

MINUTES OF THE MEETING OF THE
BOARD OF MEDICAL EXAMINERS OF
THE STATE OF NORTH CAROLINA

JANUARY 15 - 18, 1986

RALEIGH, NORTH CAROLINA

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Call to Order

Jack A. Koontz, M.D., President of the Board of Medical Examiners of the State of North Carolina, called the meeting to order at 9:00 p. m., Wednesday, January 15, 1986. Board members present at this meeting included: Charles Howard Duckett, M.D., Secretary-Treasurer; Eben Alexander, Jr., M.D.; David S. Citron, M.D.; John Thomas Daniel, M.D.; Thomas E. Fitz, M.D.; Harold L. Godwin, M.D.; and Mrs. Martha Kirkland Walston.

Staff members present at this meeting included: Bryant D. Paris, Jr., Executive Secretary; Mrs. Betty Joe Barick, Assistant Executive Secretary; Don Pittman and William H. Breeze, Jr., Investigators; Kathy Burke, Administrative Secretary; and Sibyl Lamoreaux, Secretary.

AGENDA ITEMS FOR DISCUSSION

Branly, Louis Phillip, M.D.

The Board unanimously adopted a motion made by Dr. Koontz and seconded by Mrs. Walston that the Board of Medical Examiners not approve Dr. Branly's application for licensure on the basis of G.S. 90-14 (5), physical and emotional inability to practice medicine with a reasonable degree of skill and safety to patients.

Weintraub, Harvey, M.D.

The Board unanimously adopted a motion made by Dr. Fitz and seconded by Dr. Daniel that the Board of Medical Examiners inform Dr. Weintraub, on the basis of evidence determined by the New Jersey Board and the facts obtained by the Board of Medical Examiners of the State of North Carolina during his personal interview, this Board will not grant him a license to practice medicine in North Carolina.

Frenette, Francis Flo, III, M.D.

The Board adopted a motion made by Dr. Fitz and seconded by Dr. Daniel that the Board of Medical Examiners issue Dr. Frenette an unrestricted license for a period of one year; that it so notify Dr. Frenette of this action in writing with copies to the Chief of Staff at Annie Penn Hospital and D. R. Martin, M.D.; that the letter to Dr. Frenette request that he obtain letters of evaluation for the Board's review every three months from the Chief of Staff at Annie Penn Hospital, from Dr. Martin, and from Dr. Clemmons; and that the Board interview Dr. Frenette prior to the expiration of this temporary license. The President abstained from voting on this motion. All others voted affirmatively.

HEARINGS

McLean, Malcolm, M.D.

The Board of Medical Examiners of the State of North Carolina held a Hearing on Friday, January 17, 1986, on charges preferred against Malcolm McLean, M.D. Dr. McLean appeared at this hearing without counsel. At the conclusion of the Hearing, the Board unanimously adopted a motion that it finds the charges to be true; that it revokes Dr. McLean's license to practice medicine in this state; and that the Board stays the revocation for a period of ninety days on the following probationary conditions:

1. Dr. McLean be and remain of good character and violate no federal or state law;
2. Prescribe no controlled substances in Schedules 2 and 2N;
3. Abstain from alcohol and all medications except those which may be prescribed for him by another physician or dentist;
4. Submit to complete mental and physical examinations and request that the examining physicians provide reports to the Board of Medical Examiners no later than thirty days from receipt of the Board's Order;
5. Submit to random drug screens;
6. Appear at the March, 1986, meeting of the Board of Medical Examiners of the State of North Carolina.

The Board indicated that, at this March, 1986, meeting, it will decide upon further action.

Appiah, Augustine, M.D.

The Board's attorney reported that Dr. Appiah has agreed to sign a Consent Order.

AGENDA ITEMS CONTINUED

Purchase of Burster

The Board unanimously adopted a motion made by Dr. Alexander and seconded by Dr. Duckett that the Board of Medical Examiners approve this purchase.

DeHaven, Harry E., M.D.

The President instructed that the Board hold the charges preferred against Dr. DeHaven in abeyance.

Rogers, Charles Wilburn, M.D.

By common consent, the Board accepted Dr. Duckett's recommendation to hold another Hearing as requested by Dr. Rogers' attorney.

Do's and Don'ts for Physicians

By common consent the Board instructed the staff to reproduce the comments in the Physicians Manual and that it add to these comments the Board's recommendations on self-prescribing, prescribing for family members, and amphetamine prescribing.

State Auditor, Request from

The Board unanimously adopted a motion made by Dr. Daniel and seconded by Dr. Godwin that the Board furnish Mr. Dixon with the requested information.

Regulation Hearing on Proposed Change Concerning Licensure Applications

By common consent, the Board agreed to advertise and, if possible, hold a Hearing in Charlotte allowing the Board of Medical Examiners to consider FLEX and License by Endorsement applications which have not been completed within one year as being withdrawn. The Board further instructed that the staff send this information to applicants and also instructed the staff to discard applications not completed within one year.

Proposed Legislation, Additions to

The Board unanimously adopted a motion made by Dr. Alexander and seconded by Dr. Fitz that Items 9 and 10 be added to this proposed legislation.

The Board unanimously adopted a further motion made by Dr. Fitz and seconded by Dr. Daniel that the Board of Medical Examiners add another item to this proposed legislation allowing the Board release to other medical licensing Boards and to appropriate government agencies not only information indicating a physician has surrendered his license but also the reasons for such surrender.

The Board also directed that an item be added to the proposed legislation requiring insurance companies carrying physicians' liability insurance to report payments, settlements, and cancellations to the Board of Medical Examiners.

Verwoerdt, Adriaan, M.D.

The Board unanimously adopted a motion made by Dr. Alexander and seconded by Dr. Daniel that the Board of Medical Examiners deny a request for an amendment to the Order issued to Dr. Verwoerdt.

Registration Fee for Residents' Training Licenses

The Board adopted a motion made by Dr. Duckett and seconded by Dr. Daniel that the Board of Medical Examiners hold a Hearing to effect a regulation change amending the fee charged to register residents' training licenses from \$50.00 to \$25.00 and that, if and when adopted, the Board charge residents the \$25.00 registration fee in 1988. Dr. Koontz and Dr. Daniel voted in opposition to this motion.

INVESTIGATORS' REPORT

Glatz, Frank Robert, Jr., M.D.

The Board agreed to accept Dr. Fitz's recommendation that the Board of Medical Examiners change its previous action to prefer charges against this physician and merely continue to monitor his practice activities.

AGENDA ITEMS FOR DISCUSSION

Bee Sting Certifications, Hearing to Amend Regulations

The Board unanimously adopted a motion made by Dr. Citron and seconded by Dr. Fitz that the Board prepare a proposal to be presented at an Administrative Hearing providing for the Board of Medical Examiners' approval of a Bee Sting Certification training program rather than the Board's approving each individual who has completed the specified course of instruction. The Board instructed the staff to proceed with these Hearing arrangements.

Physicians Requesting Licensure for Programs of Less than One Year's Duration

The Board unanimously adopted a motion made by Dr. Fitz and seconded by Dr. Daniel that the Board not approve a trainee-fellowship concept license; and that the Board of Medical Examiners only approve the issuance of residents' training licenses to individuals working at entry levels in approved programs. Dr. Alexander stated that the Board should discuss this situation with the Deans at the May, 1986, meeting.

Chamberlin, Allen Chapin, M.D.

The President informed Dr. Chamberlin that, until the Board of Medical Examiners receives additional information on his licensure status in Connecticut, it cannot act on his application.

INFORMAL INTERVIEWS

Vereen, Ronald L., M.D.

The Board unanimously adopted a motion made by Dr. Koontz and seconded by Dr. Fitz that the Board of Medical Examiners issue Dr. Vereen a temporary license for a period of six months; that the Board base this license on the same conditions as previously stipulated; that the Board interview Dr. Vereen in August, 1986; and that Dr. Vereen request his physicians to furnish the Board of Medical Examiners with their evaluations of him based on information obtained in late June or July, 1986, in order that the Board may review up-to-date reports prior to Dr. Vereen's next interview.

AGENDA ITEMS CONTINUED

Lease

The Board unanimously adopted a motion made by Dr. Citron and seconded by Dr. Fitz that the Board of Medical Examiners attempt to reach a compromise with the Medical Society on the terms of the lease and that the Board compose a letter for all members' signature to be sent to key people in decision-making positions in the North Carolina Medical Society imploring them to be somewhat more reasonable in their demands.

Bond, Floyd Paxton, M.D.

The Board unanimously adopted a motion made by Dr. Citron and seconded by Dr. Fitz that the Board of Medical Examiners write Dr. Bond the following letter:

At its recent meeting, the Board of Medical Examiners of the State of North Carolina considered your letter of December 10, 1985.

As a result of its consideration, the Board advises you, if you have information concerning a physician who has a problem with substance abuse, you must communicate the specifics to the Board of Medical Examiners as it is illegal to withhold such information.

Furthermore, the Board is disturbed that you are critical of the Board of Medical Examiners' exercise of its authority according to legal mandates; and, if you wish to discuss this matter, please arrange for an interview.

Emergency Medical Services

Dr. Glass and Mr. Browning of the Office of Emergency Medical Services appeared to discuss several matters with the Board. They discussed three items with the Board of Medical Examiners.

1. Air Ambulance Regulations

The Board unanimously adopted a motion made by Dr. Koontz and seconded by Dr. Fitz that all individuals participating in an air ambulance program in this state be appropriately licensed and certified to perform medical acts in accordance with North Carolina General Statute 90-18.

2. Utilization of EMT-Intermediate and EMT-Paramedics in Hospital Emergency Departments

Dr. Koontz suggested that the Office of Emergency Medical Services notify the Board of Nursing that, if the hospitals are following approved protocols, there is no problem regarding utilization of Emergency Medical Services personnel, and that the Office of Emergency Medical Services also refer the Board of Nursing to the applicable rules and regulations.

3. Hearing on Proposed Changes to the Mobile Intensive Care Regulations

The Office of Emergency Medical Services informed the Board of Medical Examiners that it will be necessary to hold a Hearing on proposed changes to MICN Regulations, probably in March or May, 1986.

Dr. Daniel presented a report concerning Emergency Medical Services Applications and Bee Sting Certifications.

Emergency Medical Technicians-Intermediate Applications approved by the Board

64

Emergency Medical Technicians-Paramedic Applications approved by the Board

22

Mobile Intensive Care Nurse Applications approved by the Board routinely included

2

Bee Sting Certifications approved by the Board

130

Kim, Dong Hyuck, M.D.

The Board unanimously adopted a motion made by Dr. Godwin and seconded by Dr. Fitz that Dr. Kim is not eligible for licensure as he has not completed the Board's postgraduate training requirement.

Thomas, Edward T., M.D.

The Board unanimously adopted a motion made by Dr. Citron and seconded by Dr. Duckett that Dr. Thomas' postgraduate training meets the Board of Medical Examiners' requirements.

Zenter, Reid - Chiropractor

The Board unanimously adopted a motion made by Dr. Citron and seconded by Dr. Godwin that the Board of Medical Examiners refer this information to the Attorney General with a cover letter stating that the use of the word "Doctor" before Reid Zentner's name and the issuance of a report which appears to be an evaluation prepared by an M.D. is misleading to the public.

Harvest of Organs of Rex Hospital

The Board concurred that harvesting organs of persons who have died does not constitute the practice of medicine and further concurred that there is a provision in the current statutes which permits out-of-state physicians, who have not been licensed in North Carolina, to procure organs.

Joint Committee on Midwifery

Dr. Citron informed the Board that Dr. Brame will continue as one of the Obstetrician representatives on this Committee and that Dr. Mattox will serve for two more years. The Board unanimously adopted a motion made by Dr. Citron and seconded by Dr. Fitz that the Board of Medical Examiners send a letter to Dr. Mattox confirming his appointment for a term of two years to the Joint Committee on Midwifery and that the Board also send a letter to Dr. Brame confirming his appointment to the Joint Committee on Midwifery. Dr. Koontz mentioned that the Board should be considering a replacement for Dr. Mattox.

Plastic Surgery Center of North Carolina

The Board unanimously adopted a motion made by Dr. Duckett and seconded by Dr. Fitz that the Board of Medical Examiners suggest to Dr. Livingstone that, since this is a legal matter, he request an opinion from the Attorney General's office.

Youth Care, Inc., Data Request

The Board unanimously adopted a motion made by Dr. Fitz and seconded by Dr. Duckett that the Board not approve this request.

Capital Holding, Data Request

The Board unanimously adopted a motion made by Dr. Fitz and seconded by Dr. Duckett that the Board of Medical Examiners not approve this request.

Women's Center of Wilmington, P.A.

The Board unanimously adopted a motion made by Dr. Koontz and seconded by Dr. Fitz that the Board of Medical Examiners inform Drs. Taylor and Fleming that this proposed name does not comply with current statutory requirements of the state of North Carolina and inform them of how this proposed name could be altered so that it would comply with statutory requirements.

Watson, Robert A., M.D., Registration Fee Complaint

The Board unanimously adopted a motion made by Dr. Fitz and seconded by Dr. Daniel that the Board of Medical Examiners write Dr. Watson and advise him the Board held a public hearing, under the provisions of the Administrative Procedures Act, on proposed fee changes; that the North Carolina Medical Society knew and approved of the proposed regulation changes; and that, if he wishes further information, the Board will be happy to discuss the matter with him during a personal interview.

Bunnell, Paul, M.D., Complaint Regarding Fee for Registering Residents' Training Licenses

The Board unanimously adopted a motion made by Dr. Alexander and seconded by Dr. Daniel that the Executive Secretary compose a letter explaining the past history of this matter and send this letter to Dr. Bunnell and to physicians who write similar letters. Dr. Alexander offered to assist with the composition of this letter.

Federation Meeting, 1986

Dr. Koontz recommended that Dr. Duckett and Dr. Godwin attend this meeting. Dr. Duckett stated that he felt an obligation to attend the annual meeting of the North Carolina Medical Society which conflicts with the Federation Meeting. Dr. Godwin stated that he will plan to attend the Federation Committee. Dr. Alexander requested that every effort be made to eliminate the conflict between these two meetings in the future.

August, 1986, Board Meeting

The Board decided to hold this meeting at Stouffer's Winston Plaza, Winston-Salem, and requested the staff to determine when the Hyatt House renovation will be complete.

January, 1987, Meeting

The Board agreed to hold this meeting at the Raleigh Hilton, one week later than the 1986 meeting and requested rooms on the eighth floor.

Failure to Comply with the \$1,000,000 Malpractice Insurance Requirement

The Board indicated information submitted by hospitals on this subject may be filed.

AGENDA CONTINUED

Reinstatement of Licenses Suspended for Failure to Register approved by the Board at its January, 1986, Meeting

- | | |
|---|---|
| 1. David Tingle, M.D.
J. Hillis Miller Health Ctr.
University of Florida
Gainesville, FL 32610 | Suspended 5/18/70
Re-instated 12/5/86 |
| 2. Otto H. Salsbery, M. D.
Sycamore Square
8040 Reading Road
Cincinnati, OH 45237 | Suspended 5/59
Re-instated 12/10/85 |
| 3. Joseph Henry Goodman, M. D.
1681 Powell Road
Powell, OH 43065 | Suspended 5/20/74
Re-instated 12/12/85 |
| 4. James E. Oglesby, M.D .
PO Box 2146
Kissimmee, FL 32742 | Suspended 6/12/84
Re-instated 12/20/85 |
| 5. A. Stark Wolkoff, M. D.
Olinda Arabians
PO Box 656
Makawao, Hawaii 96768 | Suspended 6/10/80
Re-instated 6/13/86 |

Shredding Machine

By common consent, the Board authorized the purchase of a shredding machine.

LICENSE BY ENDORSEMENT INTERVIEWS

Physician Assistant Subcommittee Report

Mrs. Walston presented this report to the Board.

PA APPLICATIONS APPROVED BY THE BOARD:

- | | |
|----------------------|------------------------|
| 1. BOYES, Daniel E. | Franklin A. Paul, M.D. |
| 2. BROWN, Brenda Sue | John Farrington, M.D. |
| 3. BURKILL, Michael | Lawrence R. Wu, M.D. |

- | | |
|----------------------------|----------------------------|
| 4. CHAUVIN, Robert S., Jr. | Martha J. Bennett, M.D. |
| 5. FENN, Peter Allen | Paul H. Wright, M.D. |
| 6. JENNY, Claire M. | Charles Scarantino, M.D. |
| 7. LOONEY, Glenn Roland | George F. Owen, Jr., M.D. |
| 8. MCKINNEY, Brenda W. | Robert M. Caldwell, M.D. |
| 10. MYERS, Michael Wayne | Daniel Garfinkel, M.D. |
| 11. PARTIN, Mary Ann | R. Edward Huffman, M.D. |
| 12. POWELL, Virginia C. | Stephen A. Mills, M.D. |
| 13. STONE, Mary Alice | Paul G. Colavita, M.D. |
| 14. TAPSON, Susan Oaks | Daivd T. Durack, M.D. |
| 15. THRIFT, Katherine E. | Bruce R. Brodie, M.D. |
| 16. WEATHERS, Paul Michael | Kenneth J. Rich, M.D. |
| 17. WOLEN, Delphine A. | James Nicholson, III, M.D. |

PA APPLICATION APPROVED IF AND WHEN FURTHER CLARIFICATION RECEIVED:

- | | |
|--------------------------|------------------------|
| 1. MIDDLETON, Clifton M. | Eugene M. Holden, M.D. |
|--------------------------|------------------------|

ADMINISTRATIVE APPROVALS OF PHYSICIAN ASSISTANTS APPROVED BY THE BOARD:

A. Changes in primary supervising physicians:

<u>Physician Assistant</u>	<u>New Primary Physician</u>	<u>Approved</u>
1. WETMORE, Donald K., PA	Charles W. Henrichs, III, MD	11/25/85
2. POLANSKI, Stanley J., PA	Ben Haskew Battle, Jr., MD	11/27/85
3. WILLIS, Linda Lee, PA	Howard Ozer, Jr., M.D.	12/11/85
4. RICHARDSON, Lorenzo, PA	Syed Omer, M.D.	12/16/85
5. SMITH, Carol P., PA	William Peters, M.D.	12/27/85

B. Additional practice sites:

<u>Physician Assistant</u>	<u>Primary Physician</u>	<u>Approved</u>
1. HILL, Kimberly D., PA	Cecil M. Farrington, M.D.	12/5/85
2. HENDERSON, David, PA	Charles Adkins, M.D.	12/5/85
3. DONAU, Charles, PA	Otto Rogers, M.D.	12/5/85
4. BEGLEY, Stephen, PA	Jerry Pittman, M.D.	12/5/85
5. CHASTEK, Kenneth, PA	Mark Steinmen, M.D.	12/11/85
6. DONALD, Karen D., PA	Edgar A. Boone, M.D.	12/13/85

Nurse Practitioner Joint Subcommittee Report

Dr. Citron presented this report to the Board.

NURSE PRACTITIONER APPLICATIONS APPROVED BY THE BOARD:

- | | |
|------------------------------|--------------------------|
| 1. FINNEY, Donna K., FNP | Alfred L. Ferguson, M.D. |
| 2. GREENE, Amanda L., FNP | Sidney A. Martin, M.D. |
| 3. HOLT-WILEY, Wanda A., FNP | Paul A. Fleming, M.D. |
| 4. INGLE, Joan Pepller, FNP | William C. Brannan, M.D. |
| 5. KINNEY, Marlene S., FNP | Anne N. McLaurin, M.D. |
| 6. MEGHDADPOUR, Susanne, FNP | Alexander Spock, M.D. |
| 7. PARKER, Marjorie P., OGNP | John A. Henderson, M.D. |

NURSE PRACTITIONER TRAINING PROGRAM APPROVED BY THE BOARD:

1. Family Nurse Practitioner Program, Frontier School of Midwifery and Family Nursing, Hyden, Kentucky - reviewed and approval recommended by: Joint Practice Committee, Board of Nursing Subcommittee Member (Martin) and Board of Medical Examiners Subcommittee Member (Godwin).

ADMINISTRATIVE APPROVALS APPROVED BY THE BOARD:

- A. Changes in primary supervising physicians: none submitted.
- B. Additional practice sites approved:

<u>NP/MD</u>	<u>New Site</u>	<u>Approved</u>
1. GUTHRIE, Linda Franks, FNP E. Drew Bridges, M.D.	Psychiatric Inpatient Unit Franklin Memorial Hospital Louisburg, NC	12/13/85
2. SHARKEY, Annette, OGNP David E. Love, M.D.	2 satellite offices and 2 hospitals in Fletcher and Hendersonville, NC	12/20/85
3. MAHONEY, Barbara Jo, FNP Robert J. Kastner, M.D.	Dare County Health Dept. Manteo, NC	12/27/85

HEARINGS CONTINUED

Paine, Karen, M.D.

The Board accepted as information a report that Dr. Paine surrendered her license to practice medicine in North Carolina at 12:00 noon, January 17, 1986.

May, 1986, Meeting

Drs. Koontz, Duckett, Fitz, Alexander, and Daniel indicated that they would attend this meeting. The Executive Secretary stated that Don Pittman and Sibyl Lamoreaux would also be present as staff members.

License by Endorsement and Examination Applicants Approved by the Board for Licensure on January 18, 1986

STEPHEN LINWOOD ALDRICH
RANDAL WARREN ANDERSON
RACHEL MARIE BALLARD-BARBASH
BRUCE CRAMER BANNING, JR.
ANDREW JEFFREY BARBASH
EDWIN LILLINGTON BELL
KATHIE WAREHAM BENNETT
WILLIAM LAFAYETTE BETSILL, JR.
WILLIAM ROBERT BIDDLESTONE
DAVID ALLEN BUFFONE

EDWARD JAMES BUJOLD
CHRISTOPHER MICHAEL CLARK
JOSEPH PAUL COYLE
FREDRIC DE PICCIOTTO
PETER DANIEL DONOFRIO
DAVID LEE FARLEY
THOMAS KEITH FEHRING
MICHAEL JOHN FORD
MICHAEL EDWARD FOSTER
KENNETH SCOTT GARM
JANET BEER GARRETT
STEVEN MARK GENKINS
MARY BURCH GOODWIN
FRED MARSHALL GREGG, III
FLOYD BRUCE HALE
REGINALD LAWRENCE HALL
DEBRA MARGUERITE BASS HARR
ELIZABETH HARMAN HILL
TOMOAKI HINOHARA
MARK RICHARD HOFELDT
JACK HOFFMAN
NORRIS RAJKUMAR JAGNANDAN
JULIE SPELLMAN KAVANAGH
PATRICIA KEEGAN
DONALD STOKES KILPATRICK
CAROLE JANE LEVY
E. STEPHANIE GILLETTE LITRELL
GREGORY LOCKLEAR
ANNETTE MARIE HERZEL LUTHER
DAVID ALLEN MCCANN
JAMES WILLIAM MCDANIEL
JOSE FERRERAS MIER, JR.
WILLIAM LAWRENCE MIZE
DANIEL FRANCIS MURPHY
THOMAS FINLEY NEWCOMB
DONALD L. A. OSCHWALD, JR.
PATRICIA LEE PEARCE
JOSEPH JORDAN POLLOCK
NICHOLAS GEORGE POULOS
PAUL THOMAS RAFORD
PAM WESTMORELAND SHOLAR
DAVID PHILLIPS SIEBENS
MARK ALAN SMITH
ROLLIN FRED SNIDE
HOWARD FRANK SNYDER
JAMES KIRVEN SPEED
MICHAEL HUGHES STOKER
JULIE EMIKO TAKASUGI
JOHN MERCER THORP, JR.
MING JYI TSAO
CRAIG ANDREW VAN DER VEER
HARLAN LAWRENCE VINGAN
LIONELLE DUDLEY WELLS
JOHN THOMAS WOOSLEY

RAEFORD EUGENE BROWN, JR.
STEPHEN EDWARD GODAR
RICHARD LANDRUM JACKSON
RITA TORRES LAYSON
RICHARD CLAIBORNE NOBLE

Sandhills Family Practice, P.A.

The Board unanimously adopted a motion made by Dr. Citron and seconded by Dr. Fitz that the Board of Medical approve this corporation name change.

Adjournment

As the Board had no further business to consider, the President declared the meeting adjourned at 2:05 p.m., Saturday, January 18, 1986.

Charles H. Duckett, M.D.

CHARLES HOWARD DUCKETT, SECRETARY-TREASURER
BOARD OF MEDICAL EXAMINERS OF THE STATE OF NORTH CAROLINA

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