

# North Carolina Medical Board

## Quarterly Board Actions Report | February - April 2014

The Board actions listed below are published in an abbreviated format. The report does not include non-prejudicial actions such as reentry agreements and non-disciplinary consent orders. Recent Board actions are also available at [www.ncmed-board.org](http://www.ncmed-board.org). Go to “Professional Resources” to view current disciplinary data or to sign up to receive notification when new actions are posted via the RSS Feed subscription service.

Name/license#/location	Date of action	Cause of action	Board action
<b>ANNULMENTS</b>			
[None]			
<b>SUMMARY SUSPENSIONS</b>			
[None]			
<b>REVOCATIONS</b>			
<b>EAKINS, Darrin Franklin, MD</b> (009800521) Steamboat Springs, CO	04/04/2014	MD was convicted of Felony Possession of Cocaine in State of North Carolina vs. Darrin Franklin Eakins, case numbers 11CRS061574 and 12CRS050668.	Entry of Revocation
<b>SUSPENSIONS</b>			
<b>AGHA, Maher Salah, MD</b> (009601206) Charlotte, NC	04/07/2014	The Board received a complaint that MD was coming in to work with alcohol on his breath; a Board investigator made an unannounced visit to MD's practice on two occasions in October 2013 to collect urine samples. Both samples tested positive for alcohol consumption. MD signed a private agreement with the Board on October 28, 2013, not to practice until permitted to do so by the Board. MD was assessed and diagnosed with severe alcohol use disorder and subsequently completed 90 days of inpatient treatment. The Board obtained six patient charts, which were reviewed by the Board's medical director. The Board is concerned about MD's prescribing of controlled substances and pain management practice.	Indefinite suspension of NC medical license
<b>FINCH, Sudhir Eugene, MD</b> (200101336) Fayetteville, NC	02/20/2014	History of arrest in March 2012 for Domestic Abuse Battery. In addition, MD entered into a consent order dated June 22, 2010, related to findings that he prescribed controlled substances to his spouse and other close family members without maintaining proper medical records. The order reprimanded MD, required him to complete CME in appropriate prescribing and ordered him to strictly comply with the Board's position statement on prescribing to family and related administrative rules, which expressly forbid the prescribing of controlled substances to a spouse. During the Board's investigation of MD's arrest it was found that MD continued to prescribe controlled substances to his spouse in violation of the 2010 order.	Indefinite suspension of NC medical license
<b>GOOTMAN, Aaron Harvey, MD</b> (200200534) Fayetteville, NC	03/03/2014	Inappropriate and excessive prescribing of controlled substances for the treatment of chronic pain	Indefinite suspension of NC medical license
<b>JONES, Enrico Guy, MD</b> (009700302) Greensboro, NC	04/09/2014	MD prescribed controlled substances to patients with the understanding that patients would either share or give MD some or all of the drugs; Diversion of controlled substances for personal use/abuse.	Indefinite suspension of NC medical license
<b>LARSON, Michael Joseph, MD</b> (000028661) Raleigh, NC	03/07/2014	History of alcohol dependency and substance abuse	Indefinite suspension of NC medical license

BOARD ACTIONS REPORT

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<b>LONG, Mureen Ann, MD</b> (200300059) Greenville, NC	03/05/2014	MD suffered a traumatic brain injury in November 2007, while training in family medicine at East Carolina University. She was able to complete her residency, but has not practiced clinical medicine since completing residency training. In January 2013 MD was hospitalized for an illness that renders her unable to practice medicine with reasonable skill and safety.	Indefinite suspension of NC medical license
<b>MARTIN, Carol Ann, MD</b> (009901651) Cary, NC	04/11/2014	Inappropriate prescribing of controlled substances; MD prescribed excessive amounts, failed to confirm diagnoses, failed to coordinate care outside of her specialty, failed to demonstrate appropriate pharmacovigilance and failed to recognize abuse of medications prescribed.	12-month suspension of NC medical license, stayed. MD must complete 10 hours of CME in each of the following subjects: medical record keeping and controlled substances prescribing.
<b>MEYER, Graham Scott, MD</b> (009500405) Elizabethtown, NC	02/20/2014	In July 2012, MD was charged with misdemeanor assault on his wife; the Board ordered MD to present to NCPHP for an examination within 30 days of receipt of the order. MD failed to comply. He was examined by NCPHP in October 2013 and thereafter tested positive for marijuana. MD was assessed for substance abuse and completed inpatient treatment for substance abuse in February 2014. MD signed a private Non-Practice Agreement in November 2013.	Indefinite suspension of NC medical license, immediately stayed; MD enters into a Public Non-Practice Agreement that shall remain in effect until he is cleared for practice by NCPHP and his NPA is dissolved by the Board. Note: NPA was dissolved April 2, 2014.
<b>POLYZOS, Panagiotis, PA</b> (000101403) Monroe, NC	03/11/2014	Multiple allegations by female patients that PA inappropriately touched them	Indefinite suspension of NC physician assistant license
<b>STRATTA, Robert Joseph, MD</b> (200101283) Winston-Salem, NC	04/11/2014	Between March 2010 and December 2012, MD was involved in a romantic relationship with a patient. MD self-reported the relationship to the Board in December 2012. MD has successfully completed a course on maintaining proper boundaries with patients and has attended a comprehensive assessment and treatment program at the Professional Renewal Center in Kansas.	NC medical license suspended for six months, stayed but for a period of 60 days to begin on April 12, 2014, and end on June 10, 2014.
<b>TATE, Denny Cook, MD</b> (000029427) Graham, NC	04/14/2014	MD inappropriately prescribed controlled substances to a patient with a history of mental illness and prescription pill abuse. The patient was diagnosed and treated for breast cancer in 2012. Due to her history of drug abuse, the treating oncologist prescribed Ibuprofen only for pain. When the patient contacted MD complaining of pain, MD authorized prescriptions for morphine. On August 8, 2012 MD prescribed 60 tabs of morphine with instructions to take one pill twice daily. The patient was found unresponsive on August 18, 2012, with the pill bottle nearby; only eight pills of morphine remained. The patient was taken to the hospital, where she died.	NC medical license suspended for one year, immediately stayed. MD must complete CME in prescribing controlled substances and register to use the NC Controlled Substances Reporting System.
<b>PROBATIONS</b>			
[None]			
<b>REPRIMANDS</b>			
<b>CALAYCAY, Regulo, MD</b> (201101521) Milton, FL	04/15/2014	MD entered into a consent order with the Florida Board of Medicine related to MD's inappropriate prescribing of weight loss drugs, wherein MD accepted a reprimand and a prohibition on his ability to prescribe controlled substances for the treatment of obesity.	Reprimand
<b>COX, (Jr.), Benjamin Gould, MD</b> (200701629) Menifee, CA	02/21/2014	MD entered into an order with the California Medical Board that restricted his prescribing authority and required him to relinquish his DEA permit.	Reprimand
<b>DIXON, Donovan Dave, MD</b> (201001347) Pembroke, NC	04/28/2014	Inappropriate prescribing of controlled substances, including but not limited to: failing to evaluate the cause of patients' pain, failing to review prior medical records to support a diagnosis, failing to employ appropriate pharmacovigilance with pain patients and failing to attempt non-opioid therapy before prescribing controlled substances.	Reprimand; MD must complete 10 hours of CME in controlled substances prescribing and 10 hours of CME in general family medicine.

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<b>FOSTER, Darryl L., PA</b> (001000668) Pinehurst, NC	04/03/2014	Inappropriate prescribing of controlled substances; PA prescribed escalating doses of opioids without sufficient evidence of a legitimate medical purpose and without taking steps to avoid patient abuse, misuse or addiction. In addition, medical record-keeping was inadequate.	Reprimand; PA shall not prescribe controlled substances until such time as he completes sufficient CME in prescribing controlled substances as determined and approved by the Board's Medical Director. Must meet other conditions.
<b>KEENAN, Joseph Gerard, MD</b> (009700610) Nags Head, NC	02/20/2014	In 2012, MD began an inappropriate personal relationship with a patient while a physician-patient relationship existed between them. MD then transferred the patient's care to another physician in the same practice. In early 2013, while the patient was still being treated by his practice, MD began a romantic relationship with the patient. The patient is no longer treated at MD's practice.	Reprimand; MD shall complete a course on maintaining proper boundaries.
<b>MADDOX, Charles Deaton, MD</b> (000017503) Arden, NC	04/14/2014	Concerns about quality of care; inappropriate prescribing of controlled substances, including failure to respond to indications that patients were abusing controlled substances that MD had prescribed.	Reprimand; MD is restricted from prescribing Schedule II and Schedule III controlled substances. In addition, MD must complete CME in medical record keeping, treatment of diabetes and treatment of hypertension.
<b>OMAN, Timothy Roy, MD</b> (000028069) Gloucester, MA	02/05/2014	MD was reprimanded by the Massachusetts Board related to inappropriate prescribing of controlled substances to two patients.	Reprimand
<b>RUMLEY, Richard Lee, MD</b> (000023874) Greenville, NC	02/10/2014	Concerns about quality of care provided in the areas of infectious disease, pain management and internal medicine; inadequate medical records documentation.	Reprimand; MD must complete a total of 10 hours of CME in each of the following areas: medical records documentation, infectious disease, controlled substances prescribing and internal medicine.
<b>WENN, Timothy Peter, MD</b> (000027103) Salisbury, NC	03/31/2014	MD failed to appropriately diagnose and treat a vascular occlusion in a patient's right lower leg; MD acknowledged that this was due to an error in that he apparently failed to note a radiologist's conclusion that there was no apparent flow in the patient's right superficial femoral artery. The patient was treated by another physician for the vascular occlusion and subsequently underwent amputation of the right lower leg.	Reprimand
<b><u>DENIALS OF LICENSE/APPROVAL</u></b>			
<b>WICHSER, James Allen, MD</b> (N/A) Grundy, VA	04/16/2014	Multiple nondisclosures of material information on NC license application	Denial of application for NC medical license
<b><u>SURRENDERS</u></b>			
<b>FRAZIER, Charles Earl, MD</b> (000018591) Greensboro, NC	03/06/2014		Voluntary surrender of NC medical license
<b>HOWARD, (III), Willard Howe, MD</b> (009801678) Tryon, NC	02/28/2014		Voluntary surrender of NC medical license
<b><u>PUBLIC LETTERS OF CONCERN</u></b>			
<b>ANG, Joel Chua, MD</b> (200300117) Washington, DC	02/03/2014	MD entered into a public consent order with the DC Medical Board.	Public letter of concern
<b>BLANTON, James Wayne, PA</b> (000101269) Charlotte, NC	02/26/2014	PA practiced at multiple practice sites without following applicable rules and regulations, including waiting to begin practice before receiving acknowledgement of Intent to Practice from the Board.	Public letter of concern; \$1,000 fine

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<b>CARR, Emily Kathleen, MD</b> (N/A - RTL) Winston-Salem, NC	04/30/2014	MD failed to comply with a March 8, 2012, consent order that required her to abide by the terms of her NCPHP consent order, including keeping NCPHP advised of significant changes in her mental or physical health. MD did not notify NCPHP when she was hospitalized with a serious illness for an extended period of time. The Board is further concerned that the circumstances leading up to the hospitalization suggest that MD may be trying to work when it is medically unsafe for her to do so.	Public letter of concern
<b>EVANS, Ricky Lee, MD</b> (009600266) Burlington, NC	03/25/2014	After a patient with a history of dyspareunia did not respond to conservative treatment measures, MD performed a pudendal nerve block with a combination of Marcaine and Kenalog. The nerve block injections continued for a period of about three months, after which MD noted that the patient had experienced significant weight gain. Laboratory tests indicated decreased ACTH levels. MD referred the patient to an endocrinologist, who treated the patient for iatrogenic adrenal insufficiency. After one year, the patient still had not fully recovered from the prolonged steroid injections. The Board is concerned that MD did not continue to pursue more conservative treatments and his decision to treat with increasing doses of Kenalog.	Public letter of concern
<b>HOLLEMAN, (Jr.), James Bennett, MD</b> (009800281) Columbus, NC	03/12/2014	The Board is concerned about the care MD provided to a patient treated for a pancreatic pseudocyst. The patient experienced complications after the placement of a subclavian venous catheter that had been repositioned by MD. The Board is concerned that MD did not order a follow up chest x-ray to confirm accurate placement of the catheter. The central line stopped functioning on postoperative day 2 and the patient developed severe respiratory distress that required intubation. Resuscitation was attempted but was unsuccessful and the patient died.	Public letter of concern
<b>KWIATKOWSKI, Timothy Carl, MD</b> (009701443) Charlotte, NC	04/23/2014	The Board is concerned that MD's care of patient whom MD treated in the ER for presumed allergic reaction to a medication prescribed by another physician did not meet accepted standards of care. MD failed to reevaluate the patient, although nursing staff informed MD that the patient's condition had changed to include sweating and radiating chest pain. The patient died in the hospital and autopsy determined the cause of death to be severe coronary artery disease and acute myocardial infarction.	Public letter of concern
<b>KWON, Andrew, MD</b> (201400661) Lakewood, WA	04/09/2014	The Board is concerned that MD entered into an order with the State of Washington Quality Assurance Commission in January 2011 related to an incident in a nursing home where MD was medical director. MD was required to complete CME and pay a \$2,500 fine. The Board is also concerned that MD failed to disclose the Washington order on his NC license application; MD also failed to disclose a leave of absence during medical school.	Public letter of concern; \$1,500 fine
<b>MALONE, Patrick Thomas, MD</b> (000015972) Chapel Hill, NC	03/04/2014	The Board is concerned that MD was not attentive to signs that some of the patients he was prescribing benzodiazepines to may, in fact, have been selling those medications.	Public letter of concern
<b>MCDONOUGH, Mark David, MD</b> (200501378) Orlando, FL	02/24/2014	While practicing in Florida, MD exchanged pre-signed prescription blanks with another physician and then used the blanks to fill prescriptions for medications including Adderall, a Schedule II controlled substance with high risk for abuse. This led the Florida board to restrict MD's prescribing authority so that he is prohibited from prescribing controlled substances.	Public letter of concern

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<b>POINTS, (II), Gerald Lee, MD</b> (000015260) Wilmington, NC	04/28/2014	MD prescribed a significantly excessive dose of an opioid medication (100 mg of morphine sulfate twice daily and Naprosyn to an elderly patient with a history of obesity, diabetes, hypertension, chronic kidney disease and obstructive sleep apnea when the patient complained of low back pain. The patient presented to an ER obtunded, hypotensive, hypoxic, and dehydrated with acute renal failure attributed to rhabdomyolysis. The Board is concerned that MD's prescribing of opioids may have contributed to the patient's deterioration and renal failure.	Public letter of concern
<b>RAO, T. Hemanth Prabhakar, MD</b> (009600280) Charlotte, NC	03/12/2014	MD failed to comply with Medicare regulations that require physicians to directly supervise the treatment of intravenous immunoglobulin therapy; MD entered into an agreement with the US government to pay \$2.5 million.	Public letter of concern
<b>TEMPLETON, Thomas Wesley, MD</b> (200401138) Winston-Salem, NC	03/05/2014	MD consumed alcohol while on-call. MD indicated that he had a colleague covering for him but acknowledged that he did not inform the hospital of this alternate coverage.	Public letter of concern
<b>MISCELLANEOUS ACTIONS</b>			
<b>FROELICH, Mary E., MD</b> (009300121) Mt. Airy, NC	04/28/2014	Prior history of alcohol dependence	Non-Disciplinary Consent Order; MD shall not practice more than 40 hours per week. MD shall abide by all terms of her NCPHP contract.
<b>CONSENT ORDERS AMENDED</b>			
[None]			
<b>TEMPORARY/DATED LICENSES: ISSUED, EXTENDED, EXPIRED, OR REPLACED BY FULL LICENSES</b>			
<b>CADE, Jerry David, MD</b> (000019787) Spruce Pine, NC	02/19/2014	Prior history of alcohol/substance dependence	Temporary license issued; Expires 08/19/2014. MD shall maintain a contract with NCPHP and abide by all terms.
<b>HART, Darlington Ibifubara, MD</b> (009800560) Charlotte, NC	04/08/2014	MD has not practiced clinical medicine since June 1, 2011, when he surrendered his NC medical license amid allegations of professional sexual misconduct. MD denies all allegations of professional sexual misconduct. The Board issues the temporary license based on multiple mitigating factors. MD has never been convicted of any crime involving sexual misconduct or found to have committed sexual misconduct. In addition, several witnesses, including a female employee, testified that MD is of good moral character and is a good physician.	MD is issued a temporary medical license; MD shall complete a program of reentry.
<b>COURT APPEALS/STAYS</b>			
[None]			
<b>DISMISSALS</b>			
[None]			

**FINES**

The NCMB issues non-disciplinary administrative fines in certain cases where incorrect and/or incomplete information on a medical licensing application causes Board staff to spend an inordinate amount of time resolving the issue(s).		
Date	Reason	Amount
02/26/2014	Unprofessional conduct	\$1,000.00
05/27/2014	Unprofessional conduct	\$2,000.00