances to patients exhibiting drug-seeking behavior without performing an exam/keeping records; MD issued early refills for patients for unacceptable reasons; created fraudulent records in response to a Board Order to Produce	MD's NC medical license is summarily suspended; concurrent with the issuance of the order of summary suspension.
REPRIMAND			
ALEXANDER, Eben III, MD (000030888) Charlottesville, VA	06/21/2010	VA action; MD performed wrong site surgery on two separate occasions. On one occasions he did not inform the patient in a timely manner; On the other, he did not follow-up in a timely manner on a postop x-ray report	MD is reprimanded
CASTILLO, Alissandro Roque, MD (009900793) Mooresville, NC	05/28/2010	MD treated patients without proper training and outside contravention of Board guidelines; medical record reviewing expert opined care was below standard	MD is reprimanded
CLAY, Henry Tucker, MD (000038748) Lansing, NC	07/28/2010	TN action; MD allowed an RN in his office to perform x-rays without being licensed to do so	MD is reprimanded
COLETTA, Harry Mario, II, MD (000024054) Walnut Cove, NC	05/11/2010	MD wrote prescriptions for himself/close family members without documentation and in violation of Board position statement	MD is reprimanded; Required to take a course on record keeping and prescribing
COOK, David Martin, MD (000036092) Cornelius, NC	07/23/2010	MD engaged in an intimate and inappropriate relationship with a patient	MD is reprimanded; required to take a course on boundaries
FINCH, Sudhir Eugene, MD (200101336) Fayetteville, NC	06/29/2010	MD wrote prescriptions for himself, family, friends and staff without documentation and in violation of Board position statement	MD is reprimanded
GUFFREY, Gregg J., MD (000036355) Ft. Myers, FL	07/20/2010	MD failed to provide accurate information on NC license application	MD is reprimanded
JAMES, James Franklin, MD (000015359) Winterville, NC	06/11/2010	MD retained/used medication prescribed for patients and family members throughout his years of practicing; voluntarily surrender license; entered NCPHP contract	MD is reprimanded
KELLER, Irvin Basil, MD (009401430) Vero Beach, FL	07/20/2010	FL board action—MD preformed disc surgery at the wrong level	MD is reprimanded
MAIER, Rudolph Joseph, MD (000028775) Fort Bragg, NC	07/19/2010	Record review shows MD's patient care/record-keeping were below standards	MD is reprimanded
SCOTT, Daniel Joyner, III, MD (000030722) Millington, TN	07/21/2010	TN board action; MD failed to report unlicensed practice of medicine; failed to keep adequate records and monitor patients who were prescribed opiates; prescribing issues	MD is reprimanded
SWARNER, David Reynolds, MD (009400655) Washington, NC	06/17/2010	MD wrote substantial prescriptions for controlled substances. Expert review of records show care of patients fell below standards; entered interim consent order 10/15/2009	Interim consent order is dissolved; MD is reprimanded; agrees not to prescribe controlled substances
UWENSUYI-EDOWOMWAN, Fidelis I., MD (009600362) Charlotte, NC	06/17/2010	MD handwriting in medical records is illegible; Board requests improvement over two years; MD is implementing EMR system	MD is reprimanded
WATFORD, Douglas Elry, MD (000035546) Kinston, NC	06/25/2010	MD arrested on felony charges and failed to disclose on his annual license renewal; charges reduced to misdemeanor	MD is reprimanded

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PROBATION			
MBADINUJU, Adanma Ijeoma, MD (200501741) Monroe, NC	06/17/2010	MD prescribed to a family member and diverted the prescription for self use. MD called in and forged prescriptions for self use in the name of two other physicians without their authorization	MD's medical license is indefinitely suspended; stayed all but three mos./probation for 12 mos.
SURRENDERS			
PARIKH, HIMANSHU P., MD (009600671) Cary, NC	07/23/2010		Voluntary surrender of NC medical license
PUBLIC LETTERS OF CONCERN			
BLACKMON, Edward Barton, MD (000029532) Jourdanton, TX	05/04/2010	TX Medical Board action; MD failed to provide a patient with timely access to medical records	Public letter of concern issued
CLINTON, Robert Allen, MD (200500848) Fayetteville, NC	07/29/2010	After closing his practice, MD failed to make restitution to patients who paid for services/procedures not rendered	Public letter of concern issued
DAUITO, Ralph, MD (200701012) Greensboro, NC	06/01/2010	MD misinterpretation of MRI led to unnecessary surgery; professional liability payment made	Public letter of concern issued
GRAVES, Benjamin Harrison, III, MD (000024768) Livingston, TX	07/16/2010	CA board action; MD prescribed medical marijuana to an undercover detective without proper exam/documentation	Public letter of concern issued
KAZDA, John Joseph, PA (000103575) Dunn, NC	07/19/2010	PA prescribed to self and family without proper exam/documentation and in violation of Board position statement	Public letter of concern issued
KRITZER, Randy Owen, MD (000039005) Greensboro, NC	05/17/2010	Confusion over MD's role in the care of a patient/diagnosis of an epidural hematoma; patient later required surgery to remove the hematoma	Public letter of concern issued
LARSEN, David Malcolm, MD (000020558) Jackson, TN	05/10/2010	Action by TN Board regarding MD's prescribing of controlled substances without proper patient history, exam or testing to justify prescriptions	Public letter of concern issued
MCINTOSH, Margaret Gloria, MD (000036117) Charlotte, NC	07/30/2010	MD's participation with laser tattoo removal entity constitutes aiding/abetting the unlicensed practice of medicine (entity was not owned by a licensee of the Board)	Public letter of concern issued
PRESTI-BONOMO, Juliea Ann, DO (200801420) Waynesville, NC	07/07/2010	DO failed to review a patient's medical record or obtain a thorough history resulting in inadequate treatment	Public letter of concern issued
SINN, Leslye Marie, MD (009701598) Hillsborough, NC	06/18/2010	Based on information/expert review it appears MD's care of five patients fell below standard; MD voluntarily made license inactive	Public letter of concern issued
SMITH, Bryan Dorsey, MD (200201531) Durham, NC	05/19/2010	Action by Maine board; MD provided inaccurate responses on license application	Public letter of concern issued
STURM, Susan Elizabeth, MD (009600423) Fort Myers, FL	06/02/2010	Action by FL board related to the care of a patient's hypotension and shock	Public letter of concern issued
TRAYLOR, Henry William, MD (000024304) Whiteville, NC	07/07/2010	MD assisted the unlicensed corporate practice of medicine and engaged in fee-splitting	Public letter of concern issued
WHINNA, James David, MD (000026481) Monroe, NC	07/09/2010	MD failed to properly address a portion of sheared off tube that remained in the patient after surgery	Public letter of concern issued
WHITE, Ava Balko, NP (000200319) Wadesboro, NC	07/12/2010	NP violated medical ethics regarding confidentiality of patient information when she released patient records without direct communication with the patient	Public letter of concern issued

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TEMPORARY/DATED LICENSES: ISSUED, EXTENDED, EXPIRED OR REPLACED BY FULL LICENSES			
JAMES, Franklin James, MD (000015359) Greenville, NC	07/22/2010		MD is issued a temporary license to expire 01/31/2011
LAND, Phillip Barton, PA (000102750) Clinton, NC	05/20/2010		PA is issued a temporary license to expire 05/31/2011
PIXTON, Jan Marie, PA (009001642) Charlotte, NC	06/23/2010	History of mental health issues/problems with substance abuse; PA surrendered license 02/2008, subsequently had license suspended by consent order 09/2008; provided inaccurate answers on reinstatement application	PA is issued six-month temporary license; must maintain a contract with NCPHP
SESSOMS, Rodney Kevin, MD (000033927) Clinton, NC	05/20/2010		MD issued a temporary license to expire 11/30/2010
STROTHER, Eric Furman, MD (009901620) Raleigh, NC	05/20/2010		MD issued a temporary license to expire 05/31/2011
MISCELLANEOUS ACTIONS			
BEASLEY, Lawrence Burton, MD (000039236) Forest City, NC	06/29/2010	Expert review found MD's treatment and prescribing to certain patients was below standard of care; MD neither admits nor denies that care/treatment was below standard	MD shall not practice pain management nor prescribe Schedule 2, 2N, 3 and 3N controlled substances for pain. Must obtain assessment
HOPE, Shelly-Ann, MD (200300157) Lanham, MD	05/13/2010	MD's license previously placed on probation; MD has satisfied terms/conditions and requested relief of probationary terms from 06/07/2007 consent order	MD's consent order is amended to remove probationary terms
HUSSEY, Felicia Duff, MD (009701412) Goldsboro, NC	06/14/2010	MD met with the Board on several occasions regarding prescribing practices; agreed to no longer prescribe Schedule II and III controlled substances	Non-disciplinary order; MD must surrender DEA privileges and complete CME
JONES, Jason Matthews, MD (201001103) Charlotte, NC	06/27/2010	MD was placed on probation during residency for behavior issues and poor interpersonal communications; resigned from residency program and referred to NCPHP	Non-disciplinary order; MD is issued a license and shall maintain a contract with NCPHP
SESSOMS, Rodney Kevin, MD (000033927) Clinton, NC	06/11/2010	MD's license suspended by consent order (02/2008); license reinstated by consent order (4/16/2009); order amended 12/2010; Board and MD agree to amend Dec. order	Consent order amended; MD issued temporary license with conditions; MD to take five hours CME on a monthly basis
SLOAND, Timothy Peter, MD (200301292) Gastonia, NC	07/07/2010		Consent order amended to permit MD to work up to, but no more than, 50 hours
STROTHER, Eric Furman, MD (009901620) Raleigh, NC	06/07/2010	MD has history of chemical dependency; received treatment in 2004 and relapsed in 2007; voluntarily surrendered license; NCPHP participant; Signed consent order in 1/2009 and amended in 6/2009	Consent order amended; MD may practice unsupervised and prescribe controlled substances for certain areas of practice; Other amendments
WEBER, Jeffrey Alan, PA (000101750) Fayetteville, NC	05/10/2010	PA ordered to obtain assessment; findings were embodied in a report that made recommendations for improvement of PA practice	Consent order; PA shall abide by recommendations; practice with continuous on site supervision
WEBER, Jeffrey Alan, PA (000101750) Fayetteville, NC	06/15/2010	PA ordered to obtain assessment; findings were embodied in a report that made certain recommendations for improvement of PA practice; PA requests amendment to Board order to allow him to work two to 2.5 days a week	Consent order amended; PA to abide by recommendations and NCPHP; must obtain CME and is granted request to work two to 2.5 days a week
REENTRY AGREEMENTS (History of discipline/impairment)			
SEAL, James Hargett, PA (000102454) Greenville, NC	06/02/2010	PA surrendered license 12/2002 due to substance abuse; PA has been compliant with NCPHP recommendations since 10/2007	Consent order and reentry program executed