

MINUTES
BOARD OF MEDICAL EXAMINERS
OF THE
STATE OF NORTH CAROLINA

May 5 - 7, 1983
Pinehurst Hotel
Pinehurst, North Carolina

The Board of Medical Examiners of the State of North Carolina met at the Pinehurst Hotel, Pinehurst, North Carolina, May 5 - 7, 1983, for the purpose of interviewing applicants for license by endorsement of credentials and conducting other business.

Board members present were: Louis Todd Kermon, M.D., President; Frank Noble Sullivan, M.D., Secretary; Charles Howard Duckett, M.D.; Thomas Edmunds Fitz, M.D.; Jack A. Koontz, M.D.; A. T. Pagter, Jr., M.D.; Rose Pully, M.D.; and Mrs. Martha K. Walston. Staff members present were: Bryant D. Paris, Jr., Executive Secretary; Mrs. Betty Joe Barick, Assistant Executive Secretary; Lee A. Denney and Don Pittman, Investigators; and Sibyl Lamoreaux, Secretary.

Thursday, May 5, 3:00 p.m.

Biennial Registration Reinstatement of Licenses Suspended for Failure to Register Approved by the Board

The Board adopted a motion approving the reinstatement of the following physicians' licenses which had been previously suspended because of failure to register as required by North Carolina General Statutes:

David Legarde McCullough
Alan Miles Thomley
Jack Ronald Hunt
Vann Allen Brewster

James Hardman Hall
Ralph Emerson Duncan, III
Charles Van Duyne
David E. Brody

John M. Eckerd
Ignacio Bird
Stephen C. Pugh

Emergency Medical Services Report

Dr. Sullivan reported to the Board on his review and recommendations concerning Bee Sting Certification Applications, Emergency Medical Services Applications, and presented a progress report on an Emergency Medical Services Study Project.

Bee Sting Certification Applications Approved by the Board

The Board adopted a motion that 168 Bee Sting Certifications be approved.

Bee Sting Certification Applications Approved by the Board if and when Certain Credentials are Submitted or Certain Conditions are Met

Ricky Kilpatrick and Robert Vaughn Barton

EMT-I Applications Approved by the Board

Mecklenburg: 2; Stanly: 2; Surry: 22; Onslow: 7; Harnett: 12; Alexander: 12; Iredell: 1; Catawba: 9; Rockingham: 3

EMT-P Applications Approved by the Board

Buncombe: 5; Alamance: 15

MICN Applications Approved by the Board

Henderson: 1; Alexander: 1; Wake: 1; Rutherford: 1



Report on the EMT-Cardiac Technician Study Project in Mecklenburg and Stanly Counties

Dr. Sullivan reported on the project to determine the efficacy of training cardiac technicians currently being studied by Mecklenburg and Stanly counties. He stated that the first phase of the project is currently being implemented and indicated that EMT cardiac technicians have begun work in the field in Mecklenburg county. The Board adopted a motion that this report be accepted as information.

Physician Assistant Subcommittee Report

Dr. Fitz, Chairman of the Physician Assistant Subcommittee, reported to the Board on this Subcommittee's recommendations, all of which the Board voted to approve.

Physician Assistant Applications Approved by the Board

S. David Ciliberto, M.D., Sanford, NC - Elliott David Osowitt, PA
 William W. Fore, M.D., Greenville, NC - Rebecca Faust Rakestraw, PA
 Gerson Asrael, M.D., Charlotte, NC - Donald Stevick Allen, PA
 William H. Boyce, M.D., Winston-Salem, NC - Kamron York Benfield, PA
 J. Paul Martin, M.D., Asheville, NC - Geraldine Westbrook Gorst, PA
 Barbara Cler, M.D., Newton Grove, NC - Lynda Jean Horner, PA
 Barbara Cler, M.D., Newton Grove, NC - John T. Moore, PA
 David L. Jarrett, M.D., Asheville, NC - Arthur Dennis McCutcheon, II, PA
 William W. Morgan, Jr., M.D., Asheville, NC - Arthur Dennis McCutcheon, II, PA
 Dennis W. Christensen, M.D., Asheville, NC - Wallace Edwin Sturgis, III, PA

Physician Assistant Requests for Extension of Duties Approved by the Board

Richard N. Fallon, M.D., Kinston, NC - Carol Annette Willis, PA

Physician Assistant Applications Approved by the Board if and when Certain Conditions are Met

John J. Kelly, M.D., Swannanoa, NC - Anita McKinney Price
 Thomas Berner, M.D., Asheville, NC - Thomas Howard Robinson
 Ada Markita Fisher, M.D., Butner, NC - Patricia Susan Heller
 Francis Robicsek, M.D., Charlotte, NC - Robert Lee Lawhorn
 Harry G. Burton, III, M.D., Asheville, NC - William M. Malone

Physician Assistant Request for Extension of Duties Approved by the Board if and when Certain Credentials are Submitted or Certain Conditions are Met

James Benford Hardin, M.D., Lumberton, NC - Earl Cummings, PA

Physician Assistant Requests for Changes in Primary Supervising Physicians Approved by the Board

Robert G. Fletcher, M.D.	Wayne W. Von Seggen, PA
Herman Mac Schiebel, M.D.	Albert W. Hedgepeth, Jr., PA
Edwin S. Mize, Jr., M.D.	Frank John Oktavec, PA



Interviews for License by Endorsement of Credentials

The following physicians applied for license by endorsement of credentials, appeared for personal interviews before the Board, a Subcommittee, a Board member, or the Executive Secretary, and obtained licensure on May 7, 1983.

Richard Lowell Bartsh	David Dean Hood	Lawrence Henry Quist
Robert Nathan Belkin	Dorcas Mae Hough	Kapil Rawal
Russell Alan Blinder	Barney Reece Jackson	John Lauren Remington
James John Bombenger	Steven Lewis Kaufman	David Lawrence Rhodes
Bradley Edward Britigan	Milton Oliver Kepler	Steven Dennis Richards
Eldon James Brown	Joseph William Kittinger, III	Thomas Luther Roberts, III
Theodore Haynes Capron	Eric Marxhall Kraus	Ronald Eric Robinson
Sara Chaffee	Joanne Lang	Alberto J. Rodriguez
Andrew Jon Chernack	Robert Anthony Leo	Amor Lazaro Rumbaua
William Graydon Cloud	Susan Rae Levy	Wayne Mitchell Samuelson
Michael Gene Cloutier	Manuel Eugenio Lores-Suarez	Kathryn Lea Sewell
Richard Harris Cohan	Susan Chace Lottich	James Albert Shaw
Daniel John Constien	Miguel Lugo	Ronald Jay Siegle
Andrew Calvin Davis	Donald Reuben Lurye	Kent William Sorensen
Wilfred Peter Derksen	John Cornelius Lyons	John Charles Sowers
Daniel Joseph Duvall	Stephen Kennedy Mange	Robert Kevin Stack
Norman Zelig Einstein	David Robert Mauerhan	Paul Sternberg, Jr.
John Edward Flannery	William Stratford May, Jr.	Douglas Wayne Stewart
Michael Albert Friedberg	Richard Lucas McCann	Kevin Brian St. John
William Jennings Fulkerson, Jr.	John Sanford McComb	Robert Van Cleve Sypher, Jr.
Thomas Joseph Gavigan	Joseph Francis McConville	Robert David Tarver
David Nelson George	Dennis Edward McCunniff	Stanley Neal Tennant
Gregory David Gibbons	Charles Tyner McElmurray	Richard Kendrick Torrey
Rebecca Galford Gibbons	Michael Fiegel Miltich	Alicia Catherine Trotter
Leslie Alan Goodman	Charles Bruce Murdock	John Thomas Ward
Margaret Dealy Griffel	Kevin Porter Newman	Dana Mark Weber
Bogolu Siva Sessa Haranath	Chang Yoon Oak	Gary Lee Wilson
Gregory Steven Hardie	Deepak Pasi	Margaret Mary Wilson
Edgar Owen Hartle	Glenn Bradford Perry	Marguerite Trover Wilson
Joseph Walter Helak	Hugh Duane Peterson	Dolorosa Balbuena Yap
Rex Arthur Henderson	Mark Rainer Pierce	Peter Minos C. Yeracaris
Barbara Hall Hodge	Ricky Steven Pionkowski	James Rogers Young
Glenn Clyde Holladay	Joanne Terese Piscitelli	Joseph Alexander Zenel, Jr.
Todd Read Holman	James Edwin Pugh, Jr.	

Temporary Licenses

Bernard LeRoy Langston, III Joseph Lewis Morton Robert S. Zimmerman

Physicians Approved by the Board for Licensure if and when Certain Credentials are Submitted or Certain Conditions are Met

Avinash Narayan Bapat Vinita Pasi

Letters of Intent

The following physicians applied for license by endorsement of credentials and, pending notification of North Carolina practice sites, may be issued licenses to practice medicine in the state of North Carolina.

Victor Enrique Alvarez	Margaret Lucille Parrish
Sohan Lal Bhatia	Frank Joseph Petrola
Baduvanda Uthappa Changappa	Alton H. Ridgway
Martin Chipman	Stephen Lewis Rudnai
	Mallaiah Shiva



Applicants for License by Examination

The Board licensed the following physicians who submitted the required credentials and successfully passed the North Carolina Examination for Licensure (FLEX).

Carol Elizabeth James
James Perry Mayo, Jr.
Harvey Craig Price
Clay William Richardson
Thomas Charles Shea
Anne English Walker

Administrative Procedures Hearing

Jack A. Koontz, M.D., reported to the Board on an Administrative Procedures Hearing for which he acted as Hearing Officer for the Board of Medical Examiners. The Hearing was held in the Resort Club Room of the Pinehurst Hotel, Pinehurst, North Carolina, at 3:00 p.m., May 4, 1983. The North Carolina Board of Medical Examiners held this hearing for the purpose of amending Regulation 21 NCAC 32F .0003; Fee, to read: "Each physician shall pay a registration fee fixed by the Board not in excess of twenty-five dollars (\$25.00) to the Board; and amending Regulation 21 NCAC 32D .003; REQUIREMENTS FOR APPROVAL; by repealing paragraph (3), which reads as follows: "give evidence of being currently certified by the National Commission on Certification of Physicians' Assistants, if graduated from a recognized training program after December 31, 1980; NCCPA certification shall be maintained and documented at the time of annual registration. Applicants who have graduated prior to December 31, 1980, shall be exempt from NCCPA certification. The Board adopted a motion that the proposed amendment to Regulation 21 NCAC 32F .0003; Fee, be approved. The Board also adopted a motion that Paragraph (3) of Regulation 21 NCAC 32D .0003 be repealed. The Board adopted a further motion that the NCAPA be notified of the action of the North Carolina Board of Examiners to repeal Paragraph (3) of Regulation 21 NCAC 32D .0003 and that the Academy also be notified that the Board encourages the Academy to require NCCPA certification as a prerequisite to Academy membership.

Legal Questions from Craig A. Reutlinger, Director of Legal Affairs, Charlotte Memorial Hospital

The Board reviewed a letter from Mr. Reutlinger requesting the Board's interpretation of when a physician should be licensed to practice medicine in North Carolina prior to performing certain acts. The Board adopted a motion that a proposed letter signed by the Board's Attorney be mailed to Mr. Reutlinger with the addition of a sentence in capital letters: IF ANY OF THE PHYSICIANS PERFORMING SERVICES FOR CHARLOTTE MEMORIAL HOSPITAL ENGAGE IN THE PRACTICE OF MEDICINE, HE OR SHE SHOULD BE LICENSED TO PRACTICE MEDICINE IN THE STATE OF NORTH CAROLINA. Mr. Weddington requested that he review this letter prior to its being sent to Mr. Reutlinger. These Minutes include a copy of the letter to Mr. Reutlinger.

Universidad Cifas and Universidad Tecnologica de Santiago

The Board reviewed requests from these Caribbean Medical Schools for information concerning the Board's requirements for approval of medical education. The Board adopted a motion that both of these schools be written letters informing them that the Board has requested the Federation to act as its agent in gathering information on medical schools prior to the Board's making a decision on the medical education provided by these schools and further recommending that these medical schools respond to the Federation's questionnaires and permit on-site visits by the Federation for evaluation purposes. The Board also adopted a motion that the Federation be informed of these requests from Universidad Cifas and Universidad Tecnologica de Santiago and requested to act as the Board's agent in evaluation the medical education provided by these two schools.



Thomas John Byrne, M.D., Washington, North Carolina

The Board reviewed a report from Dr. Pully concerning Dr. Byrne. The Board adopted a motion that this report be accepted as information and that the Board's previous action to prefer charges against Dr. Byrne be reaffirmed.

Marta Tochackova, M.D., Tarboro, North Carolina

The Board reviewed information that Dr. Tochackova requested a photograph certified as a true likeness of her by Dr. Sonek, who supposedly knew her when they were both in Czechoslovakia, be accepted by the Board as meeting its certified photograph requirement for taking FLEX. The Board adopted a motion that Dr. Tochackova be informed the photograph she submitted does not meet the requirement of the Board for including a properly certified photograph as an application credential to take the North Carolina Examination for Licensure (FLEX).

Abdol Hossein Navab, M.D., Durham, North Carolina

The Board reviewed information concerning a photograph submitted by Dr. Navab in lieu of a photograph certified as his true likeness by the Dean of his Medical School in Iran. The Board adopted a motion that the Board accept the photograph submitted by Dr. Navab as meeting the North Carolina Board of Medical Examiner's requirement to take the North Carolina Examination for Licensure (FLEX), because of the unavailability of certified photographs from medical schools in Iran.

Proposed Corporation Name Change: Margaret L. Bertrand, M.D., P.A., to Greensboro Diagnostic Imaging and Breast Center, Inc.

The Board adopted a motion that this proposed name change be approved.

Fee Schedule for Verification of Licensure and/or Grades to other States

The Executive Secretary reported to the Board on the implementation of the following Fee Schedule as of March 26, 1983:

Endorsement	\$10.00
Letter of Good Standing	
Including Grades	10.00
Letter of Good Standing	8.00
Verification to Another Board	8.00
Photocopying and Mailing	
Per Page	1.00
Photocopying Per Page	.25

The Board requested the Executive Secretary to make a further study of fees which are appropriate for written or telephone verification of licensure and report his findings to the Board.

Letter from Bruce B. Blackmon, M.D., Buies Creek, North Carolina

The Board reviewed a letter of appreciation from Dr. Blackmon for an invitation to dinner extended by the Board during its March, 1983, meeting. The Board adopted a motion that this letter be accepted as information.



Archibald Carter Magee, M.D., Goldsboro, North Carolina

The Board reviewed a request from Dr. Magee that the Board permit him to accept a job at Cherry Hospital. The Board adopted a motion that Dr. Magee be informed the Board did not approve this request. Dr. Duckett voted in opposition to this motion.

Homeopathy Questions Posed by Seymour Reichlin, M.D.

The Board reviewed a letter dated April 13, 1983, from Dr. Reichlin inquiring if homeopathic medicine is recognized as a healing art in the state of North Carolina and requesting information on the licensure status of George A. Guess, M.D., and Bill Grey, M.D. The Board adopted a motion that the Board of Medical Examiners respond to Dr. Reichlin's letter by stating the Board does not recognize homeopathy as a healing art. The Board adopted a further motion that Dr. Reichlin be advised George Albert Guess, M.D., holds a valid North Carolina medical license. The Board also adopted a motion that this letter to Dr. Reichlin state the Board has no information concerning Bill Grey, that an investigator make inquiries concerning this individual, and that, if Bill Grey is identifying himself as an M.D. illegally, this information be furnished to the office of the Attorney General for the State of North Carolina.

Data Request from Lifetime Plaques

The Board reviewed a data request from Lifetime Plaques. The Board adopted a motion that this request not be approved.

Herbert Fraser Johnson, M.D., Bryson City, North Carolina

The Board adopted a motion that the proper procedures be instituted to prefer charges against Dr. Johnson, that he be so notified in writing, and that he be further notified he will be given a hearing on the charges preferred against him.

Charles Wilburn Rogers, M.D., Waynesville, North Carolina

The Board adopted a motion that the proper procedures be instituted to prefer charges against Dr. Rogers, that he be so notified in writing, and that he be further notified he will be given a hearing on the charges preferred against him.

Franklin Palmer Dalton, M.D., Durham, North Carolina

The Board adopted a motion that the proper procedures be instituted to prefer charges against Dr. Dalton, that he be so notified in writing, and that he be further notified he will be given a hearing on the charges preferred against him.

William L. Wood, Yadkinville, North Carolina

The Board adopted a motion that the proper procedures be instituted to prefer charges against Dr. Wood, that he be so notified in writing, and that he be further notified he will be given a hearing on the charges preferred against him.

Clarence Edens, M.D., Rosman, North Carolina

Mr. Denney reported that on March 30, 1983, Dr. Edens surrendered his license to practice medicine in the state of North Carolina. The Board adopted a motion that this report be accepted as information.



W. A. Y. Sargent, M.D., Burnsville, North Carolina

Mr. Denney reported that Dr. Sargent surrendered his license to practice medicine in the state of North Carolina on March 31, 1983. The Board adopted a motion that this report be accepted as information.

Report from Federation Meeting

Dr. Pagter reported on the Federation Meeting held in Denver in April, 1983. He stated that, beginning in July, 1984, ECFMG will administer a two day examination equivalent to VQE. Dr. Pagter stated that this new examination will be more difficult and will be more accurate in assessing the knowledge of graduates from foreign medical schools. Dr. Pagter also reported that FLEX I and FLEX II will be a three day examination. FLEX I may be administered to applicants upon completion of one year of postgraduate medical training prior to licensure. Dr. Pagter told the Board that Dr. Galusha has been elected to the National Board of Medical Examiners and indicated that Dr. Citron failed to be elected to office. Dr. Pagter indicated that representation to the Federation will continue to be on the basis of one state, one vote rather than on the basis of population. The next meeting of the Federation will be held in San Antonio, Texas, and Dr. Pagter strongly urged all Board members to attend this meeting to be held the last week of April, 1984. Dr. Pagter reported that the attitude of the general public towards doctors is negative; however, he further stated that he believes the Board of Medical Examiners of the state of North Carolina is not hiding incompetent doctors. Mr. Paris reported that the Federation passed a resolution to reactivate the Committee to Evaluate Caribbean Medical Schools and that Dr. Pagter's name was mentioned to Dr. Odom as a physician who would be an asset to this Committee. Dr. Kermon thanked Dr. Pagter and Mr. Paris for representing the North Carolina Board of Medical Examiners at the Federation Meeting and encouraged all members of the Board to attend the Federation Meeting in 1984.

Meeting with Deans of North Carolina Medical Schools

The Board met with Dr. Janeway, Bowman-Gray; Dr. Bondurant, University of North Carolina; Dr. Christakos, Duke University; and Dr. O'Brien, East Carolina University. Dr. Kermon discussed mutual concerns with these representatives of the North Carolina Medical Schools and thanked them for participating in this discussion with the North Carolina Board of Medical Examiners.

Meeting with Gordon H. DeFriese, Ph.D., Health Services Research Center

Mr. DeFriese presented several proposals to the Board.

1. He requested that both sides of the Board's Biennial Registration Form be mandatory.
2. He requested the Board to furnish the Department of Human Resources State Center for Health Statistics with registration data for state planning purposes consisting of numbers and characteristics, not names.
3. He requested the Board to process the data on the back of the registration form with financial arrangements for this service to be negotiated and proposed that additional data collected by Health Services Research Center be shared with the Board.

Dr. Kermon informed Mr. DeFriese that the Board would consider his requests and advise him of its decision. The Board adopted a motion that the Biennial Registration form used during the last registration be utilized during the 1984 registration, and that the method of processing this form remain the same as the method utilized during the 1982 registration. The Board also adopted a motion that Mr. DeFriese's requests not be approved and that the Executive Secretary inform him of this action.



Temporary Licensure for Physicians Planning to Provide Temporary
Medical Care in North Carolina

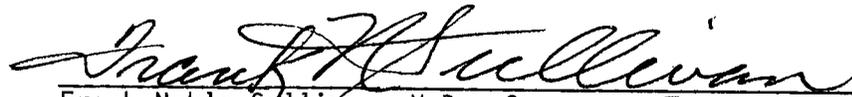
The Board adopted a motion that, in the future, all physicians applying for licensure on the basis of endorsement of credentials who plan to provide medical services in North Carolina on a locum tenens basis be approved for temporary licensure for a period to be determined by the Board for each applicant and that these applicants for licensure notify the Board each time they perform locum tenens services in this state.

Amendment to "You are Now Licensed" Letters

Dr. Koontz pointed out that these letters should be amended to reflect the new Biennial Registration fee approved by the Board as a result of the Administrative Procedures Hearing held on May 4, 1983.

Adjournment

As there was no further business to be considered by the North Carolina Board of Medical Examiners at this meeting, the meeting adjourned at 1:10 p.m., May 7, 1983.



Frank Noble Sullivan, M.D., Secretary-Treasurer
BOARD OF MEDICAL EXAMINERS OF THE STATE OF NORTH CAROLINA

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May 27, 1983

Mr. Craig Reutlinger
Director of Legal Affairs
Charlotte Memorial Hospital
Post Office Box 32861
Charlotte, North Carolina 28232

Dear Mr. Reutlinger:

Re: Licensing Requirements for Out-of-State
Physicians

As counsel for the Board of Medical Examiners of the State of North Carolina, we have been asked to respond to your recent inquiry concerning whether a North Carolina medical license was required for out-of-state physicians under certain factual situations. As you know, N.C.G.S. § 90-18 provides that no person shall practice medicine or surgery in North Carolina without a license. Thus, as a caveat to everything that follows herein, we would say that to the extent that any of the situations which you described in your inquiry to the Board should, in your evaluation, rise to the level of practicing medicine or surgery, the physician involved should be licensed to practice medicine in North Carolina. With that caveat in mind, we view the factual situations you have described as follows:

1. The West Virginia surgeon who comes to Charlotte Memorial Hospital for a week to scrub in, assist and consult on surgical cases would not need a North Carolina medical license.
2. The Maryland radiologist who would like to spend a week in a Charlotte group practice performing procedures without direct supervision of a North Carolina-licensed radiologist would need a North Carolina license. However, if he is to provide consultation services only, he would not need a North Carolina license.

3. The South Carolina physician who sends his patients to Charlotte Memorial Hospital for laboratory and radiological tests, the patients bringing with them the South Carolina physician's orders, would not appear to need a North Carolina medical license; however, to the extent prescribing certain tests constitutes diagnosis or prescribing for an individual, a North Carolina license may be required.

4. The Tennessee surgeon who comes to Charlotte to instruct and assist in the use of the surgical laser would probably not need a North Carolina medical license. However, it might be necessary for him to have a North Carolina license if he were actually performing the surgery.

5. The Florida medical consultant who is invited to Charlotte Memorial to consult with hospital physicians and recommend treatment for pediatric patients would not need a North Carolina medical license.

We would emphasize, again, that in any situation where there is a considerable degree of doubt as to whether or not a license is required, the hospital and/or the physician concerned may want to consult in more detail with their counsel.

Very truly yours,

Michael E. Weddington

MEW:sc/13

cc: Mr. Bryant D. Paris, Jr.