

North Carolina Medical Board

Quarterly Board Actions Report | August - October 2012

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.ncmedboard.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
<u>ANNULMENTS</u>			
NONE			
<u>SUMMARY SUSPENSIONS</u>			
NONE			
<u>REVOICATIONS</u>			
DYER, G. David, MD (000022562) Wilmington, NC	10/19/2012	MD was convicted of three felony counts of prescribing controlled substances without a legal justification and two felony counts of attempting to traffic in opiates.	MD's license is revoked retroactive to May 11, 2010.
<u>SUSPENSIONS</u>			
ADAMS, Jill Funderburk, NP (0000201364) Matthews, NC	08/08/2012	Excessive and inappropriate prescribing of controlled substances.	NP's approval to practice is indefinitely suspended.
BARR, John Findley, MD (000026186) Cleveland, NC	09/11/2012	Inappropriate prescribing of controlled substances.	Indefinite suspension of NC medical license.
COLEMAN, Adam C., PA (001001168) Durham, NC	10/09/2012	PA fraudulently obtained controlled substances by writing prescriptions in the names of family members and forging the names of physicians.	Indefinite suspension of NC physician assistant license.
GUFFEY, Neal Hamilton, MD (009500489) Winston-Salem, NC	10/16/2012	MD has a history of alcohol and substance dependence; MD relapsed in January 2012.	Indefinite suspension of NC medical license.
JUSTIS, Christopher Morrow, MD (000038991) Edenton, NC	09/20/2012	History of substance abuse, alcohol abuse; DWI charge on June 5, 2012.	Indefinite suspension of NC medical license
KAOD, Hany Aziz, MD (200901680) Goldsboro, NC	08/27/2012	MD wrote prescriptions in the names of relatives and diverted the medications to himself. MD has completed 90 days of inpatient residential treatment.	Indefinite suspension of NC medical license.
KILBY, Michael Warren, MD (009801335) Danbury, NC	09/06/2012	History of alcohol and substance abuse; history of arrest for DWI.	Indefinite suspension of NC medical license.
KINNALLY, Steven Joseph, PA (001000347) Lake Waccamaw, NC	09/05/2012	PA appeared impaired at work. PA was diagnosed with alcohol dependence, referred to treatment yet failed to report to the treatment facility; He has indicated that he is applying for a license in the state of Washington.	Indefinite suspension of NC physician assistant license.
LARKY, Howard Chad, DO (201001760) Bexly, OH	09/11/2012	While practicing in Ohio, DO engaged in an intimate relationship with a patient, despite an ongoing physician-patient relationship. DO prescribed a controlled substance to a family member in 2007. DO's license was suspended by the Ohio Board, and upon reinstatement, was placed on probation for two years.	DO's license is suspended for 180 days; DO is also placed on probation for two years to run concurrent with the suspension and probationary period imposed by the Ohio Board.
LITHMAN, Jerry Richard, MD (000033084) Durham, NC	09/05/2012	Inappropriate and excessive prescribing of controlled substances.	Indefinite suspension of NC medical license; MD may not apply for reinstatement sooner than October 1, 2013.
MURPHY, John Bond, Jr., MD (000027496) Salisbury, NC	10/19/2012	MD was hired in August 2011 to serve as medical director for HRC (a medical practice providing hormone replacement therapy). Despite having a more hands-on role in the care of patients than prior HRC medical personnel, MD's treatment of patients nonetheless departed from accepted and prevailing standards of care in NC.	MD's license suspended for 12 months, stayed. MD shall not professionally associate in any way with HRC; Must comply with other conditions.
ORLI, Tom, MD (200201510) Winston-Salem, NC	10/17/2012	MD admitted to taking oxycodone pills for personal use from a patient.	Indefinite suspension of NC medical license.

BOARD ACTIONS REPORT

Name/license#/location	Date of action	Cause of action	Board action
SMITH, Douglas Ray, MD (000013919) Charlotte, NC	10/05/2012	MD agreed to meet a patient presumably to engage in a sexual encounter. MD reports that he later decided not to meet the patient. MD presented to NCPHP and surrendered his license on 6/5/2012.	Indefinite suspension of NC medical license.
SYED, Arjumand Bano, MD (200301067) Durham, NC	08/14/2012	MD was hired by HRC (a medical practice providing hormone replacement therapy) to supervise an NP. HRC used MD to make it appear that HRC was practicing medicine in NC through a NC licensed physician when in fact medicine was administered and protocols/guidelines were developed by a MD not licensed in NC. MD did not adequately supervise HRC staff.	NC medical license is suspended for 12 months, immediately stayed except for a period of 30 days beginning on October 5, 2012, and ending on November 3, 2012.
PROBATIONS			
NONE			
REPRIMANDS			
ADAMS, Tiffanie Lauren, PA (001003714) Salisbury, NC	08/17/2012	PA failed to appropriately report a misdemeanor charge for Driving While License Revoked; PA misrepresented to a Board investigator that she was not being compensated by her employer when in fact she was.	PA is issued a license, with a reprimand and \$1,000 fine. Must complete CME course in professionalism.
BUEHLER, James Raymond, MD (200201562) Sapphire, NC	10/16/2012	MD had a urine test positive for cannabinoid, violating his NCPHP contract. A substance abuse assessment determined that MD is safe to practice, provided he adheres to his contract/obtains a workplace monitor.	Reprimand; MD must comply with conditions.
CZUBA, Karen Margaret, MD (200801524) Spartanburg, SC	08/17/2012	MD failed to properly supervise an NP who sees patients in SC and NC. MD is located in SC and communicated and performed her supervising duties remotely. An RN working with the NP would see patients and recommend medications, which the NP would prescribe without the patient being examined by the NP or by MD.	Reprimand; MD must complete a CME course in using templates in electronic medical records within six months of the date of this order.
EDWARDS, Jonathan Arnold, MD (009400481) Charlotte, NC	08/15/2012	MD failed to adequately supervise a nurse practitioner, Jill Funderburk Adams.	Reprimand
LOWE-HOYTE, Charmaine Pamela A, MD (000033392) Hendersonville, NC	08/21/2012	Inappropriate prescribing of opioid medications	Reprimand; with conditions and restrictions on license.
MCAFEE, Paul Clifton, MD (201201999) Towson, MD	10/04/2012	MD failed to report malpractice payments when submitting a license application using the expedited application process. When the Board became aware, MD was informed that he was not eligible to use the expedited application. MD then submitted a standard application and again failed to report his full malpractice history.	Reprimand; \$2,000 fine
MCDONALD, Thomas Joseph, Jr., MD (009500144) Roanoke Rapids, NC	10/11/2012	MD permitted an unlicensed PA to perform medical acts at his office under his supervision; MD permitted the unlicensed PA to see patients for the purpose of continuing her education.	Reprimand; \$3,000 fine
MCNEILL, Dianne Marie, MD (200101247) Chesapeake, VA	10/04/2012	While practicing in Virginia, MD allowed an RN to evaluate, develop treatment plans and inject patients with B-12 and dermal fillers/facial injectables and to provide follow-up care. At times, RN provided dermal fillers/facial injectables when MD was not present and had not examined the patient. This led the Virginia Board to reprimand MD.	Reprimand
PATEL, Balubhai Naranbhai, MD (000033555) Cary, NC	10/25/2012	MD had an inappropriate friendship with a female employee, treated the employee's two children and did not maintain a medical record on one of them. MD and the female employee both deny that there was a sexual relationship between them. MD did co-sign an apartment lease for this employee and on at least one occasion, he paid the employee's rent.	Reprimand
RAI, Kashmir Kaur, MD (200600055) Harahan, LA	08/27/2012	MD entered into a consent order with the Louisiana Board due to inappropriate prescribing of controlled substances.	Reprimand; restrictions on prescribing.
STINSON, Jeremy Richard, PA (001000432) Raleigh, NC	08/20/2012	PA's care of a patient with post-surgical nausea, lower abdominal pain, numbness of the legs and bladder incontinence failed to meet accepted standard.	Reprimand

BOARD ACTIONS REPORT

Name/license#/location	Date of action	Cause of action	Board action
TECH, Timothy Michael, LP (100000389) Bristol, TN	08/16/2012	LP reported to work after having drunk alcohol the night before. Neither LP or his supervisor believed he was impaired but, nonetheless, LP was dismissed from his position as a result of the incident. LP was charged with DUI on 11/29/11. LP has completed an intensive outpatient treatment program.	Reprimand; LP must enter into and maintain a five-year monitoring contract with NCPHP.
<u>DENIALS OF LICENSE/APPROVAL</u>			
<i>NONE</i>			
<u>SURRENDERS</u>			
ADKINS, Paula Clark, MD (009900745) Pinehurst, NC	09/21/2012	History of substance abuse/relapse; prior history with the NC Medical Board.	MD surrendered license; agrees not to apply for reinstatement.
BROGAN, Marlene Marie, MD (009600466) Concord, NC	09/18/2012		Voluntary surrender of medical license.
WILSON, Vincent Paul, MD (201201585) New Bern, NC	10/23/2012		Voluntary surrender of medical license.
ZIOMEK, Paul Henry, MD (000036083) Rutherfordton, NC	10/29/2012		Voluntary surrender of medical license.
<u>PUBLIC LETTERS OF CONCERN</u>			
CHIPLEY, Paul Simpson, MD (009500040) Wilmington, NC	09/04/2012	MD was arrested and charged with DWI. He was later charged with Hit & Run with Property Damage. The charge has since been dismissed.	Public letter of concern
FOSTER, Robert Middleton, Jr., MD (000026821) Roxboro, NC	08/14/2012	MD prescribed controlled substances/medications when he closed his medical practice. MD may have resigned blank prescriptions and provided them to his staff to write prescriptions for patients MD was unable to see and write for himself.	Public letter of concern
GRAHAM, Marisa Rose, PA (001001328) Charleston, SC	08/29/2012	PA failed to note a decrease in the platelet count of a patient she treated with antibiotics and failed to recognize the patient was suffering from possible sepsis.	NC PA license reinstated with a public letter of concern.
LITTLE, Heidi Jo, PA (001003693) Roanoke Rapids, NC	08/08/2012	PA began performing medical acts, tasks and functions as a PA prior to obtaining a license.	NC PA license issued with a public letter of concern.
MCDONALD, Thomas Joseph, MD (009500144) Roanoke Rapids, NC	08/01/2012	MD's care of a patient who ultimately expired due to complications from thrombotic thrombocytopenic purpura may have failed to meet prevailing and accepted standards of care.	Public letter of concern
MCENTIRE, Patrick Cary, MD (000025057) Southport, NC	10/30/2012	MD failed to communicate with the family of a pediatric patient. After discussing wound closure options for the patient's laceration, MD closed the wound without the benefit of anesthetic. Wound closure required seven staples, three of which required removal and repositioning. The Board is concerned that it appears the family did not fully understand the staple procedure and the associated risks, including the need to reposition staples.	Public letter of concern
MITCHELL, Maria, DO (200500543) Greenville, NC	09/04/2012	DO has some medical knowledge gaps that should be addressed. A CPEP assessment made several recommendations that DO must address.	Public letter of concern; DO shall complete all CPEP educational recommendations.
MORTON, Terrence Dewitt, Jr., MD (000032611) Statesville, NC	10/25/2012	MD may have allowed his practice's management company, Minute Clinic, LLC, to exert influence over matters affecting or influencing the practice of medicine. Minute Clinic, LLC, may not practice medicine in NC. NPs employed by Minute Clinic, LLC, routinely reviewed care provided by MD's midlevel practitioners and have on occasion suggested that treatment decisions be changed. On one occasion, treatment changes were made by an employee of Minute Clinic, LLC. The Board is further concerned that MD also serves as a regional medical director for Minute Clinic, LLC, which could create a conflict of interest.	Public letter of concern

BOARD ACTIONS REPORT

Name/license#/location	Date of action	Cause of action	Board action
MORYKON, John McMillan, PA (001003707) Wilmington, NC	08/15/2012	PA reported on his application an arrest and charge for resisting a public officer and for intoxicated and disruptive behavior in public. PA failed to disclose marijuana use on his application, instead claiming that he had never used marijuana. A drug screen tested positive for THC, the active ingredient in marijuana.	Via consent order, PA is issued a license, with public letter of concern.
POWELL, Eddie Nelson, II, MD (200800223) Greenville, NC	10/19/2012	MD wrote prescriptions for various medications, including controlled substances, to several close friends. MD failed to keep a medical record of treatment provided to these individuals.	Public letter of concern; MD is required to arrange to attend a Category 1 CME course on record keeping.
SIMMONS, Sandra Jean, MD (009400638) Raleigh, NC	10/19/2012	MD failed to complete CME requirements from 2007 to 2010. MD ultimately completed the required hours, but failed to do so within the time frame allowed and after subsequent extensions.	Public letter of concern; \$1,000 fine.
SKIPPER, Joni Byrd, MD (RTL) Greenville, NC	08/01/2012	MD, who previously practiced pharmacy in SC, had an action taken against her SC pharmacy license related to a 2010 incident in which she diverted a controlled substance to self-medicate.	MD is issued a resident training license (RTL) with a public letter of concern.
SMITH, Dallas Aaron, Jr., MD (000020965) Greensboro, NC	09/24/2012	MD's interpretation of mammogram films for two patients did not meet standards of care.	Public letter of concern
WRIGHT, John Robert, Jr., MD (009601770) Asheville, NC	10/09/2012	MD's care of a patient who presented for induction of labor at nearly 42 weeks gestation may have failed to conform to accepted standards.	Public letter of concern
VEST, Gayle Southworth, MD (000022856) Norton, VA	09/24/2012	MD's care of a patient with hypertension and preeclampsia may have failed to conform to accepted standards. MD had an action taken against her license by the Virginia Board related to this case.	Public letter of concern
YESHNIK, Melvin Anthony, MD (000149057) Westminster, MD	09/06/2012	MD failed to disclose multiple malpractice payments/lawsuits and that he previously withdrew a license application. The Board is concerned about the 2007 consent order MD entered into with the Maryland Board related to MD's care of a patient with preeclampsia.	MD is issued a NC medical license, with a public letter of concern and \$1,000 administrative fine.
<u>MISCELLANEOUS ACTIONS</u>			
SCHOEN, Martin William, MD (200801382) Clayton, MO	08/21/2012	History of substance abuse; MD has undergone and successfully completed treatment.	MD is issued a NC medical license; must maintain NCPHP contract.
UWENSUYI-EDOSOMWAN, F. I., MD (009600362) Charlotte, NC	08/01/2012	Concerns regarding quality of care.	Non-disciplinary consent order. MD must be assessed by a Board-approved assessment center.
<u>CONSENT ORDERS AMENDED</u>			
NONE			
<u>TEMPORARY/DATED LICENSES: ISSUED, EXTENDED, EXPIRED, OR REPLACED BY FULL LICENSES</u>			
LONG, Scott David, PA (0000103319) Greensboro, NC	08/03/2012	History of substance abuse.	PA is issued a temporary license to expire; must maintain an NCPHP contract.

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
08/20/12	Made false statements to the Board in connection with an application for NC medical license.	\$1,000.00
08/16/12	Provided an incorrect response on application for NC physician assistant license.	\$500.00
08/29/12	Provided an incorrect response on application for NC medical license.	\$500.00
09/13/12	Failed to timely renew NC medical license and practiced with an inactive medical license.	\$500.00
09/19/12	Provided an incorrect response on application for NC medical license.	\$1,000.00
09/27/12	Failed to provide accurate information on NC license application.	\$500.00