

# North Carolina Medical Board

## Quarterly Board Actions Report | November 2016 - January 2017

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. A complete listing of recent Board actions is available at [www.ncmedboard.org/BoardActions](http://www.ncmedboard.org/BoardActions).

Name/license #/location	Date of action	Cause of action	Board action
<b>ANNULMENTS</b>			
NONE			
<b>SUMMARY SUSPENSIONS</b>			
NONE			
<b>REVOICATIONS</b>			
<b>DRAGO</b> , Paul Carl, MD (009700531) Cayce, SC	01/05/2017	MD was convicted of a felony Domestic Violence 1st degree, in State of South Carolina vs. Paul C. Drago, case number 2015A2320602538.	Entry of revocation
<b>LATTERNER</b> , Kim Marie, PA (001003471) Matthews, NC	12/15/2016	PA was convicted in State of North Carolina vs. Kim Marie Latterner, case numbers 15CR244077 and 15CRS244078, for two felony counts of Indecent Liberties with a Child.	Entry of revocation
<b>WARD</b> , David Townsend, MD (009500473) Greensboro, NC	11/15/2016	MD was convicted of two counts of felonious serious injury by vehicle.	Entry of revocation
<b>SUSPENSIONS</b>			
<b>BECERRA</b> , Gonzalo Daniel, MD (201101599) Goldsboro, NC	11/03/2016	Arrests for DWI in February 2016 and July 2016; the July DWI occurred while MD was under a monitoring agreement with NCPHP.	Indefinite suspension of NC medical license
<b>KEYES</b> , (Jr.), Booker T., MD (000032127) Jacksonville, NC	01/13/2017	MD prescribed controlled substances to patients in violation of his 2010 consent order with the Board, which restricted him from prescribing controlled substances for the treatment of pain. A review of MD's prescribing between May 2015 and May 2016 found MD's prescribing of controlled substances to be inappropriate and excessive.	MD's license is suspended, immediately stayed. MD is limited such that he may not prescribe controlled substance medications in Schedules 2, 2N, 3, 3N, 4 and 5, except that he may prescribe testosterone for the treatment of hypogonadism and Zolof for the treatment of premature ejaculation.
<b>NGUYEN</b> , Tuong Dai, MD (200000566) Charlotte, NC	01/24/2017	Professional sexual misconduct. MD conducted an in appropriate physical examination, during which MD committed a boundary violation.	Indefinite suspension of NC medical license; MD may not apply for reinstatement for 18 months after the date of the order.
<b>PAMINTUAN</b> , Grace Cruz, MD (009700121) Charlotte, NC	11/30/2016	MD failed to meet professional obligations to patients upon deciding to close her Charlotte medical practice. When the Board attempted to contact MD about this, MD failed to respond.	Indefinite suspension of NC medical license
<b>SUTTON</b> , Jeremy Hunter, MD (201402368) Alabaster, AL	01/04/2017	MD violated his 2015 consent order, which required him to attend the Problem-based Ethics Course (ProBE) after he was criminally charged with possessing a concealed weapon while consuming alcohol and cyberstalking, which are both misdemeanor charges. MD failed to complete the course. He attempted to participate in one session, during which his speech was slurred and he appeared unable to keep track of his thoughts.	Indefinite suspension of NC medical license
<b>TEOTONIO</b> , Jean Felipe, MD (RTL) Winston-Salem, NC	11/23/2016	MD exchanged personal and sexually suggestive message via social media with a patient. At a subsequent medical appointment, MD inappropriately touched the patient in a manner that had no legitimate medical purpose.	Indefinite suspension of NC resident training license
<b>PROBATION/CONDITIONS</b>			
<b>DANFORTH</b> , Wendell Calvin, MD (009801628) Honolulu, HI	12/06/2016	History of substance use	MD's medical license is reinstated; MD must refrain from the use of all mind and mood-altering substances and must maintain a contract with NCPHP.

## BOARD ACTIONS

Name/license #/location	Date of action	Cause of action	Board action
<b>GIORDANO</b> , Stephen Robert, DO (200701965) Huntersville, NC	11/28/2016	History of substance use disorder; DO has successfully completed inpatient treatment.	DO's NC medical license is reinstated; DO must refrain from the use of mind- or mood-altering substances and maintain NCPHP contract.
<b>MOORE</b> , Gary Arlan, MD (200901362) Bryson City, NC	11/16/2016	MD entered into an agreement with the Tennessee medical board that placed him on probation and prohibited him from practicing pain management, based on findings that MD inappropriately prescribed controlled substances for the treatment of pain.	MD is placed on probation for a period to run concurrent with the probation imposed by the Tennessee board. While practicing in NC, MD must abide by all conditions contained in the Tennessee order.
<b>ROSS</b> , Travis Sanders, PA (001000298) Hope Mills, NC	11/29/2016	PA wrote several prescriptions for controlled substances for his supervising physician between June 2013 and December 2015. Several of these prescriptions were not documented in the supervising physician's medical record. Having a supervisee prescribe to a supervisor is a form of self-treatment. PA had been privately cautioned by the Board in 2011 not to write prescriptions for his supervising physician.	PA is placed on probation for six months.
<b>REPRIMANDS</b>			
<b>CLANCY</b> , Kerry Lee, PA (000102790) Fayetteville, NC	11/29/2016	Between December 2011 and September 2012, PA prescribed testosterone, a controlled substance, to his supervising physician. Having a supervisee write prescriptions for a supervisor is a form of self-treatment. Administrative rules specifically prohibit self-prescribing of controlled substances. PA was confidentially cautioned not to prescribe to his supervising physician in November 2011.	Reprimand
<b>COTTEN</b> , Aaron Rodney, MD (009500330) Kinston, NC	11/23/2016	MD failed to appropriately supervise medical care provided by PAs and NPs working in practice locations operated by the company he was employed with. When MD became aware of improper practices, such as an NP issuing a controlled substance pain medication prescription to a patient after a FaceTime consultation) MD intervened. MD ultimately decided to close the practice locations. This was done abruptly and resulted in disruption of care for the clinics' patients, some of whom were unable to obtain medical records in a timely manner.	Reprimand; \$1,000 fine
<b>CRACKER</b> , Andrew John-Edward, MD (000035305) Raleigh, NC	12/05/2016	MD accepted part time employment with a business that treats patients in Durham and in Asheville for opioid addiction with Suboxone, and engaged in unethical fee splitting. MD was paid \$50 per patient visit, while the non-physician owner of the business kept the balance of the patient visit fee. MD did not provide adequate patient evaluations, and generally followed a pattern of quickly moving patients to high doses of buprenorphine, typically with insufficient monitoring. MD failed to respond to clinical evidence obtained via urine drug screening that patients engaged in illicit drug use or took non-prescribed opiates or benzodiazepines.	Reprimand; Within 30 days of the date of this order, MD shall cease treating patients for drug addiction and shall surrender his Drug Addiction Treatment Act (DATA) waiver. Within 60 days of the date of the order, MD shall pay a fine of \$5,000.
<b>DANA</b> , Michael Paul, PA (001003909) Asheville, NC	01/04/2017	PA engaged in inappropriate text messages of a flirtatious nature with a female patient. After the patient texted PA that she had been involved in a car crash and requested that he prescribe medications for pain, PA agreed to meet the patient and performed a brief examination, which he did not document. PA declined to prescribe pain medication to the patient.	Reprimand; within six months of the date of the order, PA shall attend the Maintaining Proper Boundaries course at Vanderbilt Medical Center's Center for Professional Health.
<b>LAWRENCE</b> , Michael Avandale, MD (200200393) Greenville, NC	01/27/2017	MD prescribed controlled substances to family members in violation of administrative rules that prohibit this. MD also prescribed controlled substances for an acquaintance he knows through work without properly conducting or documenting a patient visit.	Reprimand; within six months of the date of the order, MD must complete the ProBE ethics course and provide proof of completion to the Board.
<b>MCLEOD</b> , Thomas Allen, MD (200100743) Spartanburg, SC	12/20/2016	Quality of care; MD's care of a patient who underwent laparoscopic nissan fundoplication was below accepted standards of care.	Reprimand

Name/license #/location	Date of action	Cause of action	Board action
<b>RAHULAN</b> , Vijil Komanthakkal, MD (201202216) Chennai, India	12/28/2016	Action taken by the state medical board in Michigan related to concerns about quality of care	Reprimand
<b>RUMLEY</b> , Richard Lee, MD (000023874) Greenville, NC	12/08/2016	Concerns about quality of care, following a review of patient records. Among other concerns, an independent expert medical reviewer was of the view that MD's controlled substances prescribing was inappropriate and lacked adequate pharmacovigilance.	Reprimand. MD must obtain a practice monitor; Six months after the date of this order, MD must submit five patient records for review by an independent expert reviewer.
<b>YOUNG</b> , Anthony O'Chell, PA (000102694) Oak Grove, LA	11/18/2016	PA wrote prescriptions for controlled substances to his supervising physician, which is a violation of administrative rules. Having a supervisee write prescriptions to a supervising physician is a form of self-prescribing.	Reprimand
<b>DENIALS OF LICENSE/APPROVAL</b>			
<b>NONE</b>			
<b>SURRENDERS</b>			
<b>HOWARD</b> , Chad Daniel, MD (200200125)	12/19/2016		Voluntary Surrender of NC medical license
<b>LONG</b> , James Randall, MD (000033456) Lexington, NC	12/01/2016		Voluntary Surrender of NC medical license
<b>OVERTON</b> ,(III), Dolphin Henry, MD (000039313) Smithfield, NC	01/05/2017		Voluntary Surrender of NC medical license
<b>PUBLIC LETTERS OF CONCERN</b>			
<b>BAULE</b> , Raymond Michael, MD, (200400101) Rocky Mount, NC	12/06/2016	The Board is concerned that MD's care of a patient who underwent spinal surgery to address compression of the spinal cord from the C4 to the C6 vertebral body may have been below accepted standards.	Public Letter of Concern
<b>BEBB</b> , Gregory Gerard, MD (009700857) Wilmington, NC	11/16/2016	MD created a colovaginal anastomosis in a patient who underwent a bowel resection. MD promptly informed the patient of the error and an independent expert medical reviewer noted that MD's care following discovery of the error was "exemplary".	Public Letter of Concern
<b>BERK</b> , Carl Warren, MD (009400416) Pinehurst, NC	11/15/2016	The Board is concerned that MD performed a left thyroid lobectomy on a patient when the patient's needle biopsy and gene expression tests indicated that a right thyroid lobectomy or a total thyroidectomy would have been the appropriate procedure, according to an independent expert medical reviewer. It appears that MD failed to review the results of the needle biopsy and gene expression tests and instead proceeded based on results of his physical examination.	Public Letter of Concern
<b>BOLGER</b> , Paul Matthew, MD (201501325) Davenport, IA	01/23/2017	Action taken by Iowa medical regulatory board; MD prescribed to patients via telemedicine solely based on Internet requests and without obtaining information sufficient to base an appropriate diagnosis upon. MD was issued a citation and warning, required to pay a \$10,000 fine , prohibited from practicing telemedicine, and required to complete an ethics course.	Public Letter of Concern
<b>CANINO</b> , (Jr.), Anthony Carmine, MD (201602489) Washington, NC	12/05/2016	In reviewing materials included in MD's NC license application, the Board reviewed information that raised concerns about an obstetric patient.	NC medical license issued, with a Public Letter of Concern
<b>GASKINS</b> ,(Jr.), Raymond Albert, MD (000020544) Fayetteville, NC	01/04/2017	The Board is concerned with MD's management of a patient's chronic back pain. Specifically, MD managed the patient's pain by prescribing large amounts of oxycodone over an extended period. At one point, MD was prescribing 1500 tablets of oxycodone per month, equivalent to 50 tablets (300 mg) per day. While the Board recognizes dosing, in many respects, is a discretionary decision made by the prescriber based on the best medical information at the time the prescription is issued, the Board has concluded that, in this case, these dosages exceeded recognized dosing standards and placed the patient at risk of addiction and potentially harmful overdose. The prescribing also placed the public at risk, for example, with the patient driving while on that dosage. The Board is also concerned that MD failed to regularly employ means to determine compliance such as urine drug screens.	Public Letter of Concern

Name/license #/location	Date of action	Cause of action	Board action
<b>HETTIARACHCHI</b> , Janaka A, MD (200300480) N. Wilkesboro, NC	01/17/2017	The Board is concerned that MD's care of a patient upon whom MD performed a da Vinci robot assisted laparoscopic prostatectomy may not have met current accepted standards. The length of the patient's procedure was significantly longer than similar procedures and involved extensive blood loss. The patient was transferred to the ICU in critical condition and died the following morning.	Public Letter of Concern
<b>HILL</b> , John David, MD (200900449) Waxhaw, NC	12/06/2016	The Board is concerned that MD recommended carpal tunnel release surgery to a patient after a cursory examination and failed to recommend or first try recognized alternative treatment modalities, such as non-steroidal anti-inflammatory drugs, injection, or splinting before proceeding to surgery. The patient suffered an injury during the procedure that resulted in right median neuropathy.	Public Letter of Concern
<b>HUNT</b> , Mary Ruth, MD (200201263) Greensboro, NC	11/30/2016	The Board is concerned that MD wrote a prescription for a non-controlled medication to a family member under a colleague's name without the colleague's knowledge or permission.	Public Letter of Concern
<b>KEELING</b> , John Wayne, MD (000020812) Reidsville, NC	01/03/2017	The Board is concerned that MD failed to appropriately diagnose and treat a patient's "displaced lateral condyle fracture with non-union."	Public Letter of Concern
<b>LOVATO</b> , Frank James, PA (000102071) Jacksonville, NC	11/29/2016	In July 2015, PA wrote prescriptions for testosterone, a controlled substance, to his supervising physician, a violation of administrative rules. Having a supervisee prescribe for a supervising physician is a form of self-treatment.	Public Letter of Concern
<b>REED</b> , Derek M., DO (200800597) Stanley, NC	12/15/2016	Delay in diagnosis of lung cancer. The Board is concerned that DO failed to appropriately consider the possibility of lung cancer and seek timely consultation with/referral to a pulmonologist for a patient with worsening symptoms, radiologic findings, and a past history of smoking.	Public Letter of Concern
<b>REID</b> , Aubrey James Bernard, PA (000102277) Fayetteville, NC	11/29/2016	PA prescribed injectable testosterone, a controlled substance, to his supervising physician, a violation of administrative rules. It is a form of self-prescribing when a supervising physician has a supervisee write prescriptions for the supervisor's personal use.	Public Letter of Concern
<b>RIPOLL</b> , Emilia Aranda, MD (200601179) Boulder, CO	01/05/2017	Action taken by the Colorado medical regulatory board; The Board is concerned that the MD proceeded with a fourth implantation of testosterone before reviewing lab results, which showed that the patient had supra-therapeutic levels of testosterone and estrogen.	Public Letter of Concern
<b>ROGERS</b> , Bruce William, MD (000032563) Goldsboro, NC	01/03/2017	The Board is concerned that MD may have displayed irritable, aggressive and erratic behavior while practicing as a physician. Specifically, in June 2016, MD was scheduled to work and see patients. However, MD decided not to work after being informed that several staff members would not be available to assist him. The Board is also concerned that MD wrote multiple controlled substance medication prescriptions for two medications to a family member from 2013 – 2016. The Board is further concerned that MD wrote antibiotic and cardiac medication prescriptions to himself in 2016. The Board believes that self-treatment and treatment of family members is usually inappropriate; Prescribing controlled substances to oneself or to family members is prohibited by administrative rule 21 NCAC Rule 32B .1001.	Public Letter of Concern
<b>STALLINGS</b> , Leonard Alexander, MD (201301350) Greenville, NC	12/15/2016	The Board is concerned that MD prescribed a controlled substance in violation of Board rule 21 NCAC 32B .1001(c), which prohibits prescribing controlled drugs to oneself or to a member of one's immediate family.	Public Letter of Concern

Name/license #/location	Date of action	Cause of action	Board action
<b>MISCELLANEOUS ACTIONS</b>			
SHUCK, Linda Michele, DO (200500550)	12/06/2016	Inappropriate and excessive prescribing of controlled substances for the treatment of pain.	Interim Partial Non-Practice Agreement; DO agrees not to prescribe any controlled substances, effective Dec. 6, 2016.
<b>CONSENT ORDERS AMENDED</b>			
NONE			
<b>TEMPORARY/DATED LICENSES: ISSUED, EXTENDED, EXPIRED, OR REPLACED BY FULL LICENSES</b>			
NONE			
<b>COURT APPEALS/STAYS</b>			
NONE			
<b>DISMISSALS</b>			
NONE			



## Glossary of Terms

**Annulment:** Retrospective and prospective cancellation of the practitioner’s authorization to practice.

**Conditions:** Actions or requirements a licensee must complete and/or comply with as a condition of licensure.

**Consent Order:** An order of the Board that states the terms of a negotiated settlement to an enforcement case; A method for resolving a dispute without a formal hearing.

**Denial:** Decision denying an application for licensure, reinstatement, or reconsideration of a Board action.

**Dismissal:** Board action dismissing a contested case.

**Inactive Medical License:** Licenses must be renewed annually in NC. The Board may negotiate a provider’s agreement to go inactive as part of the resolution of a disciplinary case.

**Public Letter of Concern (PubLOC):** A public record expressing the Board’s concern about a practitioner’s behavior or performance. A public letter of concern is not considered disciplinary in nature; similar to a warning.

**Revocation:** Cancellation of authorization to practice. Authorization may not be reissued for at least two years.

**Stay:** Full or partial stopping or halting of a legal action, such as suspension, on certain stipulated grounds.

**Summary Suspension:** Immediate cancellation of authorization to practice; Ordered when the Board finds the public health, safety, or welfare requires emergency action.

**Suspension:** Withdrawal of authorization to practice, either indefinitely or for a stipulated period of time.

**Temporary/Dated License:** A License to practice for a specific period of time. Often accompanied by conditions contained in a Consent Order.

**Voluntary Surrender:** The practitioner’s relinquishing of authorization to practice pending or during an investigation. Surrender does not preclude the Board bringing charges against the practitioner.

**Limitation:** A restriction placed on a licensee’s practice. When practicing under a restriction, it is not lawful for the licensee to engage in the prohibited activity. Example: Dr. Smith is restricted from prescribing Schedule II and III medications.