

Adverse Actions Report September-October 2023

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.

Name/license #/location	Date of action	Cause of action	Board action
ANNULMENTS			
NONE			
SUMMARY SUSPENSIONS			
NONE			
REVOCATIONS			
NONE			
SUSPENSIONS			
REACH , Ralph Thomas, MD (201401815) Asheville, NC	09/18/2023	MD practiced Addiction Medicine at locations in Tennessee, Virginia, and North Carolina. In March 2023, MD pled guilty to inducing drugs to be misbranded while held for sale after shipment in interstate commerce. MD was sentenced to six months imprisonment to be followed by eighteen months of home detention. The plea agreement did not place any restrictions on MD's medical licenses. Upon his release from prison, he will serve a five-year term of supervised probation. In June 2023, the Tennessee Board of Medical Examiners automatically revoked MD's license to practice medicine due to his conviction of a federal offense involving a controlled substance.	Indefinite suspension; stayed with conditions
LIMITATIONS/CONDITIONS			
PARKER , Jennifer Jeanne, PA-C (001000425) Fletcher, NC	10/06/2023	PA has a history of alcohol use disorder more specifically described in the Consent Order dated April 20, 2022. In April 2022, PA's license was indefinitely	License reinstated with terms and conditions

		<p>suspended based on her alcohol use disorder and relapse from her recovery. PA was monitored by NCPHP from May 2019 to September 2020. In November 2021, she signed a new five-year monitoring agreement with NCPHP and is currently in compliance with it.</p>	
<p>DeBell, Marc Carl, MD (202303101) Asheville, NC</p>	<p>10/17/2023</p>	<p>MD has not practiced medicine in any state since September 2017. In September 2017, MD reported for an evening shift at the hospital where he worked as an emergency medicine physician in Massachusetts. He treated two patients, including a child, before a co-worker noticed the smell of alcohol on MD. He submitted to a blood alcohol test, which revealed a blood alcohol concentration of 0.14. A urine drug screen was positive for cannabinoid. MD was asked to cease his shift. MD resigned his clinical privileges and self-reported his change in clinical privileges to the Massachusetts and Maine Medical Boards. In October 2017, he signed a non-practice agreement with the Massachusetts Board and further agreed not to practice in Maine until he received permission from the Maine Board. MD completed a rehabilitation program for treatment of alcohol use disorder in February 2018 and entered into a Substance Use</p>	<p>Resident Training License issued with terms and conditions</p>

		<p>Monitoring Contract with Massachusetts Physicians Health Services (PHS). MD received a stayed suspension of his MA license contingent on his continued compliance with his PHS agreement. In August 2021, MD violated his Massachusetts PHS Substance Use Monitoring Contract by consuming alcohol. The five-year term of MD's Probation Agreement was restarted. In December 2022, MD applied for licensure with this Board. He was referred to the North Carolina Professionals Health Program (NCPHP) by the Massachusetts PHS for examination and signed a monitoring contract with NCPHP that corresponded with the Massachusetts PHS Substance Use Monitoring Contract. MD is currently in compliance with all monitoring contracts and has matched with Mountain Area Health Education Center in Asheville, North Carolina to begin an addiction medicine fellowship program.</p>	
REPRIMANDS			
<p>DHAWAN, Surinder, MD (009701318) Sanford, NC</p>	<p>10/19/2023</p>	<p>The Board required MD to produce medical records relating to care he provided to six chronic pain patients in 2021. Based on concerns identified by an independent reviewing expert, MD was ordered for a comprehensive competency examination in March 2022. MD requested</p>	<p>Reprimand</p>

		extensions of time to comply with the Competency Examination Order and eventually indicated that he would not comply with the Order.	
HART, Darlington Ibifubara, MD (009800560) Charlotte, NC	10/24/2023	MD is the sole owner of Cornerstone Medical Clinic, P.C. (Cornerstone). MD has an extensive disciplinary history with the Board more specifically described in the October 2018 Consent Order. In June 2023, MD, individually, and on behalf of Cornerstone, entered into a Settlement Agreement with the State of North Carolina in which he and Cornerstone, collectively, agreed to pay back \$75,000.00, of which \$37,500.00 was restitution, to the State. The Settlement Agreement was based on the State's contention that from January 1, 2018, to January 23, 2023, MD and Cornerstone submitted false or fraudulent claims to the North Carolina Medicaid Program for testing of pulmonary and/or respiratory function(s). The tests had either insufficient supporting clinical documentation, were not medically necessary, and/or were performed in violation of the Division of Health Benefits Clinical Coverage Policy.	Reprimand
MOORE, Erin Alycia, PA-C (001004573) Asheville, NC	10/18/2023	In January 2023, the Board received a complaint alleging that PA had engaged in a sexual relationship with a person from 2020 to 2021, while	Reprimand; PA shall complete boundaries CME course

		<p>providing care to the person. PA admitted to the Board that from August 2019 to December 2019, she was engaged in a sexual relationship with that person. Further, PA admitted to the Board that in or around January 2020, she began treating them as a patient at her practice. PA denies that she had a physical sexual relationship during or after the time she began treating that person as a patient. During the Board's investigation, the Board was provided with text messages between PA and the person that were sexual in nature. The text messages were exchanged between November and December 2022. Between January 20, 2020, and December 15, 2022, PA prescribed 51 controlled substances to that person.</p>	
<p>SMITH, Ernest Terrill, PA (001001278) High Point, NC</p>	<p>09/13/2023</p>	<p>An 18-year-old female patient presented to the student health center, where PA occasionally practiced, to be seen for prolonged cold symptoms. Patient was accompanied by a female friend (Witness). During the patient encounter, PA made inappropriate and unprofessional comments about the patient's appearance and relationship status. Patient also complained that PA used profanity throughout her appointment. The Witness provided a video recording to the Board in which PA</p>	<p>Reprimand; PA shall comply with terms and conditions</p>

		was heard having a graphic exchange with Witness regarding the type of condom she needed. Since this incident, PA has not worked at the student health center and does not intend to work there again in the future.	
DENIALS OF LICENSE/APPROVAL			
NONE			
SURRENDERS			
NONE			
PUBLIC LETTERS OF CONCERN			
AGARWAL , Akash Deep, MD (201101357) Monroeville, PA	10/05/2023	The Board is concerned that MD's intra-operative care of a 64-year-old female may have fallen below the standard of care in North Carolina. The patient's CT scan showed widespread bleeding in the space surrounding the brain from a leak from a ballooned and weakened area in a blood vessel (ruptured brain aneurysm). MD's failure to appropriately diagnose and rectify a thrombus complication intra-procedurally is noted. Immediately after the procedures, a CT scan showed dead brain tissue as a result of the decreased cerebral blood flow and the patient subsequently died. While the patient received medication to decrease her blood's clotting ability and thrombus, the Board's expert opined that the dose was insufficient to increase the activated clotting time to a therapeutic range. The expert noted MD's failure to recognize the significant	Public Letter of Concern

		<p>difference between the initial diagnostic images and the images obtained prior to the embolization which the reviewing expert believes clearly demonstrated thrombus.</p>	
<p>BISHOP, Jeffrey Mark, DO (202004725) Stuart, FL</p>	<p>09/01/2023</p>	<p>The Board is concerned that, from April 2021 to April 2023, DO was the Medical Director of a North Carolina Medication-Assisted Treatment (MAT) clinic. His role was to oversee policies, and review videos, papers and documents related to MAT. DO signed collaborative practice agreements with five NPs and was officially designated as the collaborative practice physician for these five NPs. During that time, DO did not have any substantive or meaningful collaborative relationships with the five NPs and did not follow the rules for NP supervision and collaborative practice as provided for in 21 NCAC Subchapter 32M, Approval of Nurse Practitioners.</p>	<p>Public Letter of Concern</p>
<p>DICKEY, Marcy Lynn, DO (201000763) Alpharetta, GA</p>	<p>10/31/2023</p>	<p>MD performed an open reduction internal fixation surgery to repair an open fracture of a patient's left midshaft radius and ulna bones with screws and plates. Patient later underwent left forearm revision surgery, that included removal of implants, bone grafting, and revision plate and screw fixation. The operative report related to this surgery documented multiple loose screws, and</p>	<p>Public Letter of Concern</p>

		<p>unstable radius and ulna non-unions. The Board's expert reviewer opined that MD's diagnosis and records relating to Patient were appropriate. However, a different treatment may have resulted in an improved outcome for the patient. Specifically, additional surgical screws and longer surgical screws may have provided improved fixation and resulted in greater stability and bone healing.</p>	
<p>GRIGSBY-SESSOMS, Kimberly D., MD (000033919) Clinton, NC</p>	<p>09/25/2023</p>	<p>The Board is concerned that MD treated an immediate family member intermittently from 2012 to 2021 and in 2021 she prescribed a single controlled substance medication to two immediate family members. Additionally, MD allowed an immediate family member physician to treat her intermittently from 2018 to 2021. This is in violation of the Board's Position Statement on Self-Treatment and Treating Family Members as well as the Board rule which prohibits physicians from prescribing controlled substances for use by their immediate family. The medical records of the care MD provided to immediate family members were reviewed and, while MD should not have provided this care, the Board did not find fault with the actual care provided, with the exception that MD's</p>	<p>Public Letter of Concern; MD must complete a minimum of four hours CME relate to boundary violations and medical record documentation</p>

		documentation should have been more detailed.	
KARTH , Peter Alan, MD (201701376) Eugene, OR	09/20/2023	In April 2023, MD entered into a Stipulated Order with the Oregon Medical Board which required MD to pay a civil penalty of \$10,000, successfully complete a professionalism and ethics course and a documentation course and agree to sign his own patient charts. The action resulted from MD's behavior in April 2021 when he attempted to circumvent billing problems by changing the lot and inventory numbers of an injection of a retina medication administered to five patients. Injections that were purchased by three patients were administered to two different patients and the three patients who purchased injections received sample injections. MD's behavior began with an error, and he continued to misrepresent lot and inventory numbers with the other patients. MD directed staff to keep the charts pending and unsigned until the issue could be evaluated by the clinic. As of April 2023, MD has fulfilled all the requirements imposed in the Oregon Order.	Public Letter of Concern
MICHEL , Brendan Jay, MD (201602394) Kernersville, NC	10/27/2023	The Board is concerned that in March 2023, MD operated a motorcycle on public roads in Surry County, NC and was travelling at speeds that exceeded the legal speed limit. While operating at an excessive speed, MD crashed his	Public Letter of Concern

		motorcycle. The Board notes that MD has been assessed by the North Carolina Professionals Health Program and they found that he was safe to practice medicine. The Board encourages MD to work with NCPHP in the future to help him manage the trauma surrounding the accident.	
REDDY, Avinash Gollakistagari , DO (201001274) Mountain Home, TN	10/18/2023	The Board is concerned that in November 2020, DO was reprimanded by the Tennessee Board of Osteopathic Examination for failure to maintain sufficient CME hours. DO failed to obtain two CME hours related to controlled substance prescribing. As a result, the Tennessee Board ordered DO to complete the deficient hours, complete ten additional CME hours, and pay civil penalties for the delinquent CME hours. When DO submitted the application for reinstatement of his NC medical license, he failed to disclose the Tennessee Board action in two separate sections on the application. DO claimed that he had forgotten the action occurred.	Public Letter of Concern
SHERIE, Hope, MD (201301831) Charlotte, NC	09/06/2023	The Board is concerned that MD's decision to discharge a patient to home at 10 p.m. after a large volume liposuction, surgery lasting 12 to 13 hours and a 90-minute recovery may have failed to conform to the standards of acceptable and prevailing medical practice	Public Letter of Concern

		in North Carolina. Patient developed a wound complication and pulmonary embolism, which required hospitalization and further surgeries. Due to the late hour and extent of the surgical procedure, the Board's reviewing expert stated that Patient should have been kept overnight at a suitable facility to monitor blood circulation and fluid resuscitation. The standard in North Carolina would be to limit the length of the surgery to 6 hours if possible and perform much less liposuction.	
SYED , Arjumand Bano, MD (200301067) Durham, NC	09/15/2023	In August 2022, MD entered into a Settlement Agreement with the State of North Carolina in which he agreed to pay \$170,000 in fines and restitution to settle allegations of Medicaid billing irregularities regarding Medicaid claims between January 2018 and July 2021. MD denied the allegations and did not admit to liability. The Board recognizes MD's successful participation and completion of the North Carolina Medicaid and Health Choice Provider Training in February 2022. North Carolina Medicaid did not take action with respect to MD's Medicaid provider enrollment or billing privileges and MD continues to be an enrolled Medicaid provider.	Public Letter of Concern
WRIGHT , David Lee, MD (RTL220042) Fayetteville, NC	10/17/2023	When MD completed his RTL application in March	Public Letter of Concern

		<p>2022, he answered “no” to two questions that asked about his use of controlled or other substances in an inappropriate way in the last five years. Although MD contacted the North Carolina Professionals Health Program (NCPHP), at the time that he submitted his RTL application he should have answered “yes” and indicated there were times in June and September 2019 in which he used controlled or other substances in an inappropriate way. MD was issued his RTL in April 2022 and he is actively participating in an agreement with NCPHP, which found him to be safe to practice medicine. The Board notes that MD properly disclosed the June and September 2019 substance use issue when he renewed his RTL in July 2022 and July 2023.</p>	
MISCELLANEOUS ACTIONS			
<p>ARVIND, Moogali Manjappa, MD (009700847) High Point, NC</p>	<p>09/29/2023</p>	<p>MD has a history with the Board including several complaints of inappropriate prescribing of controlled substances. In 2016, following the Board's investigation into the deaths of two of MD's patients, he completed continuing medical education on opioid prescribing and proper medical record documentation. In September 2022, the Board</p>	<p>Cnsent Order; MD to complete Intensive CME Course in Controlled Substance Prescribing</p>

	<p>received information from law enforcement that one of MD's patients had obtained controlled substance prescriptions from multiple pharmacies. Law enforcement and the Board's investigation revealed that MD intended to prescribe the patient a one-month prescription for 180 30 mg oxycodone tablets. Due to shortages of the medication and pharmacy policies, several prescriptions were called in at three different pharmacies. The patient filled three prescriptions for Oxycodone tablets at three different pharmacies on the same day in amounts of 120, 180, and 180 tablets. Due to concerns regarding MD's prescribing practices, the Board submitted five of MD's patient records to an independent reviewing expert who found that MD's care for four of the five patients failed to conform to the standards of acceptable and prevailing medical practice.</p>	
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<p>CRUZ, Andrew Stephen, MD (202202823) New York, NY</p>	<p>10/16/2023</p>	<p>In March 2023, MD entered into a Stipulated Rehabilitation Agreement (SRA) with the Arizona Medical Board that required him to abstain from the consumption of alcohol and comply with monitoring. In the event of a chemical dependency relapse or use of alcohol in violation of the SRA, MD agreed to enter into an Interim Order for Practice Restriction until he successfully completed treatment. In July 2023, the Arizona Board was notified that MD had consumed alcohol in violation of his monitoring requirements. MD entered into an Interim Consent Agreement for Practice Restriction with the Arizona Board in August. As a result of the Arizona Board's action against MD's license, the Virginia Board of Medicine suspended MD's license in September 2023.</p>	<p>Interim Non-Practice Agreement; MD will not practice medicine until given permission by the Board President</p>
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<p>ROSENBLUM, Frederick Jay, MD (201800697) Arden, NC</p>	<p>09/11/2023</p>	<p>The Board received a complaint in June 2022, from the daughter of a Patient, alleging rude and unprofessional behavior, as well as MD being verbally abusive to the staff. Following a threat assessment by the hospital, MD's locum tenens contract was terminated. After a comprehensive examination, NCPHP recommended that MD submit to a four-day inpatient examination before he returned to practice. The Board issued an Order for Examination requiring MD submit to further examination. MD advised that he would no longer comply with the Board's Order. On May 5, 2023, MD's NC medical license was made inactive when he failed to register.</p>	<p>License inactivated; MD must submit to comprehensive examination prior to application for reinstatement</p>
<p>CONSENT ORDERS AMENDED</p>			
<p>NONE</p>			
<p>TEMPORARY/DATED LICENSES: ISSUED, EXTENDED, EXPIRED, OR REPLACED BY FULL LICENSES</p>			
<p>NONE</p>			
<p>COURT APPEALS/STAYS</p>			
<p>NONE</p>			
<p>DISMISSALS</p>			
<p>NONE</p>			