

MEETING OF THE BOARD OF MEDICAL EXAMINERS  
OF NORTH CAROLINA

Carolina Hotel, Pinehurst, North Carolina.  
January 11-12th, 1948.

The Board of Medical Examiners of the State of North Carolina met at the Carolina Hotel, Pinehurst, North Carolina, January 11-12th, 1948, in extra session, for consideration of general business and licensure by endorsement of credentials.

The board convened January 11th at 7 P. M. for an executive session. The meeting was called to order by Dr. Malory A. Pittman, President. Drs. Charles W. Armstrong, M. D. Bonner, Thomas Leslie Lee, R. B. McKnight, Paul G. Parker, and Ivan Procter, Secretary-Treasurer, were present.

The agenda for the meeting was discussed and the members of the board studied credentials of applicants for licensure by comity.

Dr. R. B. McKnight moved that the next meeting of the board for the purpose of consideration of licensure by endorsement of credentials be held on the second day of the meeting of the State Medical Society, May 4th, 1948, at the Carolina Hotel, Pinehurst, North Carolina.

The date for the annual written examination was set for June 21-24th, 1948, at the Sir Walter Hotel, Raleigh, North Carolina. Tuesday, June 21st, was set for the date during the annual examination to interview candidates for licensure by endorsement of credentials.

Dr. R. B. McKnight reported that Dr. Frank Metellus, resident at the Good Samaritan Hospital, Charlotte, North Carolina, was a graduate of the University of Haiti; that he was there on a traveling scholarship from the Haiti Medical Society; that he was to return to Haiti in the spring.

The board was advised by the secretary that on May 5th, 1947, the Nevada State Board of Medical Examiners rescinded the rule of suspension of reciprocity.

The meeting was adjourned.

The board convened on Monday, January 12th, at 10 P. M. The meeting was called to order by the president. All members were present.

Applicants for licensure by endorsement of credentials were interviewed and thirty-five physicians were granted license as follows:

<u>NAME</u>	<u>MEDICAL COLLEGE</u>	<u>ADDRESS</u>
Armstrong, Beverly Waller	Syracuse University	Brighton, Mass.
Baeder, Robert Lester	Duke University	Orange, N. J.
Ball, Donald Nelson	Cornell University	Sunbury, Pa.
Bertling, Marion Henry	Western Reserve	Greensboro, N. C.
Bowman, Medford Cecil	Univ. Louisville	Winston-Salem, N.C.
Baptist, Harry Lewis	Univ. Maryland	Hampton, Va.
Broome, Robert Alexander, Jr.	Duke University	Durham, N. C.
Currin, Robert Graves	Medical Coll.S.C.	Oxford, N. C.
Davant, Charles, Jr.	Medical Coll.S.C.	Lenoir, N. C.
Davey, Joseph A.	L. I. Coll. Med.	New Rochelle, N.Y.
Glass, Sarah Elizabeth	Rush Med. Coll.	Raleigh, N. C.
Gray, Paul Milton	Univ. Arkansas	Durham, N. C.



<u>NAME</u>	<u>MEDICAL COLLEGE</u>	<u>ADDRESS</u>
Gouldin, John Milton	Medical College Va.	Elm City, N. C.
Hogshead, Ralph, Jr.	Temple University	Morganton, N. C.
Gunter, Arthur Rhett	Emory University	Charlotte, N. C.
Hood, Thomas Ruffin	Duke University	Smithfield, N. C.
Keels, Lucius Brainerd	Medical Coll. S. C.	N. Arlington, Va.
Levy, Moses Solomons	University Georgia	Augusta, Ga.
Lindsey, Mark McDonald	Yale University	Dublin, Ga.
Lowe, George Addison	Howard University	Charlotte, N. C.
Lutz, James Dwight	Duke University	Black Mt, N. C.
Melchior, Josephine Trevvett	Medical College Va.	Richmond, Va.
Melchior, George William	Medical College Va.	Richmond, Va.
Miller, Walton Hoy, Jr.	University Cincinnati	Goldsboro, N. C.
Moise, Davis DeLeon	Duke University	Durham, N. C.
Myers, Jack Duane	Stanford University	Durham, N. C.
McAlpine, Jefferson Randolph	Meharry Medical Coll.	Monroe, N. C.
Schmidt, Frederick Kenneth	Duke University	Durham, N. C.
Smith, James Jefcoat	University Tennessee	Greenville, N. C.
Sternbergh, Waldemar C. A.	University Vermont	Chamblee, Ga.
Taubenhaus, Leon Jair	Tulane University	Shallotte, N. C.
Thomas, Daniel Martin	University Tennessee	Wilmington, N. C.
Walker, John Barrett, Jr.	Medical College Va.	Burlington, N. C.
Wedde, Theodore Schilling	Coll. Med. Evangelists	Winston-Salem, N. C.
Wortham, James Tolliver	University Arkansas	Durham, N. C.

The board directed the secretary to write to Dr. L. W. Oehlbeck, Morganton, North Carolina, and the medical director of the Clifton Springs Sanitarium, Clifton Springs, New York, as to Dr. Waldemar C. A. Sternbergh's character, et cetera. Dr. M. D. Bonner moved that issuance of license be left to the discretion of the secretary. This motion was duly seconded and unanimously passed.

The president appointed Drs. R. B. McKnight, Ivan Procter, and Paul G. Parker to the Finance Committee.

Dr. Ivan Procter was directed to take up the matter of rent with the president of the board and the Attorney General of the State of North Carolina.

The secretary read the report on the hearing before the Commission to Study and Investigate Licensing Boards of the State and stated that Drs. Paul G. Parker, Malory A. Pittman, and the secretary were present at this hearing. Dr. Thomas Leslie Lee moved that this report be incorporated in the minutes for the benefit of the future board. This motion was duly seconded and unanimously passed. The said report is as follows:

"Mr. Uzzell: The State Board of Medical Examiners

Dr. Ivan M. Procter, Secretary

"By Mr. Uzzell:

Q. Dr. Procter, you're secretary of this Board?

A. Yes, sir.

Q. You live here in Raleigh?

A. Yes, sir.

Q. I believe you have seven members of your Board?

A. Yes, sir.

Q. All of whom are appointed by your Medical Society?

A. Elected by the Medical Society.



- Q. Dr. Procter, who audits the accounts of the State Medical Board?
- A. John F. Prescott, certified public accountant.
- Q. And that report then is made to your Society?
- A. Yes, sir, and to the Secretary of the State Medical Society.
- Q. Do you have any general rules and regulations other than the requirements for admission to practice which are not in the general statutes of the State?
- A. Well, the Board by law is given the right to set up procedures and requirements for licensure and those policies of the Board are written out, sir, and I believe furnished to each member of your committee. I have a copy in front of me which consists of about four pages.
- Q. Do you have any suggested changes, Doctor, in the present law as to the, as it now relates to the Board of Medical Examiners of the State?
- A. Yes, sir, we have four or five headings under consideration. First, is an annual registration of physicians. We believe that that will be a great aid in controlling irregularities. It gives information as to location, type of practice, death and moving about of physicians. At the present time we have no means of telling or knowing what physicians are practicing in North Carolina except these men who are members of the State Medical Society and all physicians are not members.
- Q. What percentage of the physicians in the State are members of the State Medical Society?
- A. Well, I would imagine, I have no way of saying accurately. That's what I say, we have no information on the physicians except those in the State Medical Society.
- Q. And then approximately ...
- A. (Interposing) But I would guess probably ten per cent are not members of that Society.
- Q. What other changes do you, would you suggest?
- A. Second, registration of resident physicians in hospitals. This would give control over physicians that remain in hospitals not for one year, two, three or four, but sometimes for extended periods and those physicians are not required to have a license. We think that they should be registered like a practitioner in Wake County, Orange County or whatnot. Also registration of internes which would give the Board an opportunity to know who was actually in medical practice in the State, and fourth, a basic science law which is a law requiring every person who practices a healing art to know the fundamentals of the human body as well as hygiene, bacteriology, pathology, anatomy, physiology, etc.
- Q. Do you have any opinion, Doctor, as to the advisability of the State Board of Health being represented not only upon the Board of Medical Examiners but upon these other professions mentioned here to-day such as chiroprody and osteopath, etc.?
- A. I have not had that under consideration. I see no reason why a member of the medical profession in the State Board of Health should not be a member of the State Board of Medical Examiners and we have such representation today in Dr. Armstrong who is a member of the State Board of Health located in Salisbury. He is a member of the State Board of Medical Examiners.
- "Mr. Uzzell: Any questions the Commission would like to ask?
- "By Mr. Chaffin:
- Q. Doctor, how many physicians are now practicing in North Carolina under the grandfather clause, if you know?



- A. I'm unable to tell you how many are practicing now under the grandfather clause because we have no registration of the physicians what live in this State or physicians who died. I can tell you there have been approximately one hundred eight~~ynine~~ or ninety who were registered under the grandfather clause when this Act was passed but how many of those are living, I imagine very few of them are living.

"By Mr. Uzzell:

- Q. The State Board of Medical Examiners reciprocates with other states when the physician in the other state has met the requirements of our State such as going to a certain type of school?
- A. That's right, with three exceptions. There are three states that we do not reciprocate with. That's Florida, Idaho and Rhode Island. Now we would reciprocate with them on the same basis but they don't reciprocate so we follow through the same thing.
- Q. Doctor, this morning the representative of the North Carolina Board of Nurse Examiners informed the Commission that one of the members of their Board was selected by the State Medical Society. Is that a very satisfactory situation existing between the two professions?
- A. The medical profession feels that they have a great part in nursing education. They teach nursing. They demonstrate every thing pertaining to nurses and therefore they feel that they should have a part in the licensing of nurses to determine whether they are qualified and whether or not they are in a position to carry on the important part that they play in the care of the sick in the State.
- Q. I don't know whether I asked you this a moment ago or not but what disposition, if any, is made of the surplus funds that the State Medical Board of Examiners has?
- A. The Medical Practice<sup>Act</sup> states that any surplus funds left at the expiration of the particular board is to be turned over to the following board and that is the practice.

"By Mr. Worthington:

- Q. Only one question, Doctor, that I care to ask. Is it your opinion that all nurses should have a health certificate?
- A. Yes, sir, I think they should. I think every nurse should have, every nurse applicant should have a thorough examination before she goes into training and I think she should before she's admitted for her own protection if not for the protection of the public. I don't know whether you would put it in the form of a certificate like we do waitresses but I think so because it's one of the main factors there, possibility of syphilis that any other may contract and so I think so.

"By Mr. Blackwell:

- Q. Dr. Procter, I believe your answer to question #14 stated that 7,855 physicians have been licensed from 1859 up through July of this year?
- A. Yes, sir.
- Q. And you stated a minute ago, I believe, that you did not have any means of knowing about how many physicians are in active practice in North Carolina at this time?
- A. Except approximately. That's all.
- Q. Your approximation would be about how many?
- A. Twenty-five hundred.



- Q. About twenty-five hundred.
- A. It may be three thousand but I have no way of knowing.
- Q. An average of about twenty-five per county based on one hundred counties?
- A. Yes, I haven't figured that part of it out.
- Q. Now how long, Doctor, does it take to produce a physician who is ready to go out and start healing sick folks?
- A. Approximately ten years.
- Q. Is that from the time he starts into college?
- A. Yes, sir.
- Q. That's four years in regular college?
- A. Yes, sir.
- Q. And then what?
- A. Two years post-graduate.
- Q. Is that what they call internship?
- A. Yes, sir.
- Q. At what stage during that ten-year period does he take his examination for license?
- A. Usually after he graduates from the medical school. The average student or young doctor will take his state examination if he has made a decision and men who lived in North Carolina wish to take the North Carolina Board and most of them take that Board at the time of graduation. Now in Duke Hospital, the student technically graduates when he finishes four years but he does not receive his diploma until after he has had one year of internship, a principle that we think is important and good, the State Board does, and the State Board expects to ask the Legislature to require the new physician to have one year of internship before he can be licensed in the State.
- Q. Now that was the point to which I was trying to come. Let's see, a young physician has finished his four years of medical school and he takes his examination, under the present law does he receive his license at that time.
- A. He received his license as soon as he passes the examination, yes sir, except the Duke student because we can not issue a license to a man unless he's graduated from a satisfactory medical school.
- Q. That's one of the prerequisites?
- A. Now at Duke we send these licenses to the Dean of the School and when that man has served his one year of internship, he gets his diploma from Duke and his license which we've turned over to the Dean.
- Q. Well then, there is a full year with respect to the Duke graduates, for example, after they have passed the examination and have been found qualified, before they actually commence to practice?
- A. That's right.
- Q. But in respect to all other medical students, when they have received their diploma from the medical school and they have passed the examination, they are issued their licenses at once?
- A. That's right.



Q. And they all voluntarily take the internship but they are actually licensed to practice if they wanted to in rural areas or anywhere they wanted to?

A. Anywhere just as much as I.

Q. There's no legal proposition against their going into independent practice?

A. No.

"By Mr. Uzzell:

Q. Right in connection with that licensing business, Doctor, I understand that at the end of the first two years of medicine they take one examination?

A. They have the privilege of taking part #1

Q. Is it still the policy of your Board that if a student takes the first examination after two years of medicine, that after a certain period of time if he has not heard from the Board, then he knows that he passed it?

A. No, sir.

Q. Didn't that use to be the policy?

A. That may have been before this Board.

Q. The reason I asked, I knew of one such case where the records were lost and the student had nothing to show that he passed.

A. Yes, I knew of one or two instances which was unfortunate. This Board now notifies, it publishes in the Associated Press like a man who receives his diploma and is ready to practice medicine, we put out this list of the men who take part #1 so they will know whether they passed.

"By Mr. Brown:

Q. Doctor, what happens if a man fails the examination? Does he have the privilege of coming back later?

A. It depends upon the type of paper that he has written, how low his grade is, whether or not the Board will grant him that privilege or require him to return to school for a year.

Q. If he does return to school and comes back later, he is privileged..

A. (Interposing) We give him permission to take the examination.

"By Mr. Hlackwell:

Q. Doctor, earlier in the day we heard representatives of some of the Boards state that in the case of their licenses, if a man or woman dropped out of practice for a certain period of time, that they were required to pass an examination again before they could take up their practice again. Is that true with respect to medical doctors or not?

A. No, sir, it is not.

Q. Once a doctor, always a doctor, except for any moral disqualification that may occur?

A. Yes.

Q. If he moved away to another state and then decided that North Carolina needed him and came back and practiced medicine here, he could do so upon payment of his medical fees?



- A. He wouldn't have to pay any additional fees. He would only have to register his license if he had gone out and come back into another county. He would have to register with the Clerk of the Court and that's all there would be to it.
- Q. One last question. You probably also heard questions about public representatives and the Chairman asked you about having a representative of the State Board of Health on the examining Board. What would be your opinion as to the placing of a complete layman, an interested public citizen as a representative on the Board?
- A. Well, I think that would probably complicate matters because medical licensure is a very technical thing. It's just like the practice and the study of medicine. The layman would have difficulty in understanding many of the requirements, for instance, as we have. We require an applicant to be a graduate of a grade A medical school. Well, what does that mean? It would take me an hour to tell you probably what it means because it means the requirements that are set up in a first class medical school as to the number of full-time professors and their qualifications, the number of laboratories, microscopes, the patients, a hundred different things and I don't see how a layman would benefit licensure of physicians. The two thousand physicians who elect their representatives to this Board are probably the most critical people that you could have and if they select them, I feel that's sufficient.
- Q. Well, do you think that there's any general harm in having one member of the Board to be more or less a member of the Board from the public?
- A. I don't see how it could do any harm.
- Q. You don't think it would do any harm but you don't think it would be any positive benefit?
- A. Yes, take a lot of education I think to qualify.

"Mr. Uzzell: Thank you, Doctor."

Dr. Roscoe D. McMillan, Secretary, and James T. Barnes, Executive Secretary, of the State Medical Society, were present at the meeting.

IN RE: DR. GEORGE A. ANDREWS

The secretary reported that Dr. Andrews, who was committed to the United States Public Health Service Hospital, Lexington, Kentucky, on September 6th, 1946, at the direction of the board, was discharged March 21st, 1947, as cured, according to report from this hospital.

IN RE: DR. JOHN S. STONE

Dr. M. D. Bonner reported that he had interviewed Dr. Stone once a month since October, 1947, as instructed by the Board of Medical Examiners in regard to his alleged narcotic addiction and insofar as he could ascertain, his condition was satisfactory.

IN RE: DR. ROLAND S. CLINTON

The following report from the Bureau of Narcotics under date of December 5th, 1947, was received by the Board of Medical Examiners:

"Your attention is invited to the case of Dr. Roland S. Clinton, Gastonia, N. C., who has again been reported as being addicted to narcotic drugs. An inspection of Dr. Clinton's narcotic records on September 27th, 1947, disclosed that since July 21st, 1946, he had purchased on his Government order forms the following narcotics:

"3500 H. T. Morphine, 1/4 grain  
 2800 H. T. Morphine, 1/4 grain with atropine 1/150 grain  
 300 H. T. Morphine 1/2 grain  
 100 H. T. Morphine 1/8 grain



"Upon being questioned Dr. Clinton advised our inspector that he had administered to himself practically all of this morphine. He stated that in the past he had taken treatment several times for drug addiction, but each time returned to the use of narcotic drugs. He seemed unwilling to surrender his narcotic special tax stamp. He had ordered a new book of Government order forms which he agreed to surrender after using one of the forms. He stated that he would not purchase any more order forms for two years and that he would undergo treatment for drug addiction in the near future.

"On October 18, 1947, the inspector received Dr. Clinton's new book of Government order forms, one of which had been removed. On this order blank Dr. Clinton apparently had purchased 300 H. T. morphine, 1/4 grain, and 300 H. T. morphine, 1/4 grain, with atropine 1/150 grain. No further information has been received.

"According to our records we reported previous cases with respect to Dr. Clinton to your office on November 26, 1935 and July 9, 1942, respectively. It will be appreciated if you will bring Dr. Clinton's narcotic history to the attention of the State Board of Medical Examiners and advise this Bureau of any disciplinary action which the members may decide to take because of this physician's persistent drug addiction."

Narcotic Agent W. T. Atkinson was present and reported that Dr. Clinton was alleged to have been using drugs in July, 1936, at which time he took treatment. In June 1942, he was reported for the use of drugs, at which time he surrendered his narcotic privilege for a period of one year and submitted to treatment. In May, 1944, he was reported for writing prescriptions and using narcotics himself, at which time he was treated at the Baker Sanatorium, from where he was discharged in good condition. In September, 1947, he was again reported as using drugs to satisfy his addiction.

Dr. Clinton was subpoenaed and appeared before the board.

VERDICT: Dr. R. B. McKnight moved that the North Carolina State Board of Medical Examiners hereby order Dr. Roland S. Clinton to surrender his narcotic license, narcotic stamps, and narcotic order forms on January 13th, 1948, to W. T. Atkinson, Agent, and B. M. Martin, District Supervisor, Bureau of Narcotics, Treasury Department, in person. It is further resolved that Dr. Clinton be placed on probation indefinitely and that his name be referred to Dr. Allyn B. Choate, Chairman, State Mental Hygiene and Mental Rehabilitation Committee, Charlotte, N. C., copy to be sent to Dr. Roscoe D. McMillan, Secretary of the State Medical Society. This motion was duly seconded and un-animously passed.

Dr. R. B. McKnight moved that the State Board of Medical Examiners report to the chairman of the State Mental Hygiene and Mental Rehabilitation Committee and the secretary of the State Medical Society in regard to narcotic addicts, particularly those who have been discharged as well, and that this committee keep in touch with these individuals and report semi-annually to the State Board of Medical Examiners and the secretary of the State Medical Society as to their use of narcotics and such allied drugs. Dr. Ivan Procter seconded this motion and offered an amendment to change the report to quarterly. This motion was unanimously passed.

Mr. B. M. Martin, District Supervisor, Bureau of Narcotics, appeared before the board with Agent W. T. Atkinson, and reported that Mr. L. C. Johnson of Knightdale, North Carolina, had been making some form of medicine in his home and was using paregoric in the process. Dr. Procter moved that the Board of Medical Examiners recommend to the Narcotic Bureau that it refuse to fill or issue an application to Mr. L. C. Johnson for the use of paregoric in his medical concoction. This motion was duly seconded and unanimously passed.

The secretary presented to the board the suggestion of Dr. W. M. Coppridge that the American Medical Directories furnished this board by former members be replaced with new directories. Dr. Thomas Leslie Lee moved that the board not purchase new American Medical directories. This motion was duly seconded and unanimously passed.



The secretary advised the board that the State Bureau of Investigation had been requested to investigate the matter of laymen practicing medicine in Madison County, North Carolina.

IN RE: Dr. S. W. Fleming

The secretary reported to the board that the case of State vs Dr. S. W. Fleming, for practicing medicine without a license, was set for trial at the January, 1948 Term of Superior Court, Edgecombe County, North Carolina.

The following is a letter under date of January 20th, 1948 from the secretary of the Board of Medical Examiners to Hon. George M. Fountain, Solicitor, giving a summary in this case:

"The following is a summary of our information concerning Dr. S. W. Fleming:

"The minutes of the Board of Medical Examiners show the following:

"December 10th, 1940: "Several physicians were summonsed before the board. A man by the name of Fleming of Williamston, North Carolina, was summonsed before the board for practicing medicine in North Carolina without a license. He left before he could be interviewed. The secretary of the board wrote him to come to his office, to explain why he was practicing medicine in North Carolina without a license, and why he did not wait December 10th at the Washington-Duke Hotel in Durham, after he was summonsed to appear before the board. He signed an affidavit in the office of the secretary of the Board of Medical Examiners that he would not practice medicine in North Carolina."

"July 30, 1946: A letter from Dr. Claudius MacGowan of Plymouth, North Carolina, marked "confidential" was received by the board, charging Dr. Fleming, who was located in Columbia, North Carolina, and associated in the Columbia Hospital with Dr. S. C. Chaplin, with practicing medicine without a license.

"August 23, 1946: The secretary of the board wrote Dr. Fleming asking if he had been granted a license to practice medicine in North Carolina.

"September 18, 1946: A letter was received from Dr. Fleming stating that he did not have a North Carolina license and that he was not practicing medicine. A photostatic copy of this letter is enclosed.

"September 14, 1946: A letter received from Dr. John Cotton Tayloe of Washington, North Carolina, Councilor of the Second District, North Carolina State Medical Society, stated that after investigation, he thought Dr. Fleming was practicing medicine. Dr. Tayloe further stated in his letter he understood that Dr. Roscoe D. McMillan, Secretary of the North Carolina State Medical Society, had said that Dr. Fleming could practice medicine under the supervision of a licensed physician without he himself being licensed, but that he could not sign birth or death certificates or write prescriptions.

"September 17, 1946: The secretary of the board instructed Dr. Fleming to report to his office at 226 Hillsboro Street, Raleigh, North Carolina, on September 23, but Dr. Fleming did not appear.

"September 23, 1946: The State Bureau of Investigation was requested to investigate the charge of Dr. S. W. Fleming of Columbia, North Carolina, practicing medicine without a license.

"January, 1947: See attached SBI report.

"October 8, 1946: Dr. Fleming was sent the following letter:

"At the recent meeting of the North Carolina Board of Medical Examiners the writer was directed to advise that it is illegal for



any physician in North Carolina to practice medicine without a license whether in or out of a hospital, working for a salary under another physician being no exception.

"A copy of section 90-18 of the Medical Practice Act entitled Practicing without license; practicing defined; penalties, is attached hereto. This board intends to carry out the provision of this act to the best of its ability."

"August 19, 1947: A letter from Dr. Claiborne T. Smith of Rocky Mount, North Carolina, reported that Dr. Fleming was now practicing medicine in Pinetops, North Carolina, associated with Dr. A. M. Wooten. Dr. Smith advised that Dr. Fleming had failed his examination at the Medical College of Virginia and then transferred to a medical school in Kansas City where he received an M. D. degree. The Kansas City school has since supposed to have been closed.

"On September 16, 1947, we wrote Dr. A. M. Wooten of Pinetops, North Carolina, as follows:

"Following up a communication from Dr. C. T. Smith of Rocky Mount, North Carolina, I wish to call to your attention certain rules and policies of the North Carolina State Board of Medical Examiners. The first requirement for licensure in our state is that the physician be a graduate of a grade A medical school. This applies to physicians asking license by examination, as well as by reciprocity. Physicians graduated from grade B medical schools or some schools that have not been classified and graded by the American Medical Association are not eligible for licensure.

"On September 30th, 1946, the State Board of Medical Examiners passed a resolution calling attention to the requirement of licensure for every person practicing medicine in any manner whatsoever. This resolution is not enforced when a physician is engaged in his first year of internship. The resolution was adopted as one of the steps in enforcement of the Medical Practice Act."

"On October 23, 1947, the State Bureau of Investigation was requested to investigate Dr. Fleming at Pinetops, North Carolina.

"October 28, 1947: See attached report of the SBI.

"November 4, 1947; A letter to Dr. Newsom P. Battle, Councilor of the Fourth District, State of North Carolina Medical Society, advised that Dr. Fleming was practicing medicine in Pinetops, North Carolina, apparently without a license.

"On December 6, 1947, we wrote Attorney General Harry S. Mullan as follows:

"The North Carolina State Board of Medical Examiners hereby charges Dr. S. W. Fleming of Pinetops, North Carolina, with practicing medicine without a license. Dr. Fleming has apparently been practicing medicine in this state for more than seven years without having obtained a license.

"The first record we have was that he was called before the board at a meeting in Durham, North Carolina, on December 10, 1940. At that time he signed an affidavit that he would not practice in this state. For several years Dr. Fleming has been located in Columbia, North Carolina, associated in the hospital there with Dr. S. C. Chaplin.



"In January, 1947, the North Carolina Bureau of Investigation gave us a report on Dr. Fleming and we also had reports from the medical councilor in his district. It was not considered advisable to take action at that time on account of the circumstances and the locale. Later in the year, Dr. Fleming moved to Pinetops, North Carolina, and associated himself with Dr. A. M. Wooten

"On November 7, 1947, the State Bureau of Investigation sent us a second report which reads as follows: "In agent's humble opinion there is no question in his mind based on the investigation but that Dr. Fleming is practicing medicine as a fully qualified medical doctor and if he is prosecuted there will be no trouble in securing ample evidence to bear out this opinion. In talking with Solicitor Fountain in Tarboro, Solicitor Fountain stated to Agent that he would be glad to co-operate in any manner in this case if the evidence justifies prosecution."

"We believe that there is sufficient evidence to justify prosecution and to secure conviction of this physician who has violated the law for several years.

"We respectfully request that you take steps to bring about justice in this case."

Dr. Charles W. Armstrong moved that the board request the solicitor to proceed with the case of State vs Dr. S. W. Fleming. This motion was duly seconded and unanimously passed.

Dr. David A. Young, General Superintendent of the North Carolina Hospitals Board of Control, appeared and presented to the board the problems confronting him in procuring physicians for the state mental institutions.

Dr. Thomas Leslie Lee moved that graduates of unclassified schools be permitted to practice within the confines of any state mental institution; namely, the State Hospitals at Morganton, Raleigh, Goldsboro, Camp Butner or such other hospitals that come under the direction of General Superintendent David A. Young, M. D. If after five years of satisfactory service, morally, professionally, and ethically he should prove himself worthy, then he would be permitted to take the examination of the Board of Medical Examiners for the full privilege to practice medicine in this State. Dr. Ivan Procter seconded the motion.

Dr. Ivan Procter then moved that the complete motion be rescinded. This motion was duly seconded and unanimously passed.

Dr. Thomas Leslie Lee made the same motion, but changed the five years to three. This motion was duly seconded and passed by a vote of six to one, Dr. McKnight voting in the negative.

RE: MENTAL INSTITUTIONS

Dr. Ivan Procter then made the following motion: RESOLVED: That on account of the extreme emergency in state mental institutions, due to the small number of physicians that have been available for service that the North Carolina State Board of Medical Examiners hereby temporarily approves certain physicians recommended by General Superintendent, Dr. David A. Young, and grants to them temporary, limited licenses to practice within the confines of said state mental institutions and under the direction and supervision of Superintendent Dr. David A. Young for a period of three years. This motion was duly seconded and unanimously passed.

THE UNIVERSITY OF CHICAGO



Dr. James W. Murdoch, Superintendent of the State Hospital at Butner, and Dr. Gerhard Wolff, State Hospital, Raleigh, appeared and were interviewed by the board.

IN RE: Dr. George Penn Dillard, Jr., graduate of a grade B medical school, again appeared and requested that the Board of Medical Examiners allow him a license to practice medicine in the State of North Carolina.

Dr. Charles W. Armstrong moved that Dr. Dillard be permitted to take the written examination of the State Board of Medical Examiners in June, 1948, and if he passed, that he be allowed a limited license to practice in the county in which he resides. This motion was duly seconded. The vote was four to three. Due to a special resolution of the board, this motion was ruled defeated.

Dr. M. D. Bonner moved that any native son or daughter of the State of North Carolina, who is graduated from a grade B medical school within the past ten years, be allowed to take a special examination for a limited license, to be sent to areas where doctors are needed, to be at the discretion of the board. This motion was duly seconded. The vote was four to three and was, therefore, defeated.

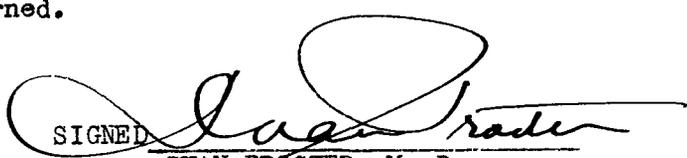
Dr. Thomas Leslie Lee moved that all motions concerning grade B graduates be rescinded. This motion was duly seconded and unanimously passed.

RE: Graduates Grade B Medical Schools - Native North Carolinians

Dr. Thomas Leslie Lee moved that any native North Carolinian graduated from a grade B or unclassified school prior to 1946, who will serve a rotating internship of not less than two years in hospitals approved by the Board of Medical Examiners, shall be allowed to take the examination for medical licensure in North Carolina. The question of a native North Carolinian is to be decided by the board. This motion was duly seconded and unanimously passed.

The meeting was adjourned.

SIGNED

  
IVAN PROCTER, M. D.  
Secretary-Treasurer



