

NORTH CAROLINA MEDICAL BOARD
Board Orders/Consent Orders/Other Board Actions
March-April 2004

DEFINITIONS:

Annulment:

Retrospective and prospective cancellation of the authorization to practice.

Conditions:

A term used for this report to indicate restrictions or requirements placed on the licensee/licensee.

Consent Order:

An order of the Board and an agreement between the Board and the practitioner regarding the annulment, revocation, or suspension of the authorization to practice or the conditions and/or limitations placed on the authorization to practice. (A method for resolving disputes through informal procedures.)

Denial:

Final decision denying an application for practice authorization or a motion/request for reconsideration/modification of a previous Board action.

NA:

Information not available.

NCPHP:

North Carolina Physicians Health Program

RTL:

Resident Training License.

Revocation:

Cancellation of the authorization to practice.

Summary Suspension:

Immediate temporary withdrawal of the authorization to practice pending prompt commencement and determination of further proceedings. (Ordered when the Board finds the public health, safety, or welfare requires emergency action.)

Suspension:

Temporary withdrawal of the authorization to practice.

Temporary/Dated License:

License to practice medicine for a specific period of time. Often accompanied by conditions contained in a Consent Order. May be issued as an element of a Board or Consent Order or subsequent to the expiration of a previously issued temporary license.

Voluntary Dismissal:

Board action dismissing a contested case.

Voluntary Surrender:

The practitioner's relinquishing of the authorization to practice pending or during an investigation. Surrender does not preclude the Board bringing charges against the practitioner.

ANNULMENTS

NONE

REVOCATIONS

CAUGHEY, Michael Thomas, MD

Location: Virginia Beach, VA
DOB: 1/06/1956
License #: 0000-35606
Specialty: EM/IM (as reported by physician)
Medical Ed: Eastern Virginia (1990)
Cause: Felony conviction of Dr Caughey in Commonwealth of Virginia v. Michael Thomas Caughey, case number CR 02-3350 and CR 02-3704. No request for a hearing was received from Dr Caughey within 60 days of his being notified of this potential action.
Action: 4/21/2004. Entry of Revocation issued; Dr Caughey's North Carolina license is revoked by operation of law as of 4/19/2004.

SUSPENSIONS

LUSTGARTEN, Gary James, MD

Location: North Miami Beach, FL
DOB: 2/26/1941
License #: 0000-25725
Specialty: NS (as reported by physician)
Medical Ed: University of Iowa (1965)
Cause: On April 17, 2003, after hearing an appeal of a previous action of the Board concerning Dr Lustgarten, Judge D. Stephens, Wake County Superior Court, affirmed a portion of the Board's earlier findings in Dr Lustgarten's case, which stated Dr Lustgarten had testified without a good faith or evidentiary basis that a physician in a malpractice action had falsified medical records. Judge Stephens remanded the case to the Board for a new Phase Two hearing. That hearing was held on November 21, 2003, and was limited to determining appropriate discipline for Dr Lustgarten's unprofessional conduct in testifying without a good faith or evidentiary basis that the physician in question falsified medical records.
Action: 3/30/2004. Findings of Fact and Order of Discipline Following Second Hearing: Dr Lustgarten's license is suspended for one year; he shall deliver his license and registration certificate to the Board's office within 30 days.

LUTZ, Robert Paul, MD

Location: Chapel Hill, NC (Orange Co)
DOB: 5/05/1948
License #: 0000-27387
Specialty: FP (as reported by physician)
Medical Ed: University of North Carolina School of Medicine (1982)
Cause: At a hearing on 1/23/2004, the Board found Dr Lutz suffers from ADD and bipolar disorder. He has been prescribed medication to control his bipolar disorder. On 6/06/2003, he was hired as a *locum tenens* at an urgent care facility in Jacksonville. On that day, the staff of the facility saw him appearing disheveled and on more than one occasion acting in a strange and inappropriate manner. He left the facility for a time saying he had to get a prescription filled. He returned saying he had taken his medication. During the day, he discussed his intimate problems with staff, requested a hug from a nurse, and told one female patient he admired her ring and asked her to go to his car with him so he could show her his ring. He disputed the last point, saying he asked the woman to go with him to his car to show her a rock that contained a green stone. The female patient complained to the staff about the incident. In another situation, Dr Lutz was asked to examine a patient who complained about an injured foot. Dr Lutz removed the patient's footwear and threw it across the room. He then chastised the patient, saying there was nothing wrong with him and that he was lazy. In fact, the patient had a broken foot. The urgent care administrator

asked Dr Lutz to leave and not return the next day. On 9/16/2003, Dr Lutz entered the home of a woman in Watauga County. He was naked when he entered the home. He sat on the floor beside a couch where the woman was sitting. She asked him if he could speak and he shook his head “no” and then flashed symbols with his hands. He then said in a loud voice that he could only talk when he was mad and that he hated many things, including the woman and God. The woman called her son-in-law, who called his wife, who in turn called the Watauga County Sheriff’s Department. Dr Lutz was arrested that day and charged with indecent exposure. Dr Lutz testified that he felt sorry about making the woman uncomfortable and that he was engaging in “anger speak” when he started talking to her. He further said he felt as though he was in control of his mental faculties when he appeared at the woman’s home naked and started talking in “anger speak.” Dr Lutz has had prior dealings with the Board that raised concerns about his fitness to practice. In June 1995, he was involuntarily committed to a hospital experiencing domestic difficulties. That same year, he was convicted of misdemeanor assault on a police officer. In July 1995, he surrendered his license to the Board as a result of the 1995 incidents. The Board concluded Dr Lutz is unable to practice with reasonable skill and safety and that his behavior constitutes unprofessional conduct. 3/12/2004. Findings of Fact, Conclusions of Law, and Order of Discipline issued: Dr Lutz’ license is suspended indefinitely; he may not make application for reinstatement for six months from the date of the Order; should he submit an application, he must first submit himself to the NCPHP and secure the NCPHP’s advocacy for his reinstatement before the Board will consider it. However, the Board reserves the right to deny such application notwithstanding any position the NCPHP may take.

Action:

See Consent Orders:

DIAMOND, Patrick Francis, MD
GAFFNEY, Mary Elizabeth, DO
GUTHRIE, Stephen Day, MD
MOIR, Ronald Jeffrey, MD
NUSCHKE, Randell Allen, MD
PHELPS, Charles Ray, III, MD
PIERCE, Charles Grainger, MD
WILSON, Lawrence Steven, MD

SUMMARY SUSPENSIONS

AMSELLEM, David, MD

Location: Goldsboro, NC (Wayne Co)
DOB: 6/06/1946
License #: 0000-20869
Specialty: PYM/N (as reported by physician)
Medical Ed: University of Montpellier, France (1973)
Cause: Dr Amsellem may be unable to practice medicine with reasonable skill and safety, to wit: he has a history of psychotic disorder, specifically, schizophrenia.
Action: 3/10/2004. Summary Suspension of medical license.

CONSENT ORDERS

ADIX, Michael Lee, DO

Location: Kings Mountain, NC (Cleveland Co)
DOB: 3/08/1955
License #: 0094-01112
Specialty: IM/EM (as reported by physician)
Medical Ed: University of Health Sciences, Osteopathic (1984)
Cause: Relative to the Notice of Charges and Allegations filed 8/21/2003. In a complaint, a former employee of Dr Adix alleged some patients were receiving excessive amounts of controlled substances. The Board ordered him to produce medical records on five patients. These were reviewed by an expert who criticized Dr Adix’s prescribing for the patients. Dr Adix continued to

care for the five patients after he was ordered to produce the records. In the interim between the order to produce and the Board's issuance of charges, Dr Adix discharged four of the patients when he became convinced they were not following the agreed conditions for their care and for his prescribing for them. As for the fifth patient, Dr Adix has involved physical therapists, a neurosurgeon, and a pain clinic in her care. Dr Adix's prescribing for these patients reflected he was not as attuned as he might have been to the possibility a patient might abuse the prescribed drugs. Pain patients represent only a small fraction of his patient population and his prescribing for them can be improved by his attending specialized CME on the subject. His prescribing practices on the five patients reviewed constituted unprofessional conduct.

Action: 4/22/2004. Consent Order executed: Dr Adix is reprimanded; at his own expense he shall attend Vanderbilt University's Prescribing Controlled Drugs CME program; must comply with other conditions.

DIAMOND, Patrick Francis, MD

Location: Wilmington, NC (New Hanover Co)

DOB: 5/15/1946

License #: 0098-00042

Specialty: FP (as reported by physician)

Medical Ed: Autonomous University Tamaulipas, Mexico (1987)

Cause: Relative to the Notice of Charges and Allegations against Dr Diamond dated 8/05/2003. In 1998, the Board issued him a temporary license. In June 1999, the Board summarily suspended his license and filed charges against him based on evidence he prescribed Nubain® for himself. He admitted he had a substance abuse and chemical dependence problem and, in August 1999, he signed a Consent Order to resolve the charges. In November 1999, he surrendered his temporary license after he relapsed by taking Nubain®. In the fall of 2000, his license was reinstated pursuant to a Consent Order that required he continue his involvement with the NCPHP, not work more than 30 hours a week, and submit to random drug screens. In October 2001, he signed a third Consent Order increasing his allowed work hours to 40. In meeting with the Board in February 2003, he was admonished for his refusal of drug screens and his lack of attendance at recovery meetings. During 2003, he moved his office from Burgaw to Wilmington. Just prior to that, he was charged by the Burgaw police with Interfering with a Utility Meter and Disorderly Conduct, both misdemeanors, for reconnecting his water service, which had been disconnected for nonpayment. The Disorderly Conduct charge arose from his directing profanity at a city employee when confronted about the water meter. In May 2003, he was granted a deferred prosecution for the Interfering charge pursuant to a plea agreement. That agreement provided he must serve 12 months unsupervised probation, pay \$400 in fines and costs, complete eight hours community service, and issue a letter of apology to the Town of Burgaw and the town employee he cursed. In spring 2003, he was difficult to locate for the monitoring required in his Consent Order. He did not inform the NCPHP of his new address and telephone number and the NCPHP could not reach him. In May 2003, the NSPHP field coordinator spoke with Dr Diamond and told him he would have to use a daily telephone contact system with the NCPHP to see if he were scheduled for drug screen that day. This approach provides stricter monitoring of NCHP participants. Dr Diamond initially said he would be unable to use this system. As a result of Dr Diamond's actions, the NCPHP concluded he was in violation of his NCPHP contract. The Board voted to summarily suspended Dr Diamond's license allow him to voluntarily surrender is license. He surrendered his license of 6/27/2003. By his actions, he violated his 2001 Consent Order. His behavior toward the NCPHP staff and personnel of the Town of Burgaw and his prosecution for disorderly conduct and interfering with a utility meter constituted unprofessional conduct.

Action: 2/19/2004. Consent Order executed: Dr Diamond's license is suspended indefinitely; he may make application for reinstatement no sooner than 12 months form the date of his surrender of his license, which was 6/27/2003; prior to making any application, he shall make a full apology, acceptable to the Board's president, to the Town of Burgaw employee he cursed; he must also sign, maintain, and abide by a contract with the NCPHP; must comply with other conditions.

GAFFNEY, Mary Elizabeth, DO

Location: Charlotte, NC (Mecklenburg Co)

DOB: 6/08/1965
License #: 0096-01319
Specialty: FP/EM (as reported by physician)
Medical Ed: Michigan State University (1991)
Cause: Related to Charges and Allegations preferred against her in January 2004. In February 2002, following discussions with Dr Gaffney regarding treatment of Patient A and the quality of her medical records, the Board requested Dr Gaffney implement a new record-keeping system as she had said she planned to do. It also invited her to an interview in December 2002 to discuss implementation of her electronic records system. She postponed that interview and asked it be rescheduled for March 2003, saying the record system should be in place by that time. Continuing correspondence with her indicated the system was not implemented as 2003 went forward, and she continued to postpone interviews with the Board. She failed to appear at a scheduled interview in September 2003. At that point, the Board ordered her to appear in January 2004. This order was hand-delivered to her. She did not appear for the January interview but faxed a message late in the interview day saying she was still negotiating for the EMR system. As a result, the Board determined her failure to comply with the Boards' Order to Appear constituted unprofessional conduct.

Action: 3/19/2004. Consent Order executed: Dr Gaffney's license is suspended for 90 days, with all but 30 days being stayed; suspension shall begin on May 19, 2004. The 60 days of stayed suspension is contingent on the following terms and conditions: Dr Gaffney shall be fully compliant with all Board Orders, requirements, and recommendations in the future; she shall write an article for the NCMB *Forum* describing her experience and encouraging physicians to respond to the Board's requests and to respect the Board's authority; she shall follow up her initial evaluation with Dr Hillsman and obtain from him a referral to a psychotherapist in Charlotte who is approved by the NCPHP to provide a brief trial of directed psychotherapy as determined by Dr Hillsman; must comply with other conditions.

GUTHRIE, Stephen Day, MD

Location: Mineola, NY
DOB: 1/31/1945
License #: 0093-00711
Specialty: PS/GS (as reported by physician)
Medical Ed: University of Wisconsin (1975)
Cause: In December 2001, Dr Guthrie entered a Consent Order with the New York State State Board for Professional Medical Conduct in which he admitted professional misconduct in his willfully making or filing a false report, or failing to file a report as required by law or by the Department of Health or Education, and by abusing alcohol. His license was suspended for three years, which suspension was stayed. He was placed on probation for three years. In December 2002, the Wisconsin Medical Examining Board ordered limitations placed on his license based on the New York action.

Action: 4/28/2004. Consent Order executed: Dr Guthrie's North Carolina license is suspended for three years, which suspension is stayed conditioned on his compliance with the New York Board and the Order of the Wisconsin Board; must comply with other conditions.

HUNLEY, Stephen Orby, MD

Location: Morehead City, NC (Carteret Co)
DOB: 4/20/1966
License #: 0096-01345
Specialty: IM/C (as reported by physician)
Medical Ed: University of Kentucky (1993)
Cause: Dr Hunley began treating Patient A in 2002. Subsequently, he told Patient A on several occasions that he was no longer her treating cardiologist. In April 2003, though he had ended the physician-patient relationship, he wrote her a prescription, with refills, for diltiazem hydrochloride.

Action: 4/07/2004. Consent Order executed: Dr Hunley is reprimanded; must comply with the Board's position statement on Writing of Prescriptions.

KEARSE, William Oliver, Jr, MD

Location: Lubbock, TX
DOB: 1/22/1944
License #: 0000-15952
Specialty: IM (as reported by physician)
Medical Ed: University of North Carolina School of Medicine (1968)
Cause: Dr Kearse was disciplined by the Texas Board for prescribing controlled substances to two patients in a non-therapeutic manner and that he failed to maintain adequate records on those patients. He had no previous record with the Texas Board and cooperated with its investigation. He was ordered to pay a penalty, restrictions were placed on his license and his prescribing, and additional CME was required of him.
Action: 3/03/2004, Consent Order executed: Dr Kearse is reprimanded; prior to resuming practice in North Carolina, he must submit a complete application and obtain practice site approval from the president of the Board.

LOVATO, Frank James, Physician Assistant

Location: Fayetteville, NC (Cumberland Co)
DOB: 12/02/1950
License #: 0001-02071
PA Education: Ft Sam Houston (1983)
Cause: Under a Consent Order of April 2001, Mr Lovato received a six-month stayed suspension of his license due, among other things, to prescribing excessive quantities of narcotics. He violated the Consent Order by failing to submit to the Board a copy of a controlled substance log as required by the Consent Order and by failing to have his supervising physicians send reports of his practice to the Board as required by the Consent Order. He also violated the Consent Order by prescribing controlled substances after the six-month period of stayed suspension and by ceasing to keep a controlled substance log after that time. Further, he did not obtain written permission prior to engaging in practice with an additional supervising physician. He met with the Board in November 2003 to request termination of his Consent Order and said he believed the conditions of the Consent Order did not apply following the six-month period of stayed suspension.
Action: 4/01/2004. Consent Order executed: Mr Lovato is reprimanded for failing to abide by the terms of his April 2001 Consent Order; he shall obtain written permission from the Board prior to engaging in practice with any additional supervising physician; he shall provide a copy of the Consent Order to all his current and prospective supervising physicians; he shall meet with the Board or members of the Board in May 2004 and at other times as requested; he shall cause each of his supervising physicians to send reports of his practice to the Board as requested; must comply with other conditions. (The April 2001 Consent Order is dissolved.)

MOIR, Ronald Jeffrey, MD

Location: Morganton, NC (Burke Co)
DOB: 12/30/1956
License #: 0000-31176
Specialty: AN (as reported by physician)
Medical Ed: East Carolina University School of Medicine (1984)
Cause: Related to the Charges and Allegations preferred against Dr Moir by the Board on 10/24/2003. Dr Moir surrendered his license on 3/20/2003 because, in December 2002, he took benzodiazepine from the drug cart for his own use to self-medicate for his depression. In January 2003, he entered treatment in Georgia for depression and substance abuse. In May 2003, he entered a contract with the NCPHP. He has successfully completed in-patient treatment, has complied with his NCPHP contract, and remains under out-patient care for depression and substance abuse. In July 2003, he pled guilty in North Carolina District Court to misdemeanor charges related to the events of December 2002. On December 31, 2003, the Court entered a Prayer for Judgment Continued on the charges. No final judgment has been entered.
Action: 3/19/2004. Consent Order executed: Dr Moir's license is indefinitely suspended effective 3/20/2003; that suspension is stayed with execution of the Consent Order; he is issued a temporary/dated license to expire on the date shown on the license [6/30/2004]; he shall surrender

his DEA registration; he shall only practice in a setting and on a schedule approved by the president of the Board; unless lawfully prescribed for him by someone other than himself, he shall refrain from use of all mind- or mood-altering substances, and shall notify the Board within 10 days of any such use, which notice must include the name of the prescribing physician or dentist and the pharmacy filling the prescription; he shall furnish bodily fluids or tissues for screening at the request of the Board; he shall maintain and abide by his contract with the NCPHP; must comply with other conditions.

NUSCHKE, Randell Allen, MD

Location: Cape May Court House, NJ
DOB: 11/15/1949
License #: 2004-00287
Specialty: IM (as reported by physician)
Medical Ed: University of Guadalajara, Mexico (1981)
Cause: On Dr Nuschke's application for a license. In December 2002, Dr Nuschke applied for a North Carolina license. On his application form, he answered "no" to the question asking if he had ever been convicted of or pled guilty or no contest to a violation of law. During its criminal background check, the Board found Dr Nuschke had been arrested in Pennsylvania and charged with burglary and larceny in 1970. In 1971, he pled guilty to the charge of larceny and was fined \$100. The burglary charge was dismissed. Dr Nuschke says he did not intend to mislead the Board by answering the question as he did.
Action: 3/24/2004. Consent Order executed: Dr Nuschke is granted a license, which is suspended for 30 days. Suspension is stayed provided he abides by all laws, rules, and regulations in the future.

PIERCE, Charles Grainger, MD

Location: Ahoskie, NC (Hertford Co)
DOB: 4/06/1946
License #: 0000-22162
Specialty: PD (as reported by physician)
Medical Ed: University of North Carolina School of Medicine (1975)
Cause: In September 2002, Dr Pierce pled guilty to Making False Statements on an income tax return, a felony, in U.S. District Court in the Eastern District of North Carolina. He was sentenced to five years probation. The Board determined Dr Pierce did not knowingly attempt to defraud the U.S. government and he immediately instructed his accountant to re-file the tax returns in question. He has paid all taxes and interest due. The Office of Inspector General reports Dr Pierce has fully cooperated with that office and all other parties and has satisfied all requirements of his Integrity Agreement for the first reporting year. CMS did not conclude that Dr Pierce's conduct warranted exclusion from participation in Medicare and Medicaid programs.
Action: 4/22/2004. Consent Order executed: Dr Pierce's license is suspended for three months, such suspension stayed on condition that he agree to abide by all laws, rules, and regulations in future; that he agree to satisfy all requirements of the Integrity Agreement with the Office of the Inspector General; that he submit to the Board a statement from the OIG verifying those requirements are being satisfied; comply with other conditions.

PHELPS, Charles Ray, II, MD

Location: Denison, TX
DOB: 8/28/1950
License #: 0000-23073
Specialty: R (as reported by physician)
Medical Ed: University of Texas Medical Branch, Galveston (1976)
Cause: In June 2003, the Texas Board restricted Dr Phelps' license and placed him on probation for five years based on his addiction to alcohol and his arrest for driving while impaired.
Action: 4/26/2004. Consent Order executed: Dr Phelps' North Carolina license is suspended for one year, which suspension is stayed on terms and conditions, including his compliance with the Order of the Texas Board.

VAUGHAN, Howell Anderson, Physician Assistant

Location: Knightdale, NC (Wake Co)

DOB: 3/31/1958

License #: 0001-01513

PA Education: Wake Forest University (1992)

Cause: Mr Vaughan has a history of abusing hydrocodone and other controlled substances. In December 1993, he surrendered his license and entered a Consent Order with the Board. Under a Consent Order of January 1995, modified in May 1997, he was reissued his PA license on conditions related to his recovery. Having relapsed, he surrendered his license again in October 1999. In August 2000, he entered another Consent Order. In August 2001, he again relapsed and surrendered his license a third time. In February 2003, he entered another Consent Order with the Board, agreeing to a contract with the NCPHP and to surrender his DEA registration. In July 2003, he wrote several prescriptions for controlled substances to his patients and requested another PA co-sign the prescriptions for patients that PA had not examined. These acts violate his Consent Order of February 2003.

Action: 3/18/2004. Consent Order executed: Mr Vaughan is reprimanded; unless lawfully prescribed for him by someone other than himself, he shall refrain from use of all mind- or mood-altering substances, controlled substances, and alcohol, and shall notify the Board within two weeks of any such use, which notice must include the name of the prescribing physician or dentist and the pharmacy filling the prescription; he shall furnish bodily fluids or tissues for screening at the request of the Board; he shall maintain and abide by his contract with the NCPHP; he shall surrender any DEA registrations and shall not reapply; he shall not order, prescribe, administer, or dispense, or, except as noted above, possess any controlled substances; must comply with other conditions.

VILLEGAS, Henry Alberto, MD

Location: Gainesville, FL

DOB: 8/19/1950

License #: 2004-00180

Specialty: PD (as reported by physician)

Medical Ed: Faculty of Medicine, University of Costa Rico (1977)

Cause: On an application for licensure. The Florida Board, through a consent order in 2002, disciplined Dr Villegas for failing to practice medicine with an acceptable level of care, skill, and treatment.

Action: 3/04/2004. Consent Order executed: Dr Villegas is issued a license in North Carolina; he is reprimanded; must comply with other conditions.

WALL, Shelly Ann, Physician Assistant

Location: Charlotte, NC (Mecklenburg Co)

DOB: 1/26/1968

License #: 0001-03723

PA Education: Medical College of Ohio PA Program (2002)

Cause: In answering a relevant question on her application for the PA license, Ms Wall failed to note she had been arrested in Biloxi, Mississippi, and was found guilty of misdemeanor charges of disorderly conduct in January 1999 and public drunkenness in March 1999. She was fined \$172 and sentenced to time served.

Action: 4/14/2004. Consent Order executed: Ms Wall is reprimanded; must inform Board of any change of residence, work address, or primary supervising physician within 10 days; must comply with other conditions.

WHITE, Dale E., Physician Assistant

Location: Knightdale, NC (Wake Co)

DOB: 11/16/1956

License #: 0001-01583

PA Education: St. Francis College (1992)

Cause: Mr white owns and operates Carolina Express Care in Knightdale, where he employed Howell A. Vaughn, PA. Mr Vaughn practices as a PA pursuant to a Consent Order that prohibits him from

prescribing, administering, dispensing, or ordering any controlled substances and ordered him to surrender his controlled substance registration to the DEA. Mr White was aware of the restrictions on Mr Vaughn. Mr Vaughn worked at Carolina Express Care with neither Mr White nor a physician on site. If he determined a patient needed a prescription for a controlled substance, he contacted Mr White by telephone and discussed the patients condition. Mr White would verbally authorize Mr Vaughn to prescribe the medications. Mr Vaughn would stamp his name on the prescription form, sign his name, and note "on order of Dale White, PA-C." Mr White did not personally examine the patients in these cases. By doing this, he violated the rules requiring physician supervision of PAs and requiring DEA registration by both the supervising physician and the PA. Mr White also dispensed pre-packed medications from Carolina Express without holding a permit from the Board of Pharmacy.

Action: 4/23/2004. Consent Order executed: Mr White is reprimanded; must comply with other conditions.

WILSON, Lawrence Steven, MD

Location: Valdese, NC (Burke Co)

DOB: 3/19/1952

License #: 0000-28715

Specialty: U (as reported by physician)

Medical Ed: State University of New York, Upstate—Syracuse (1977)

Cause: Related to the Charges and Allegations preferred against Dr Wilson by the Board on 12/18/2003. Dr Wilson traveled on overnight vacations with Patient A after she became a patient in October 2002. In the summer of 2003, he traveled with her to California, and in June 2003 he and Patient A opened a checking account together. Throughout this time, he continued to treat Patient A. In September 2002, he performed prostate surgery on her father. He wrote prescriptions for her father in the name of her father's wife, knowing the wife and not the father had insurance. In December 2003, Dr Wilson completed a 30-day residential treatment program. He has entered into a three-year contract with the NCPHP.

Action: 3/17/2004. Dr Wilson's license is suspended for six months. Suspension is stayed on the following terms: he shall maintain and abide by his contract with NCPHP and must comply with other conditions.

MISCELLANEOUS ACTIONS

NONE

DENIALS OF RECONSIDERATION/MODIFICATION

NONE

DENIALS OF LICENSE/APPROVAL

NONE

SURRENDERS

GURKIN, Worth Wicker, Jr, MD

Location: Greenville, NC (Pitt Co)

DOB: 3/06/1956

License #: 0000-29117

Specialty: PD (as reported by physician)

Medical Ed: East Carolina University School of Medicine (1982)

Action: 3/11/2004. Voluntary surrender of medical license.

HAMBLETON, Scott Lewis, MD

Location: Shelby, NC (Cleveland Co)

DOB: 4/15/1963

License #: 2000-00444

Specialty: FP/EM (as reported by physician)

Medical Ed: University of Tennessee (1994)
Action: 3/18/2004. Voluntary surrender of medical license.

HEGE, Keith Jerome, Physician Assistant

Location: Yadkinville, NC (Yadkin Co)
DOB: 1/23/1956
License #: 0001-00981
PA Education: Bowman Gray (1986)
Action: 3/12/2004. Voluntary surrender of PA license.

HOOPER, Jeffrey Curtis, MD

Location: Greensboro, NC (Guilford Co)
DOB: 9/21/1964
License #: 0097-00286
Specialty: FPG (as reported by physician)
Medical Ed: Vanderbilt School of Medicine (1995)
Action: 3/31/2004. Voluntary surrender of medical license.

KOMJATHY, Steven Ferenc, MD

Location: Leland, NC (Brunswick Co)
DOB: 5/19/1969
License #: 0097-01440
Specialty: IM/GPM (as reported by physician)
Medical Ed: University of Maryland (1996)
Action: 4/01/2004. Voluntary surrender of medical license.

WESSEL, Richard Fredrick, MD

Location: Elizabeth City, NC (Pasquotank Co)
DOB: 1/24/1959
License #: 0096-00772
Specialty: C/IM (as reported by physician)
Medical Ed: Eastern Virginia Medical School (1990)
Action: 4/15/2004. Voluntary surrender of medical license.

COURT APPEALS/STAYS

NONE

CONSENT ORDERS LIFTED

BERRY, David Don, MD

Location: Hickory, NC (Catawba Co)
DOB: 4/20/1952
License #: 0000-30288
Specialty: NPM/PD (as reported by physician)
Medical Ed: University of Texas Medical Branch, Galveston (1978)
Action: 4/21/2004. Order issued lifting the Consent Order of 6/19/2002.

LOVETTE, Kenneth Maurice, MD

Location: Tarboro, NC (Edgecombe Co)
DOB: 12/27/1949
License #: 0000-24606
Specialty: GYN (as reported by the physician)
Medical Ed: University of North Carolina School of Medicine (1979)
Action: 3/18/2004. Order issued lifting Consent Order of 8/7/2003.

TAMBERELLI, Wayne Paul, Physician Assistant

Location: Roanoke Rapids, NC (Halifax Co)
DOB: 10/08/1951
License #: 0001-00379
PA Education: Albany Medical College (1977)
Action: 4/21/2004. Order issued lifting Consent Order of 3/06/2003.

WALSH, James Aloysius, MD

Location: Hilton Head, SC
DOB: 7/23/1935
License #: 0000-36285
Specialty: R/NM (as reported by physician)
Medical Ed: Jefferson Medical College (1961)
Action: 3/11/2004. Order issued lifting Consent Order of 8/14/1998.

**TEMPORARY/DATED LICENSES:
ISSUED, EXTENDED, EXPIRED, OR REPLACED BY FULL LICENSES**

BERRY, David Don, MD

Location: Hickory, NC (Catawba Co)
DOB: 4/20/1952
License #: 0000-30288
Specialty: NPM/PD (as reported by physician)
Medical Ed: University of Texas, Galveston (1978)
Action: 3/18/2004. Full and unrestricted medical license issued.

DONDIEGO, Richard Michael, MD

Location: High Point, NC (Guilford Co)
DOB: 1/15/1955
License #: 0095-01225
Specialty: IM/C (as reported by physician)
Medical Ed: Universidad Central del Caribe School of Medicine, Puerto Rico (1981)
Action: 4/22/2004. Temporary/dated license extended to expire 3/31/2005.

EURE, Luther Haywood, Jr, MD

Location: Reidsville, NC (Rockingham Co)
DOB: 9/11/1963
License #: 0093-00102
Specialty: OBG (as reported by physician)
Medical Ed: Bowman Gray School of Medicine (1989)
Action: 3/18/2004. Temporary/dated license extended to expire 9/30/2004.

VAUGHAN, Howell Anderson, Physician Assistant

Location: Knightdale, NC (Wake Co)
DOB: 3/31/1958
License #: 0001-01513
PA Education: Wake Forest University (1992)
Action: 3/18/2004. Temporary/dated license extended to expire 9/30/2004.

WARD, David Townsend, MD

Location: Greensboro, NC (Guilford Co)
DOB: 4/07/1960
License #: 0095-00473
Specialty: OTR (as reported by physician)
Medical Ed: West Virginia University (1986)
Action: 4/22/2004. Full and unrestricted license issued.

See Consent Orders:

MOIR, Ronald Jeffrey, MD

DISMISSALS

NONE