

MEETING OF THE BOARD OF MEDICAL EXAMINERS
OF NORTH CAROLINA

Carolina Hotel, Pinehurst, North Carolina
May 9th, 1949

The Board of Medical Examiners of the State of North Carolina met at the Carolina Hotel, Pinehurst, North Carolina, May 9th, 1949, for consideration of licensure by endorsement of credentials and other business.

The board convened at 10 o'clock A. M. and the meeting was called to order by Dr. Thomas Leslie Lee, President. Drs. Charles W. Armstrong, M. D. Bonner, R. B. McKnight, Paul G. Parker, M. A. Pittman, Ivan Procter, Secretary-Treasurer, and Mrs. Louise J. McNeill, Assistant Secretary-Treasurer, were present.

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

Applicants for licensure by endorsement of credentials were interviewed and 32 physicians were granted medical license as follows:

<u>NAME</u>	<u>MEDICAL SCHOOL</u>	<u>ADDRESS</u>
Parker Reynolds Beamer	Washington Univ.	St. Louis, Mo.
Edwin Wells Brown	Duke University	Asheville, N. C.
Arthur Bond Cecil, Jr.	Johns Hopkins Univ.	Durham, N. C.
Patrick Francis Clark	Georgetown Univ.	Oteen, N. C.
Willard Hudson Clark	College Med. Evan.	Pittsboro, N. C.
John Pope Collins	Duke University	Durham, N.C.
Earl Rankin Denny	Indiana University	Tulsa, Okla
John Munroe Douglas	Duke University	Davidson, N. C.
Samuel Nathan Dulin, Jr.	George Washington U.	Elizabeth City, NC
William Morgan Fox	Medical Coll. S. C.	Fayetteville, N.C.
James Bruce Galloway, Jr.	Queen's Univ., Canada	Asheville, N. C.
Jewett Goldsmith	Univ. Maryland	Durham, N. C.
Matthew Hill Grimett	Duke University	Durham, N. C.
Walter Carrington Hilderman, Jr.	Jefferson Med. Coll.	Southern Pines, N.C.
William Francois Hillier, Jr.	Yale University	New Haven, Conn.
Gordon Irving Hislop	Univ. Tennessee	Elizabethton, Tenn.
George W. James	Univ. Tennessee	Winston-Salem, N.C.
Bruce King Johnson	Univ. Tennessee	Flat Creek, Ala.
Reed Poindexter Johnson	Howard University	New Bern, N. C.
Richard Franklin Kelley	Univ. Cincinnati	Fontana Dam, N.C.
John Marcus Kester, Jr.	Medical Coll. Virginia	Charlotte, N. C.
Alfred Magee	Long Island Coll. Med.	Lenoir, N. C.
Turner McDonald McCottry	Meharry Med. Coll.	Charleston, S. C.
William Franklin McLean	University Texas	Dallas, Tex.
Frederick Ten Eycke Munson	Univ. Michigan	Detroit, Mich.
George Dantzler Page	Emory University	Chamblee, Ga.
William Henry Pate	Medical Coll. Virginia	Richmond, Va.
William Houston Phifer	University Arkansas	Monroe, N. C.
John Karol Rozum	Univ. Maryland	Cumberland, Md.
Nathan Schwartz	N. Y. Univ. Coll. Med.	Goldsboro, N. C.
Thomas Bayton Suiter, Jr.	Duke University	Rocky Mt, N. C.
Howard Monroe Walker (Limited)	University Texas	Spartanburg, S.C.

Dr. Donald Laing Peterson, graduate of the University of Minnesota in 1933 appeared before the board requesting medical license by endorsement of credentials. The following is letter under date of April 2nd, 1949, from Dr. Peterson attached to his application:



"On Saturday, March 19, 1949, I attempted to see you in Raleigh but was unfortunate enough to miss you as I did not have an appointment and you were in Durham, N. C., on that morning. I wished to talk with you regarding questions 4 and 5 on the first page of the application to which it is attached. I am sorry to state that I was charged with violation of the Harrison Act in Nov, 1943 at Mpls, Minn. and appeared before Judge Guman Nenbye, Mpls, Minn., the latter part of March, 1944, when I was given a suspended sentence and placed on a probationary status for 3 years with the provision I report to U. S. P. H. Service Hospital at Lexington, Ky. for observation and under the status of a voluntary patient. I remained there about 4 months when I was released (on leave) to practice in Hazard, Ky. where Dr. C. Dana Snyder was the owner in charge of Hurst Snyder Hospital. Went there Aug. 14th, 1944 and have been practicing under a limited or temporary license.

"In October 1945 married a lady, Pearl Watts Tants, widow, with 3 children, who is my junior by 5 years. We have been married almost 4 years and they have been the happiest years of my life. Unfortunately Mrs. Peterson developed a squamous cell carcinoma of the cervix which followed a miscarriage of twins and a puerperal infection which was nearly fatal. She received radium and x-ray therapy the summer of 1948 and just barely got back on her feet when she developed a gangrenous cholecystitic and choletithiasis which necessitated removal of the gall bladder in Dec. 1948.

"My wife's parents, Mr. and Mrs. John Watts at the present time are building a resort near Bryson City, N. C., on Fontana Lake located about 10 miles out of Bryson City on U. S. Highway #19 and called Nantahala Village. Due to my wife's illness change of climate was advised by her doctors at Rochester, Minnesota, I. E. Drs. U. S. Counsellor, Harold Habem and Jan Tillisch. We talked it over and for everybodys best interests as well as the fact that there is a shortage of doctors in Swain County felt the logical thing to do would be to move to Bryson City where Mrs. Peterson could be near her family and, if the Board can see fit to grant me a license, where I can be a useful citizen and doctor, as well as support my family. I can truthfully say that I have not indulged in alcohol, opiates or barbiturates for 5 years and feel sure that the unsettled period of my life is over. I do not intend to apply for a narcotic license for some time, if ever and want to follow my chosen profession.

"Following my court appearance in Minneapolis, Minnesota I was cited by the Minnesota Board and my license was suspended for 5 years in May 1944. I appeared before the board in Nov, 1948 for reinstatement and it was granted at that time. Enclosed you will find my 1949 reg. card for Minnesota. I intended to request endorsement by the Minnesota Board if North Carolina and Minnesota reciprocate. Am also licensed by written examination in the State of North Dakota in Jan. 1934 although I have not paid my annual dues for several years."

Dr. Peterson in his personal appearance reiterated the facts set out in the above letter. The Board of Medical Examiners of the State of Minnesota substantiated the statements made by Dr. Peterson with reference to revocation and reinstatement of his medical license in that state. (See file for detailed statemet by Dr. Peterson before the board).

Dr. R. B. McKnight moved that Donald Laing Peterson not be granted a license to practice medicine in the State of North Carolina and that he be so advised. This motion was duly seconded and the motion was passed unanimously.

Dr. Howard Monroe Walker of Spartanburg, South Carolina, appeared and requested medical license by endorsement of credentials. He stated that he resided across the border in South Carolina and wished to practice roentenology in Polk County, North Carolina, where there is no roentenologist.

Dr. R. B. McKnight moved that Dr. Howard Monroe Walker be granted a license to practice medicine in North Carolina, limited to Polk County. This motion was duly seconded and passed unanimously.



Dr. E. E. Christian, colored, Community Hospital, Wilmington, North Carolina, who graduated from a grade B medical school in 1947, appeared before the board with the request that he be allowed to take the written examination of the Board of Medical Examiners for medical license. Dr. Christian stated that due to the fact that there were only two negro medical schools in the United States he was unable to gain admission into a grade A medical school. He stated that he knew if he graduated from a grade B medical school that he would not be eligible for license in North Carolina, but that his wife was a native of North Carolina and that he wishes to locate in a rural area where he could be of service to his people.

Dr. M. D. Bonner moved that Dr. E. E. Christian not be allowed to take the written examination for medical licensure. This motion was duly seconded and passed unanimously.

Dr. Oscar Winston DeShields, colored, of Quigless Clinic, Tarboro, North Carolina, who graduated from a grade B medical school in 1941, appeared before the board with the request that he be allowed to take the written examination of the Board of Medical Examiners for medical license. He stated that he knew very few states recognized grade B medical schools but that he wanted to study medicine and had no alternative but to go to a grade B school; that he had scholastic difficulties in another school. He advised that he would have the privilege of taking the Massachusetts Board, the state in which his school was located, but that he was not eligible for license in his native state of Pennsylvania.

Dr. M. D. Bonner moved that Dr. Oscar Winston DeShields not be allowed to take the written examination for medical licensure. This motion was duly seconded and passed unanimously.

Dr. Erwin L. Hirsley, graduate of the University of Vienna in 1933, appeared before the board requesting medical licensure by endorsement of credentials. He is with the United States Public Health Service but wishes to establish a private practice.

Dr. R. B. McKnight moved that Dr. Erwin L. Hirsley not be granted medical license by endorsement of credentials; that he be advised of the special resolution of the Board of Medical Examiners with reference to working in state mental and tubercular institutions. This motion was duly seconded and passed unanimously.

Dr. L. A. Marks, colored, graduate of a grade B medical school in 1933 and who has been employed by the North Carolina State Sanatorium for 12 years, appeared before the board requesting the privilege of taking the written examination of the Board of Medical Examiners for medical license. Dr. Marks, who is a native of Jamacia, stated that he did not know the status of his medical school until he graduated.

Dr. M. D. Bonner moved that Dr. L. A. Marks not be allowed to take the written examination for medical licensure. This motion was duly seconded and passed unanimously.

Dr. Louis Novak, graduate of a grade B medical school in 1944 and who is working towards his master's degree in Public Health at the University of North Carolina Medical School, appeared before the board requesting the privilege of taking the written examination of the Board of Medical Examiners for medical license. Dr. Novak stated that due to having to work to finance his medical education he failed to make passing grades his sophomore year and that he transferred to a grade B medical school which was in his home town; that he has a license to practice medicine in the State of Massachusetts. The following is letter from Dr. Edward G. McGavran, Dean of the School of Public Health, University of North Carolina Medical School under date of April 27th, 1949:

"At Dr. Louis Novak's suggestion, I am writing you a note of recommendation that despite Dr. Novak's graduation from a medical school not on the accredited "A" list, that he be permitted to take the State Board Medical Examination for Medical Licensure.



"We have observed Dr. Novak in the academic work of the School of Public Health throughout this year and have had ample opportunity to compare his basic knowledge and background with other physicians in the class who have graduated from grade A institutions. The result of our observations is briefly that he does measure up and compare very favorably with the rest of his classmates and we will not hesitate to recommend him for employment in any Health Department.

"The handicap which he has of graduation from a B grade school is, we believe, more than offset by his experience and native ability."

Dr. Paul G. Parker moved that action on Dr. Novak's request be postponed. This motion was duly seconded and passed unanimously.

Dr. C. W. Armstrong reported that Dr. H. L. Baptist associated himself with an optical company in Salisbury; that he admitted to Dr. Armstrong that he had obtained his license under false pretense with reference to said optical company, and that he is no longer connected with the same. He has opened an office for private practice.

Dr. Haywood L. Moore's request for temporary license to practice medicine at the resort town of Lake Junaluska during the summer months was presented to the board.

Dr. R. B. McKnight moved that temporary medical license not be granted to Dr. Haywood L. Moore for the purpose of resort practice during the summer months. This motion was duly seconded and passed unanimously.

RE: Dr. W. R. Young - Dr. Paul G. Parker reported that Dr. Young is doing fine, going straight, and is making a living.

RE: Dr. John S. Stone - Dr. M. D. Bonner advised that Dr. Stone had not complied with the direction of the Board of Medical Examiners of October 20th, 1947, to report to him every 30 days.

Dr. R. B. McKnight moved that Dr. John S. Stone be subpoenaed to appear before the board at its June meeting to show cause why he has not complied with the order of the Board of Medical Examiners of October 20th, 1947, to report to Dr. M. D. Bonner. This motion was duly seconded and passed unanimously.

RE: Dr. Randall C. Smith - The following is report of Dr. Grady Dixon, Ayden, North Carolina, with reference to Dr. Smith, under date of March 15th, 1949:

"I wish I knew just how to reply to the above. Some times I think he is straight and then again, I am afraid he is taking something. I think he is off of Opiates, but he must be taking, at times, the Barbitol group. We need him now but it might be best to advise the holding off of return of his Narcotic license for a while longer. Please do not revoke his license to practice medicine. He can do a lot without Narcotics."

The board was advised that Dr. Orville David MacAlpine was granted medical license on April 2nd, 1949, after personally interviewing members of the Board of Medical Examiners.

RE: Dr. K. M. Sun - The following is letter from Dr. H.S. Willis, Superintendent, North Carolina State Sanatorium:

"Last July 1 the Sanatorium took on Dr. K. M. Sun, a Chinese physician, as a fellow for one year. This was done through your office, rather with the knowledge and consent of your office. Dr. Sun now faces the serious issue of a distorted homeland at the moment and is asking whether it may be possible for him to remain here a few additional months after July 1st, provided the home conditions are not greatly improved. I should like to ask your approval for this move which in no sense implies that Dr. Sun means to remain in this country indefinitely. Thank you."



Dr. M. A. Pittman moved that Dr. K. M. Sun be granted an additional six months after the termination of his year at the North Carolina State Sanatorium, McCain, North Carolina, on July 1st, 1949. This motion was duly seconded and passed unanimously.

The following letter from the Puerto Rico Board of Medical Examiners was presented to the board with reference to establishing reciprocal relations with said board:

"This Board has been receiving applications for endorsement of licenses from other state boards of medical examiners. Endorsements have been granted on the basis of qualifications equal or similar to those required by this Board and provided that Puerto Rico licentiates with the same qualifications are accepted for endorsement by the other Board.

"Since Puerto Rico licentiates are all United States citizens and most of them graduates from medical schools approved by the American Medical Association, we would like to know if you are willing to pass a resolution similar to the following which this Board is willing to approve:

"(1) Licentiates of North Carolina who, have obtained their license by written examination may be licensed to practice medicine and surgery in Puerto Rico without written examination, provided that such licentiates meet all our preliminary requirements, are graduates of medical schools which are recognized and approved by this Board and have at least two years of experience, one of which must be a rotating internship in an approved hospital.

"(2) This policy is declared to be effective upon the adoption of a similar policy by the North Carolina State Board of Medical Examiners."

Dr. Thomas Leslie Lee, President, instructed the secretary to procure additional information as to the subjects included in examination for medical licensure, copy of questions of the last two examinations, and the basis of grading examinations.

RE: Report on Pertinent Legislation in the 1949 General Assembly:

Senate Bill #5, "A Bill to be Entitled an Act to Amend Article 18 of Chapter 143 of the General Statutes, Requiring Rules and Regulations of Certain State Agencies and Administrative Boards to be Submitted Biennially to the General Assembly", was ratified.

The principal clerks of both the Senate and House of Representatives were advised that upon reviewing the rules, which are on file with the Secretary of State, we found no rules, the violation of which would constitute a crime aside from the requirements of the Statutes of North Carolina relating to the practice of medicine.

A bill was introduced in the House of Representatives by the osteopaths, which was subtle and very broad in its scope. It would allow osteopaths to prescribe drugs, which would be the entering wedge to the practice of medicine, and thereby lower the standard of the practice of medicine which organized medicine has continuously strived to uphold and to raise for the benefit of the citizens of the state.

Members of the State Medical Society, including the president and secretary, representatives of the three medical schools, representatives of the State Board of Medical Examiners, and the secretary of the State Board of Health, together with counsel for the State Medical Society, spoke at the hearing held by the Committee on Health, with reference to the Osteopathic Bill.

The Committee on Health voted 17-7 against the Osteopathic Bill, however, the minority group introduced a minority report to bring consideration of this bill to the floor of the House of Representatives. A determined effort was expended by the State Medical Society throughout the state to enlighten the members of the House of Representatives upon the subject and scope of this bill. As a result of the very good work done the minority report was withdrawn and the Osteopathic Bill was placed upon the unfavorable calendar.



The following is letter from the Surgeon General with reference to medical officers doing private practice:

"Private practice by medical officers. --If a citizen residing in the neighborhood of a military station or the residence of an Army medical officer desires the professional services of such officer, and the services of a private practitioner acceptable to him cannot conveniently be obtained, it is regarded as not inconsistent with the regulations governing the Army for such officer to tender his services when this does not interfere with the proper performance of his official duties. Private or civil practice by Army medical officers in civilian communities, the needs of which are being satisfactorily met by civilian practitioners, will ordinarily be restricted to consultation practice with such civilian practitioners and to emergency medical or surgical work necessary to save life or limb or prevent great suffering for which civilian practitioners are not immediately available. The establishment by a medical officer of an office for the purpose of engaging in civil practice is prohibited."

On May 8th, 1949, Dr. James H. McNeill, Councilor for the Eighth District of the North Carolina State Medical Society, wrote the secretary of the Board of Medical Examiners requesting advice with reference to the duty of a hospital in reporting information coming to it in regard to criminal abortion. The following is letter under date of May 13th, 1948, from John H. Anderson, Jr., attorney for the State Board of Medical Examiners, a copy of which was sent to Councilor McNeill:

"We have your letter of May 12 enclosing copy of letter from Dr. James H. McNeill, Eighth District Councilor, with reference to the duty of a hospital to report information coming to it from a patient indicating the commission of a criminal abortion, within or without the State of North Carolina.

"We have considered the question and have also discussed the question with a member of the Attorney General's staff. There appears to be no statute in this State which requires a hospital or any person to report to the law enforcement officers information which might indicate the commission of a crime. There would appear to be no legal requirement, therefore, that a hospital report information coming to it from a patient admitted to the hospital to the effect that the patient has undergone a criminal abortion at the hands of a doctor within or without this State. However, there would appear to be some responsibility on the part of the hospital to report such information to the local law enforcement officers in the public interest. Of course the responsibility of the hospital for treating such a patient who requests admission for treatment is the same as in any other cases requiring medical attention and hospitalization. Certainly it would seem that for the protection of the hospital a correct history of the patient's ailment or condition should be obtained for the hospital record."

The following is letter under date of April 27th, 1949, from Councilor McNeill to the secretary quoting that portion of his annual report as councilor to the State Medical Society:

"One hospital in the district reported the admission of a patient on whom a criminal abortion had been done. The hospital obtained an affidavit from the patient, stating when, where, and by whom the operation had been done. The hospital requested information from the State Board of Medical Examiners as to the proper procedure in such cases.

"Information that case was relayed by the State Board of Medical Examiners, to the law firm employed by your State Society. In this particular case, the crime had been committed in Virginia, so your Board had no jurisdiction. The Board told the Councilor what to do in case of the girl's death, but gave a very ambiguous answer to the request for proper procedure to be followed in such cases.

"The Councilor realizes that the reporting of criminal abortions is a delicate and touchy subject. Nevertheless, the State Board of Medical Examiners should inform all hospitals, in writing, of the exact procedure to be followed in such cases and inform them as to their legal status as to financial liability and liability to being accessories after the fact when such felonies are not reported to proper authorities."



The following is letter under date of May 3rd, 1949, from Attorney Anderson to the secretary in this connection, which letter was forwarded to Dr. Roscoe D. McMillan, Secretary of the State Medical Society, for presentation to the Executive Committee or House of Delegates at the annual meeting:

"In accordance with your request we have reviewed your correspondence with Dr. J. H. McNeill, Eighth District Councilor, and particularly his letter of April 27, 1949, in which he requests that the State Board of Medical Examiners inform all hospitals in writing of the exact procedure to be followed in cases where a patient upon whom a criminal abortion has been performed is admitted to the hospital.

"In the first place, this request does, of course, involve a subject that may or may not be within the purview or cognizance of the State Board of Medical Examiners, since a medical doctor may or may not be involved. If the information is reported to the Board of Medical Examiners indicating that a medical doctor has been involved in an abortion, then the Board would no doubt take proper steps to investigate the case and take such action as the facts may warrant. Any information indicating the involvement of a doctor in an abortion or any other illegal practice should be reported to the Board of Medical Examiners. Then, of course, the Board has no authority to compel the reporting of such information to it by a hospital.

"As I indicated to you in our letter of May 13, 1948, regarding the same subject, there is no legal requirement that a hospital report information coming to it from a patient admitted to the hospital to the effect that the patient has undergone a criminal abortion at the hands of a doctor within or without the State. In the interest of the general enforcement of the law, however, the hospital and its officials as citizens, it would seem, would have some moral responsibility to report information indicating the commission of a crime to local law enforcement officers. The failure to make such a report, however, would not, in our opinion, subject the hospital to liability or to a charge of being accessories after the fact of the commission of an abortion. Nor can we see any financial liability in which the hospital might be involved for making such a report in the performance of its duty as would any other private citizen.

"With reference to concrete advice, it would not seem to us to be within the province of the Board of Medical Examiners to direct the course the hospitals themselves should follow. In this letter we are going somewhat further in discussing the matter than we would as attorneys for the Board ordinarily, in view of the fact that we are also attorneys for the North Carolina Hospital Association. The question boils down to one for each hospital itself, and the policy of the hospital in this respect must be determined by the officials of the institution involved."

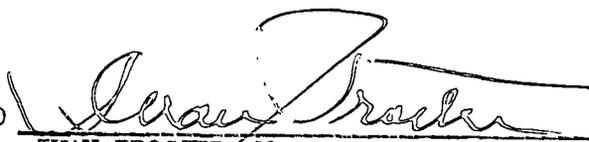
A meeting was set for July 23rd, 1949, at the Jefferson Hotel, Morehead City, North Carolina, for the purpose of certifying the grades following the annual written examination and to interview applicants for licensure by endorsement.

Dr. R. B. McKnight moved that the reading of minutes of the January 17th meeting be dispensed with. This motion was duly seconded and passed unanimously.

The members of the Board of Medical Examiners signed their names to the certificates.

The meeting was adjourned.

SIGNED


 IVAN PROCTER, M. D.
 Secretary-Treasurer

