

# North Carolina Medical Board

## Quarterly Board Actions Report | November 2014 - January 2015

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](http://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
<b>ANNULMENTS</b>			
NONE			
<b>SUMMARY SUSPENSIONS</b>			
<b>LEWIS, Randall Eugene, PA</b> (001001908) Monroe, NC	11/26/2014	Between 2011 and May 2014, PA committed a series of sexual assaults on a minor female who is related to him.	Order of Summary Suspension of PA license
<b>REVOCATIONS</b>			
NONE			
<b>SUSPENSIONS</b>			
<b>FAKHRI, Mouhamed Iyad, MD</b> (200301225) Clinton, NC	12/10/2014	History of substance abuse, felony arrest in August 2013 on six counts of violating the NC Controlled Substances Act. MD inappropriately diverted Methadone and Tramadol to self-treat his back pain, while under the care of a treating physician, who prescribed Fentanyl and Neurontin for the pain. The treating MD was unaware that MD self-treated with the other drugs.	Indefinite suspension
<b>FONDINKA, Godfrey Sama-Nyuvaga, MD</b> (200301461) Fayetteville, NC	12/18/2014	Inappropriate prescribing of controlled substances; MD failed to appropriately respond to signs, including positive urine drug screen tests, that patients may have been abusing medications.	Indefinite suspension, immediately stayed; MD is limited and restricted from prescribing Schedule II or III medications. Within six months, MD must complete CME in medical records documentation.
<b>HAMATY, Daniel, MD</b> (000022732)	01/22/2015	Action by another state medical board (Tennessee) related to MD's misrepresenting himself as the owner of a Tennessee pain clinic. In fact the pain clinic was owned by an unlicensed layperson.	Indefinite suspension
<b>MCCARTHY, James Andrew, MD</b> (000031173) Oxford, NC	12/04/2014	While attending a delivery, MD struck a nurse midwife assisting with the delivery. The nurse midwife was not injured; MD has apologized to the nurse midwife for his conduct.	MD's license is suspended for 60 days, applied retroactively to the period starting on Aug. 14, 2014, and ending on Oct. 12, 2014. MD shall maintain NCPHP contract and abide by all terms.
<b>PENROSE, John Frederick, MD</b> (200400569) Lumberton, NC	01/14/2015	History of alcohol abuse	MD is suspended for six months, immediately stayed; MD must maintain NCPHP contract and abide by all terms.
<b>VISCARDI, Jeffrey Joseph, MD</b> (000039346) Greenville, NC	11/21/2014	Between 2005 and 2010, MD engaged in a romantic relationship with a patient, to whom MD provided ophthalmological care. In addition, MD prescribed and administered Botox injections to this patient and also prescribed antibiotics.	MD's license is suspended for six months, stayed except for a period of 60 days to run from Nov. 27, 2014, until Jan. 25, 2015. MD shall maintain NCPHP contract and abide by all terms.

BOARD ACTIONS REPORT

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<b>PROBATIONS</b>			
<b>NONE</b>			
<b>REPRIMANDS</b>			
<b>ANDREWS, Thomas John, MD</b> (201001012) Chocowinity, NC	12/30/2014	History of substance abuse	Reprimand; MD is placed on probation; MD must maintain NCPHP contract and abide by all terms.
<b>BAILOR, Fred Ralph Waring, DO</b> (000027890) Easton, MD	01/21/2015	Action by another state medical board (Maryland) related to DO's failure to provide care that met accepted standards in an outpatient surgery facility and failure to maintain adequate patient medical records.	Reprimand
<b>CASE, Steven Lee, MD</b> (201300342) Eden, NC	01/20/2015	While practicing in Florida, MD failed to timely provide X-rays requested by the patient. It was later determined that MD destroyed the X-rays, even though they were less than five years old (it is the standard to retain X-ray films for at least five years before destroying them). Later, MD relocated to NC without first appropriately notifying his patients in Florida that he was leaving the state.	Reprimand
<b>CHAMPION, Lawrence Andrew, MD</b> (000019912) Durham, NC	12/10/2014	In 1978, MD had an intimate encounter in his office, with a patient who presented to him for psychiatric care. Shortly after the encounter, MD and patient agreed to terminate the physician-patient relationship, and the relationship continued until 2004. The Board believes, consistent with the American Psychiatric Association's Principles of Ethics with Annotations Especially Applicable to Psychiatry, that sexual activity with a current or former patient is unethical.	Reprimand
<b>DIAZ, Gustavo Adolfo, MD</b> (200802055) Huntersville, NC	12/11/2014	Concerns about the quality of care provided to patients MD performed facelifts on; Concerns about prescribing	Reprimand; MD agrees to use the NC Controlled Substances Reporting System
<b>KWIATKOWSKI, Timothy Carl, MD</b> (009701443) Durham, NC	12/01/2014	History of substance abuse (specifically Adderall, a Schedule II controlled substance), arrest for DWI. A Board investigation determined that MD was engaged in a reciprocal arrangement with another physician wherein each would prescribe Ambien, a Schedule IV controlled substance, to the other without maintaining appropriate medical records.	Reprimand; MD must maintain NCPHP contract and abide by all terms
<b>TAMBA, Ismael, MD</b> (201001565) Wake Forest, NC	12/11/2014	MD prescribed controlled substances to a patient while engaged in an unduly familiar relationship with the patient that including sending texts not related to MD's care of the patient. On three occasions, MD did not appropriately document prescriptions.	Reprimand
<b>DENIALS OF LICENSE/APPROVAL</b>			
<b>FARRELL, Julie Ann, MD</b> (NA)Augusta, KY	12/18/2014	Errors and omissions on NC medical license application, including failure to note an action by the State Medical Board of Ohio. MD made the errors and omissions after being specifically advised, during a 2013 licensing interview with NC Board Members, to list the Ohio action on her application.	Denial of application for NC medical license

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<b>SURRENDERS</b>			
<b>KESSEL, John Woodruff, MD</b> (000036206) Hickory, NC	11/01/2014		Voluntary surrender of physician license
<b>WATT, Alan Henderson, PA</b> (001000395) Greensboro, NC	12/17/14		Voluntary surrender of physician assistant license
<b>PUBLIC LETTER OF CONCERN</b>			
<b>BELL, William Lee, MD</b> (000023828) Robbins, NC	01/29/2015	MD prescribed controlled substances to an immediate family member who was experiencing severe pain, in conflict with administrative rules that prohibit prescribing to close family.	Public Letter of Concern; MD must complete 10 hours of CME in controlled substances prescribing
<b>DALLAS, (Jr), Anthony Vernon, MD</b> (201100465) Hendersonville, TN	01/14/2015	Action taken by Mississippi medical board	Public letter of concern
<b>DAUS, Patrick Glenn, DO</b> (009501216) Sulphur Springs, TX	01/07/2015	The Board is concerned that DO's care of a patient who presented to DO in the emergency room complaining of discomfort and bleeding associated with a catheter placed following radical prostatectomy surgery may have been below accepted standards. An independent expert review obtained by the Board was of the opinion that DO should have consulted with a urologist before ordering that a larger diameter catheter be placed. A day after the new catheter was placed, the patient returned to the ED for evaluation and was found to have urethral disruption and catheter misplacement. This required surgery to correct and the patient reports postoperative incontinence and pain. A different treatment plan might have been developed and the second surgery might have been avoided had DO consulted with a urologist.	Public letter of concern
<b>GILLILAND, J. David, MD</b> (201300198) Lakewood, CO	11/17/2014	Quality of care; While practicing in Colorado, MD failed to diagnose a lucent bony lesion in the tibial metaphysis of a patient MD misdiagnosed with knee sprain.	Public letter of concern
<b>LEPORE, Henry, MD</b> (009601376) Sunset Beach, NC	12/18/2014	Concerns about some aspects of MD's opioid prescribing; MD has completed CME in prescribing controlled substances and made improvements, which independent expert reviews verified have improved prescribing.	Public letter of concern
<b>MAHAN, Dennis Michael, MD</b> (000025053) Oxford, NC	12/10/2014	The Board is concerned that some aspects of OB care MD provided to a high risk patient who delivered a stillborn baby may have been below standard. An independent expert reviewer expressed concern that MD may not have recognized and appropriately acted upon signs of ongoing and increased fetal distress during labor. MD no longer practices obstetrics.	Public letter of concern
<b>NORMANN, Sandra, MD</b> (201300804) Fayetteville, NC	11/04/2014	MD failed to appropriately notify patients that she planned to leave the country and would not be returning.	Public letter of concern
<b>OTUSESO, Eniola Oluyemisi, MD</b> (200501662) Atlanta, GA	11/04/2014	The Board is concerned that MD's treatment of a patient admitted to the hospital with upper respiratory infection and severe hyponatremia failed to conform to accepted and prevailing standards.	Public Letter of Concern; MD must complete CME course on managing hyponatremia and electrolyte disorders within six months of the date of the letter.

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<b>SHERRILL, Kimberly Ann, MD</b> (000028695) Little Rock, AR	11/12/2014	The Board is concerned that MD had an action taken against her AK medical license related to failure to comply with that state's CME requirements.	Public letter of concern
<b>THAKKAR, Pradip Chimanlal, MD</b> (000036440) Wilkesboro, NC	01/13/2015	The Board is concerned about the quality of care MD provided to a patient with diabetes, hypertension and dyslipidemia who presented with complaints of difficulty swallowing and oral lesions. MD diagnosed the patient with oral and possible esophageal candidiasis and prescribed Mycelex and Diflucan. The patient returned a week later with continued complaints of throat and mouth soreness and again the following week with poor appetite and weight loss. Blood work obtained at the third visit was not reviewed until two days after the visit and found the patient's BUN, creatinine and potassium levels elevated and her TSH low; all were significantly changed from prior levels. MD advised the patient to go to the hospital; the hospital emergency department arranged for a transfer to a different hospital for treatment. En route, the patient coded. The patient remained on life support for nine days before succumbing to renal failure and thyroid storm.	Public letter of concern
<b>MISCELLANEOUS ACTIONS</b>			
<b>MITCHELL, James Alistair, MD</b> (200400921) Hope Mills, NC	12/04/2014	History of alcohol abuse; Arrests for DWI in Nov. 2013 and March 2014; MD has completed residential treatment.	MD shall maintain NCPHP contract and abide by all terms; MD shall abstain from possession and/or use of alcohol.
<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			

**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
1/29/2015	Error/omission on license application or annual renewal	\$2,500.00