

### Adverse Actions Report September 2022 – October 2022

The digital edition of the *Forum* presents a two-month report of recent adverse actions. This report does not include non-adverse action such as reentry agreements or relief of consent order obligations. To view all public actions, visit [www.ncmedboard.org/BoardActions](http://www.ncmedboard.org/BoardActions).

Name/license #/location	Date of action	Cause of action	Board action
<b>ANNULMENTS</b>			
<b>NONE</b>			
<b>SUMMARY SUSPENSIONS</b>			
<b>NONE</b>			
<b>REVOCATIONS</b>			
<b>KIM</b> , Jong Whan, MD (200101455 ) Brookfield, WI	10/20/2022	MD's felony conviction for Conspiracy to Unlawfully Distribute a Quantity of Oxycodone, Hydrocodone, Methadone, and Marijuana; Unlawful Dispensation and Distribution of a Quantity of Oxycodone; and Distribution of a Quantity of Marijuana and Aiding and Abetting.	Revocation of NC medical license
<b>SUSPENSIONS</b>			
<b>FRANKS</b> , William Dale, Jr., MD (201400441) Fort Mill, SC	10/21/2022	In September 2020, the Board received information alleging that MD had an inappropriate relationship with two patients. In December 2017, MD performed a cosmetic surgical procedure on Patient A. According to MD, he provided Patient A with his personal cell phone number in case of complications. In March 2018, MD and Patient A began exchanging text messages. MD admits to a one-time sexual affair with Patient A in March 2018. In January 2018, Patient B first saw MD after being displeased	Indefinite Suspension; MD shall serve an active suspension from November 1, 2022, to May 1, 2023. Effective May 2, 2023, indefinite suspension is stayed with conditions

		with a previous surgical procedure by another physician. MD gave Patient B his personal phone number in case of complications, and in September 2019, Patient B and MD began texting and speaking directly on his personal cell phone. During the time when they were romantically involved, MD performed a reconstructive surgical procedure on Patient B and also prescribed her medications when she was diagnosed with Covid-19. MD has no history of prior discipline with the Board. MD has successfully completed a Professional/Problem-Based Ethics (ProBE) course.	
<b>LIMITATIONS/CONDITIONS</b>			
<b>BLAIR, James Seaborn, III, MD</b> (000032636) Hampstead, NC	09/14/2022	MD was previously under contract with the North Carolina Professionals Health Program (NCPHP) which ended in July 2021. It is contraindicated for MD to consume alcohol in light of his history. In September 2021, MD consumed alcohol. The Board notes that this alcohol consumption occurred outside of any work setting and did not involve patient care. MD reengaged with NCPHP and entered into a subsequent contract, which MD is in compliance with and is currently set to last until December 2026.	Consent order: MD to maintain his monitoring agreement with NCPHP and abide by all of its terms and conditions

<b>SITHER</b> , William Thompson, MD (000030731) Franklin, NC	09/27/2022	During his license renewal in April 2021, MD reported that he was hospitalized in November 2020 for excessive alcohol use. He presented to the North Carolina Professionals Health Program (NCPHP). NCPHP was concerned that MD may have moderate or severe Alcohol Use Disorder (AUD) and recommended a comprehensive inpatient four-day assessment. The assessment was done and MD was diagnosed with severe AUD. He successfully completed an inpatient residential treatment program in December 2021 and began a five-year monitoring contract with NCPHP.	Consent order: MD to maintain his monitoring agreement with NCPHP and abide by all of its terms and conditions
<b>ST. ANGELO</b> , John Michael, III, MD (202202512) Winston Salem, NC	09/06/2022	MD has not practiced medicine since June 2020, did not complete an orthopedic residency, and does not intend to practice orthopedic medicine. Therefore, MD recognizes the need for a reentry plan to assist him back into the practice of medicine.	License issued with reentry agreement and conditions
<b>REPRIMANDS</b>			
<b>CILIBERTI</b> , Devin Mark, MD (200100221) Hurricane, WV	09/19/2022	In May 2022, MD entered into a Consent Order with	Reprimand

		<p>the West Virginia Board of Medicine (West Virginia Board) in which he was publicly reprimanded, required to successfully complete a continuing medical education (CME) course entitled “Program for Distressed Physicians” in addition to his biennial CME obligation, and required to appear before the West Virginia Complaint Committee within six months of completing the course. The West Virginia Board’s Consent Order was based on allegations that MD behaved in an unprofessional, disrespectful, and demeaning manner toward a patient. MD was subsequently terminated from his employment at the clinic where the alleged behavior occurred.</p>	
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<p><b>DOYLE, Natalie Ann, MD</b> (009800846) Jacksonville, FL</p>	<p>09/06/2022</p>	<p>MD practiced bariatric medicine in Wilson, NC. She owned and operated The Weight Loss and Infusion Center, a weight loss clinic. The clinic treated obesity with various modalities, including prescribing schedule IV controlled substances, specifically amphetamines as appetite suppressants. In September 2021, MD moved to Florida. After relocating her residence to Florida, MD allowed a registered nurse to continue to operate her clinic in Wilson. MD's nurse saw and treated patients independently, including starting infusions and prescribing controlled substances to patients by means of using pre-signed prescription blanks. MD's nurse provided medical services outside the scope of practice for a registered nurse and without direct supervision by a licensed physician. The nurse evaluated and diagnosed patients, created treatment plans and issued prescriptions for a schedule IV controlled substance. MD's patient charts for care rendered prior to her September 2021 move revealed documentation with limited and absent key elements. The incomplete</p>	<p>Reprimand; MD must close her practice in Wilson, NC on or before November 21, 2022</p>
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		documentation creates an inference that nurses or other nonphysician staff may have been seeing patients independently prior to MD's move to Florida. Allowing non-physician staff to issue prescriptions for a schedule IV controlled substance via pre-signed prescription blanks placed patients at risk.	
<b>LODGE</b> , Andrew James, MD (09800088) Durham, NC	10/3/2022	In July 2021, the Board became aware of reports of indecent exposure by MD occurring in June 2021. The Board issued an Order for Examination requiring MD to submit to a comprehensive examination, which MD complied with. At the recommendation of the healthcare professionals conducting the examination, MD submitted himself to residential treatment from August to November 2021. Upon discharge from the residential treatment program, MD signed a five-year monitoring agreement with the North Carolina Professionals Program. MD has been compliant with all recommendations and has exhibited cooperation and engagement in the monitoring process and a commitment to remaining abstinent from all mood-altering substances.	Reprimand; MD shall maintain his current agreement with NCPHP and abide by its terms
<b>STANCIL</b> , Stewart Alan, MD	09/09/2022	MD practiced emergency	Reprimand

(201400376) Johnson City, TN		medicine in Tennessee. In May 2022, MD entered into a Consent Order with Tennessee Board of Medical Examiners in which he was reprimanded, required to complete a three-day medical course entitled "Prescribing Controlled Drugs: Critical Issues and Common Pitfalls" and assessed a \$600 civil penalty. The Tennessee Board's Consent Order was based on MD's prescribing a controlled substance to a colleague without establishing a physician patient relationship or creating a medical record.	
<b>VALDIVIA</b> , Ricardo Luis, MD (200600229) Rocky Point, NC	10/31/2022	In November 2021, the Board received a complaint that MD had failed to report possible sexual abuse of a 5-year-old female patient to the Department of Social Services/Child Protective Services (DSS) as required by North Carolina General Statutes. The statute requires any person or institution who suspects that any juvenile is abused, neglected, or has died as a result of maltreatment to report the case to the department of social services in the county where the juvenile resides or is found. On October 25, 2021, the 5-year-old Patient's biological father and the father's fiancé	Reprimand; MD to complete CME

		<p>brought Patient to MD's medical practice. The father and fiancé told MD that Patient was "antsy" regarding her private area. The father and fiancé further told MD that Patient had an infection and would not let either the father or fiancé observe her private area during baths. MD stated that, on examination, he observed no signs of abuse on or around the vagina. MD did notice a small amount of white liquid secretion. MD believed it was likely a Candida infection. He stated that he normally does not take a sample for a Candida infection but did take a vaginal swab sample in this case based on the father's report that Patient was left alone with unknown caregivers. MD did not make a report to DSS or law enforcement following the office visit. On October 30, the lab report from Patient's vaginal swab sample was returned and indicated a positive result for Trichomonas Vaginalis, which is a sexually transmitted disease. MD stated when he saw the lab report, he immediately called law enforcement to report the matter. On November 9, 2021, Patient's father was arrested for Incest of a Child, Statutory Rape of a</p>	
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<b>DENIALS OF LICENSE/APPROVAL</b>			
<b>NONE</b>			
<b>SURRENDERS</b>			
<b>NONE</b>			
<b>PUBLIC LETTERS OF CONCERN</b>			
<b>ATKINS</b> , Broadus Zane, MD (200100011) Greensboro, NC	09/15/2022	MD prescribed a controlled substance, alprazolam, to someone who was not in his care and with whom he had a close and personal relationship. Furthermore, MD failed to keep a medical record or otherwise document this prescription. This conduct violates Board Rules.	Public Letter of Concern
<b>DAJANI</b> , Hatem Marwan, MD (2022-02526) Durham, NC	09/28/2022	The Board is concerned that in July 2009 MD was convicted of a crime involving wire fraud. Specifically, he misrepresented the number of hours that he worked as a pharmacist for a drug store chain. Since that time, he has been successfully employed and working as a physician without incident. While the medical boards in Ohio, Indiana and Illinois took action against his medical license as a result of the July 2009 criminal matter, the Board notes that MD has active medical licenses in each of these states. In addition, the Board notes that he also has active medical licenses in Michigan and Wisconsin.	License Issued with Public Letter of Concern

<p><b>HANSEN</b>, Hans Christian, MD (39278) Conover, NC</p>	<p>10/25/2022</p>	<p>The Board determined that MD failed to comply with recommendations detailed in a December 2021 Private Letter of Concern (PLOC) regarding his operation of an in-house pharmacy. In the PLOC, the Board stated its concerns about potential conflicts of interest arising from MD's operation of a dispensing pharmacy at his practice. The Board requested he inform his patients that they are under no obligation to use his onsite dispensing pharmacy to fill any prescriptions he may write for them. This disclaimer should be conspicuous, in writing, and signed by the patient, with a copy to be maintained in the patient record. The Board also requested that MD post visible signage in his office restating the same disclaimer. MD was advised that he would be subject to visits to determine his compliance with the Board's requests. On March 17, 2022, investigators from the Board and Board of Pharmacy made an unannounced visit to MD's practice and found he had no signage in the lobby as requested by the PLOC. MD advised that he did not see the need to have any signage because he had stopped dispensing to pain patients. However,</p>	<p>Public Letter of Concern</p>
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		<p>he continued to dispense medication to worker compensation patients through a third party which operates out of his office. It appears that his worker compensation patients exclusively receive their prescription medication through this third party. On March 24, a Board investigator returned to MD's office to speak with his office manager. During that visit, MD had placed the requested signage in the lobby, halls, and exam rooms. On March 25, the Board of Pharmacy informed MD that his dispensing permit had expired. He was informed that both he and the third party had to have a valid dispensing permit to dispense medications to his worker compensation patients. The Board found evidence that he authorized medications through his contracted pharmacy to worker compensation patients during a time in which his dispensing permit had expired. As a condition of MD's acceptance of this public letter of concern, he must inactivate his dispensing permit with the Board of Pharmacy and cease operating his in-house pharmacy.</p>	
<b>OTCHERE-BOATENG, Yaw, MD</b> (2007-01979)	09/09/2022	In May 2022, MD entered into a Consent Order with the West Virginia Board in	Public Letter of Concern

		<p>which he was required to successfully complete a continuing medical education (CME) course entitled Professional Boundaries and Ethics (course), in addition to his biennial CME obligation. MD successfully completed the course in February 2022. The West Virginia Consent Order was based on the revocation of MD's clinical privileges by a West Virginia hospital based on allegations that he made an inappropriate comment to a female nurse.</p>	
<p><b>PATEL, Jay Lalit, MD (201201257 )</b> Cary, NC</p>	<p>09/13/2022</p>	<p>The Board is concerned that in November 2021, MD was suspected of having been under the influence of alcohol while on-call at a hospital. A blood alcohol test was promptly performed and he was instructed not to return to work until the test results were received. Three days later, the drug screen results were reported to be positive for alcohol. In December 2021, MD resigned his staff privileges at the hospital. It is noted that no patient harm occurred. In November 2021, he self-reported to the North Carolina Professionals Program (NCPHP) for an evaluation. At the recommendation of NCPHP he entered directly into residential treatment</p>	<p>Public Letter of Concern</p>

		and successfully completed the program, at which time he signed a monitoring agreement with NCPHP.	
<b>SCHWARTZ</b> , Jamila Irene, MD (201501151 ) New York, NY	09/28/2022	The Board is concerned that in July 2020, MD evaluated a twenty-one-year-old female (Patient) through a telehealth platform. Patient had a history of depression, anxiety, posttraumatic stress disorder (PTSD), and attention deficit hyperactivity disorder (ADHD). Patient had recently relocated to North Carolina and had not yet established care with a local psychiatric practice. At the time of the telehealth visit, Patient requested medication refills for Sertraline and Seroquel to treat depression and Hydroxyzine and Buspirone to treat anxiety. During the telehealth appointment, MD did not have access to Patient's prior medical records. MD prescribed a three-month supply of the requested medications and requested that Patient obtain the records from her two previous psychiatrists via the telehealth platform request system. Due to Patient's cost concerns, MD documented a plan to refer Patient to a psychiatrist when she had a job and/or insurance.	Public Letter of Concern

		<p>MD's documentation of the encounter does not include a detailed history of psychiatric diagnoses, mental status examination, or depression and anxiety screening tools. The Board had MD's care of Patient reviewed by an independent medical expert, who opined that MD's care of Patient failed to conform to the standards of acceptable and prevailing medical practice in NC. Specifically, the reviewing expert felt that, during the time that MD treated Patient, MD failed to appropriately document history, utilize depression and anxiety screening tools, or conduct mental status and physical examinations. The reviewing expert criticized MD's failure to review past pharmacy records or local therapy and psychiatry records any time during the 7-month period of her care of Patient. The reviewing expert further criticized MD's failure to make a referral to an emergency department when Patient reported worsening depression and anxiety.</p>	
<b>MISCELLANEOUS ACTIONS</b>			
<b>OUDEH</b> , Ibrahim Naim, MD (000034428) Dunn, NC	10/21/2022	The Board issued a Consent Order in 2016 that imposed a stayed indefinite suspension on MD's medical license with conditions. MD agreed to	Non-Practice Agreement; MD agrees not to practice medicine until given written permission to do so by the Board

		<p>engage in remediation and be monitored and mentored by an approved monitoring company for a minimum of two years and was restricted and prohibited from prescribing Schedules 1, 2/2N and 3/3N controlled substances. MD engaged Affiliated Monitors, Inc.(AMI) as his approved monitoring company and also engaged a North Carolina physician to assist in that process as a monitor. As part of the monitoring engagement, AMI provided monitoring reports to the Board on an approximately quarterly basis. Following two patient complaints and quality of care concerns by the Board's medical staff, six patient medical records were then sent to two independent medical experts for review. Both Board Medical Experts found that, in some cases, MD's treatment of patients failed to conform to the standards of acceptable and prevailing medical practice in North Carolina. MD violated his 2016 Consent Order on seven occasions when he prescribed controlled substances to patients. MD stopped practicing clinical medicine in May 2021 and received multiple assessments. In July 2022, MD entered into a three year</p>	
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		monitoring agreement with NCPHP, which will assist him with his cognitive concerns and explore possibilities for a return to medical practice in some capacity.	
<b>CONSENT ORDERS AMENDED</b>			
<b>NONE</b>			
<b>TEMPORARY/DATED LICENSES: ISSUED, EXTENDED, EXPIRED, OR REPLACED BY FULL LICENSES</b>			
<b>SENGUL, Yildiz, MD (202202855)</b> Chapel Hill, NC	10/25/2022	The Board issued MD a Special Purpose License to practice medicine and surgery in NC effective October 25, 2022, thru September 4, 2023. MD agrees to not practice medicine outside the limitations set forth in the Agreement. MD may only practice as a physician at the University of North Carolina, Department of Radiology.	Special Purpose License Issued
<b>COURT APPEALS/STAYS</b>			
<b>NONE</b>			
<b>DISMISSALS</b>			
<b>NONE</b>			