

**NORTH CAROLINA MEDICAL BOARD**  
**Board Orders/Consent Orders/Other Board Actions**  
**March-April 2010**

**DEFINITIONS**

**Annulment:**

Retrospective and prospective cancellation of the practitioner's authorization to practice.

**Conditions:**

A term used to indicate restrictions, requirements, or limitations placed on the practitioner.

**Consent Order:**

An order of the Board stating an agreement between the Board and the practitioner regarding the annulment, revocation, suspension, or surrender of authorization to practice, or the conditions placed on authorization to practice, or other action taken by the Board relative to the practitioner. (A method for resolving a dispute without a formal hearing.)

**Denial:**

Decision denying an application for practice authorization or reconsideration of a Board action.

**Dismissal:**

Board action dismissing a contested case.

**Inactive Medical License:**

To be "active," a medical license must be registered on or near the physician's birthday each year. By not registering his or her license, the physician allows the license to become "inactive." The holder of an inactive license may *not* practice medicine in North Carolina. Licensees will often elect this status when they retire or do not intend to practice in the state. (Not related to the "voluntary surrender" noted below.)

**NA:**

Information not available or not applicable.

**NCPHP:**

North Carolina Physicians Health Program.

**Public Letter of Concern:**

A letter in the public record expressing the Board's concern about a practitioner's behavior or performance. Concern has not risen to the point of requiring a formal proceeding but should be known by the public. If the practitioner requests a formal disciplinary hearing regarding the conduct leading to the letter of concern, the letter will be vacated and a formal complaint and hearing initiated.

**Reentry Agreement**

Arrangement between the Board and a practitioner in good standing who is "inactive" and has been out of clinical practice for two years or more. Permits the practitioner to resume active practice through a reentry program approved by the Board to assure the practitioner's competence.

**RTL:**

Resident Training License. (Issued to those in post-graduate medical training who have not yet qualified for a full medical license.)

**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 withdrawal of authorization to practice prior to the initiation of further proceedings, which are to begin within a reasonable time. (Ordered when the Board finds the public health, safety, or welfare requires emergency action.)

**Suspension:**

Withdrawal of authorization to practice for a stipulated period of time or indefinitely.

**Temporary/Dated License:**

License to practice for a specific period of time. Often accompanied by conditions contained in a Consent Order. May be issued as an element of a Board or Consent Order or subsequent to the expiration of a previously issued temporary license.

**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. (Not related to the "inactive" medical license)

noted above.)

## ***ANNULMENTS***

### **FARRELL, Edwin Gayle, MD**

Location: Wilmington, NC (New Hanover Co)

License #: 0000-17345 | Specialty: PD (as reported by physician)

Cause: In September 2008, Dr. Farrell drank while under contract with NCPHP and went to work with the smell of alcohol emanating from his breath and person. In 2008, Dr. Farrell was arrested for DWI. While in the ER with injuries from a vehicle accident associated with the 2008 DWI, Dr. Farrell admitted to a nurse that he had driven drunk and that he was taking a passenger to a drug buy. Dr. Farrell had been convicted of a previous DWI in March 2007 that arose from a DUI arrest in 2006. Dr. Farrell had previously entered into a 2005 consent order with the Board wherein his license was indefinitely suspended because of improper prescribing to a patient with whom Dr. Farrell had a significant emotional relationship. Dr. Farrell applied in 2006 for reinstatement of his license. During the licensing process, he provided false answers to questions during the licensure interview regarding whether he had ever been charged with DWI. In October 2006 the Board reinstated Dr. Farrell's license. Subsequently, Dr. Farrell failed to report his 2006 arrest for DWI, and his eventual conviction in 2007, on his renewal form and provided false answers to questions related to alcohol offenses. In summer 2008, Dr. Farrell worked at a practice in Smithfield, NC. During his tenure, he wrote pornographic stories on the practice's computer. While at this same practice, Dr. Farrell treated a minor child. The child's mother filed a complaint with the Board because she felt Dr. Farrell had an inappropriate conversation with the sibling of the child receiving treatment. Specifically, she complained that Dr. Farrell invited the sibling of the child being treated to go swimming at his hotel.

Action: 03/17/2010: Dr. Farrell's NC medical license is annulled. His license is also revoked.

## ***REVOCATIONS***

### **BERKOWITZ, Howard Martin, MD**

Location: Atlanta, GA

License #: 0000-23174 | Specialty: OS (as reported by physician)

Cause: Dr. Berkowitz entered a plea of guilty to felony health care fraud in New York State on September 15, 2009.

Action: 03/10/2010. Notice of revocation.

*See Annulments:*

### **FARRELL, Edwin Gayle, MD**

## ***SUSPENSIONS***

### **BLACK, Steven Ray, MD**

Location: Sylva, NC (Jackson Co)

License #: 2005-00976 | Specialty: IM (as reported by physician)

Cause: Dr. Black was arrested in June 2007 for possession of marijuana. He underwent assessment by the NCPHP and was referred out for a more comprehensive assessment that determined he was abusing cannabis. In September 2008, Dr. Black voluntarily surrendered his license.

Action: 03/02/2010. Dr. Black's license is indefinitely suspended.

### **CRUMMIE, Robert Gwinn, MD**

Location: Rutherfordton, NC (Rutherford Co)

License #: 0000-14636 | Specialty: P (as reported by physician)

Cause: A review of the care of six patients, all of whom were treated by Dr. Crummie for generalized anxiety disorder, found that Dr. Crummie's care was below standards of acceptable and prevailing medical practice. Deficiencies include prescribing benzodiazepines and, in some cases, narcotics, without an adequate documented justification and failure to respond appropriately to reports of controlled substance

diversion. In addition, Dr. Crummie prescribed benzodiazepines to patients without performing an adequate substance abuse history and prescribed to patients who may have actively been abusing alcohol or other substances.

Action: 03/17/2010. Dr. Crummie's license is indefinitely suspended effective April 2, 2010.

**SMALL, Farleigh David, MD**

Location: Abingdon, VA

License #: 0000-24710 | Specialty: EM (as reported by physician)

Cause: On or about February 9, 2009, the Virginia Board of Medicine entered an order suspending Dr. Small's Virginia medical license based on his felony conviction for malicious wounding.

Action: 03/02/2010. Dr. Small's license is indefinitely suspended.

*See Consent Orders:*

**CALDWELL, Chad Cameron, PA**  
**CHASE, Bradford Alan, PA**  
**HARIHAN, Thomas Francis, III, PA**  
**KRAMER, James Scott, MD**  
**NISBETT, Donald A., MD**  
**PARKER, Gregory Dean, MD**  
**RIVERA-ORTIZ, Epifanio, MD**  
**SIEGEL, Drew Kevin, MD**  
**SINGH, Vinod, MD**  
**THOMPSON, Robert Bruce, MD**

**SUMMARY SUSPENSIONS**

NONE

**CONSENT ORDERS**

**BOWMAN, Karolen Ruth Church, MD**

Location: North Wilkesboro, NC (Wilkes Co)

License #: 0000-21756 | Specialty: PD (as reported by physician)

Cause: A Board review of Dr. Bowman's care of four pediatric patients with ADHD determined that said care departed from standards of accepted and prevailing practice. Specifically, Dr. Bowman failed to obtain or follow recommendations from psychiatric consultants and prescribed medications off-label in a manner that was not appropriate; She also failed to recognize and care for other associated medical problems. Dr. Bowman treated adult patients with controlled substances for general complaints of chronic pain. These patients were the caregivers of Dr. Bowman's pediatric patients. A review of Dr. Bowman's treatment of these adult patients determined that it departed from accepted and prevailing standards; however, the review did indicate that Dr. Bowman desired to treat the adults in an attempt to stabilize them so that they could be better caregivers to children who were also patients of Dr. Bowman's.

Action: 03/22/2010. Consent order executed: Dr. Bowman is reprimanded. She may not prescribe schedule II, IIN, III and IIIN to any patient aged 21 years or older for any reason. She may continue to manage any and all existing adult patients for regular medical care. However, after a period of no longer than 90 days from the date of this order, she shall cease writing the above referenced medications to permit a safe and appropriate transfer of care. She must comply with other conditions.

**BUTTAR, Rashid Ali, DO**

Location: Huntersville, NC (Mecklenburg Co)

License #: 0095-00528 | Specialty: General Prev. Medicine (as reported by physician)

Cause: Dr. Buttar mailed a quantity of transdermal medication to the parents of an out-of-state pediatric patient without first personally examining the patient. Treating this patient without personally performing

an examination was a violation of the Medical Practice Act. In addition, Dr. Buttar provides a number of treatments to cancer patients that have not been proven effective by randomized, double-blind placebo-controlled clinical trials. The Board is concerned that Dr. Buttar's cancer patients may have unrealistic expectations regarding the efficacy of Dr. Buttar's treatments.

Action: 03/26/2010. Consent order executed: Dr. Buttar is reprimanded. He shall provide an informed consent to treatment form approved by the Board to all patients.

**CALDWELL, Chad Cameron, PA**

Location: Winston-Salem, NC (Forsyth Co)

License #: 0001-03163

Cause: In August 2009 the Board received information that Mr. Caldwell had been arrested for aggravated assault and damage to business property as a result of discharging a firearm in a condominium he was residing in while on vacation. The Board opened an investigation during which Mr. Caldwell admitted to abusing alcohol. On August 27, 2009, Mr. Caldwell voluntarily surrendered his physician assistant license. Mr. Caldwell has entered into a contract with NCPHP.

Action: 03/24/2010. Consent order executed: Mr. Caldwell's NC physician assistant license is indefinitely suspended.

**CHASE, Bradford Alan, PA**

Location: High Point, NC (Guilford Co)

License #: 0001-03564

Cause: The Board received information that Mr. Chase ordered questionable quantities of the pain medication tramadol Ultram and the muscle relaxant Soma. The Board learned that Mr. Chase was inappropriately obtaining and abusing Ultram and Soma from on or about 2006 to October 2009. On November 5, 2009, Mr. Chase voluntarily surrendered his NC physician assistant license. Mr. Chase admitted himself to NCPHP and completed a recommended period of inpatient treatment. He continues in outpatient treatment.

Action: 03/11/2010. Consent order executed: Mr. Chase's NC physician assistant license is indefinitely suspended, effective November 5, 2009.

**CHUNG, Kevin Robert, MD**

Location: Morganton, NC (Burke Co)

License #: 0000-39999 | Specialty: Gastro, IM (as reported by physician)

Cause: The Board reviewed the care associated with a malpractice payment made on behalf of Dr. Chung. An independent medical review concluded that the care Dr. Chung provided did not conform to standards of acceptable and prevailing medical practices.

Action: 03/04/2010. Consent order executed: Dr. Chung is reprimanded. Within six months of the date of this order he must complete 10 hours of CME in the evaluation and treatment of neurologic injuries.

**DUGLISS, Malcolm Andrew John, PA**

Location: Asheville, NC (Buncombe Co)

License #: 0090-01628

Cause: Mr. Dugliss voluntarily surrendered his NC physician assistant license on November 30, 2007, and entered into a consent order indefinitely suspending his license on March 28, 2008, as a result of his diverting prescription pain medication for his own use. Mr. Dugliss has successfully completed a recovery and rehabilitation program. NCPHP reports that Mr. Dugliss is in full compliance with his contract with NCPHP and is of the opinion that Mr. Dugliss is safe to return to practice. Mr. Dugliss has not practiced as a physician assistant since November 2007 and acknowledges the need for a program of reentry.

Action: 04/06/2010. Consent order and program of reentry executed: Mr. Dugliss shall be issued a temporary license to expire on October 6, 2010. He shall undertake a program of reentry that shall consist of a three-phase period of mentoring by Dr. Mark A. Groh, who shall provide a series of letters to the Board describing his mentoring and his assessment of Mr. Dugliss's clinical skills.

**HARIHAN, Thomas Francis, III, PA**

Location: Elizabeth City, NC (Pasquotank Co)

License #: 0001-01609

Cause: Mr. Harihan entered into a non-disciplinary consent order with the Board on February 26, 2008, based on concerns that Mr. Harihan was having conversations of a personal nature and physical contact with patients in a manner that made the patients feel uncomfortable. Mr. Harihan was required to maintain a contract with NCPHP in accordance with the order. In May 2009 Mr. Harihan was relieved of the obligations contained in the non-disciplinary consent order. In May 2009, Mr. Harihan began work as a physician assistant with the NC Department of Correction. In three separate instances, Mr. Harihan had complaints filed against him by inmate patients, and by a relative of a patient, who claimed that Mr. Harihan made inappropriate comments during the course of his examinations of the patients, and that he had touched the patients in a way that made them uncomfortable. The nursing staff assigned to the institution where Mr. Harihan worked had also observed conduct by Mr. Harihan that was inappropriate in the manner in which he interacted with patients. The NC DOC conducted an investigation that concluded with Mr. Harihan resigning his position. On January 5, 2010, Mr. Harihan placed his NC physician assistant license on inactive status.

Action: 04/11/2010. Consent order executed: Mr. Harihan's NC physician assistant license is indefinitely suspended.

**KEYES, Booker T, Jr., MD**

Location: Jacksonville, NC (Onslow Co)

License #: 0000-32127 | Specialty: US (as reported by physician)

Cause: The Board received information that raised concerns about Dr. Keyes' prescribing practices. The Board reviewed Dr. Keyes' care of four patients. Medical expert reviews of the four cases determined that, in each of the four cases, Dr. Keyes' treatment did not conform to standards of accepted medical practice. Specifically, the experts found the amount and frequency of controlled substances prescribed to the four patients fell below standards.

Action: 04/16/2010. Consent order executed: Dr. Keyes is reprimanded. He shall not prescribe controlled substances for the treatment of pain.

**KRAMER, James Scott, MD**

Location: Greensboro, NC (Guilford Co)

License #: 0000-39438 | Specialty: FP/sports medicine (as reported by physician)

Cause: While engaged in a personal relationship with Patient A, Dr. Kramer established a physician-patient relationship with Patient A and provided medical care and treatment to her, including prescribing medication. Dr. Kramer did not appropriately document his care of Patient A.

Action: 04/16/2010. Consent order executed: Dr. Kramer's medical license is suspended for six months, but the suspension is immediately stayed upon the following probationary terms and conditions: Within six months of the date of this order, Dr. Kramer shall attend the Prescribing Controlled Drugs Course at Vanderbilt Medical Center's Center for Professional Health. He shall also strictly comply with the Board's Position Statement, "Self-Treatment and Treatment of Family Members and Others with Whom Significant Emotional Relationships Exist."

**NISBETT, Donald A., MD**

Location: Laurinburg, NC (Scotland Co)

License #: 0000-26332 | Specialty: FM (as reported by physician)

Cause: In November 2008, the Board ordered Dr. Nisbett to undergo assessment of his clinical skills at the Center for Personalized Education for Physicians. The results of the CPEP assessment identified areas in which Dr. Nisbett demonstrated a need for improvement. The areas included Dr. Nisbett's clinical abilities, namely in areas of fund of knowledge and applying his knowledge base in the practice setting. Following the CPEP assessment, the Board obtained four patients charts for review by a medical expert to determine whether care was within accepted and prevailing standards of care. The medical expert identified areas where care of the patients was below standards of care. Dr. Nisbett denies that his care and treatment of the four patients fails to meet standards of care. However, Dr. Nisbett acknowledges that the Board has sufficient information from which it could conclude that his care failed to meet standards of care. Dr. Nisbett has agreed to participate in a structured, individualized education intervention program that is being developed for him by CPEP.

Action: 04/15/2010. Consent order executed: Dr. Nisbett's medical license is suspended for 90 days, but the suspension is immediately stayed upon the following probationary terms and conditions: Dr. Nisbett

shall successfully complete the CPEP education intervention program and comply with all recommendations made by CPEP.

**OSMAN, Mohamed Buwe Sidi, MD**

Location: St. Pauls, NC (Robeson Co)

License #: 2002-01142 | Specialty: FP (as reported by physician)

Cause: In 2007 and 2008, Dr. Osman prescribed Methadone, a schedule II controlled substance, to patients for the purpose of detoxification treatment. At any one time, Dr. Osman prescribed Methadone to approximately 110 patients for the purpose of detoxification. In 2007 and 2008, Dr. Osman was not separately registered with the U.S. Drug Enforcement Administration as a Narcotic Treatment Program, which is required for physicians wishing to administer and dispense (including prescribing) schedule II controlled substances for maintenance and/or detoxification treatment. Dr. Osman has ceased prescribing methadone to patients. He has instituted NC Controlled Substance Reporting System software and electronic medical records. Dr. Osman has recently been recognized by the American College of Ethical Physicians for his ethical and humane treatment of patients; He has also been recognized for his contributions as a geriatric specialist by the American College of Specialists in Geriatrics.

Action: 03/04/2010. Consent order executed: Dr. Osman is reprimanded. Within six months of the date of this order, he shall complete Board-approved CME in prescribing and record keeping.

**OVERTON, Dolphin Henry, III, MD**

Location: Wilson, NC (Wilson Co)

License #: 0000-39313 | Specialty: NA (as reported by physician)

Cause: Dr. Overton is a participant with NCPHP and had been diagnosed with alcohol dependency and mental health issues. On November 5, 2009, Dr. Overton placed his NC medical license on inactive status. The Board is concerned about Dr. Overton's conduct and health.

Action: 04/26/2010. Consent order executed: Dr. Overton's medical license must remain inactive. Before the Board will consider any future application for reactivation, Dr. Overton must have the advocacy and support of NCPHP. However, the Board is under no obligation to approve any future application, even should NCPHP advocate for Dr. Overton.

**PARKER, Gregory Dean, MD**

Location: Charlotte, NC (Mecklenburg Co)

License #: 0000-29713 | Specialty: OB/GYN (as reported by physician)

Cause: On November 2, 2009, during an investigation of possible substance abuse, Dr. Parker made a false representation to a Board investigator. On November 3, 2009, Dr. Parker contacted the Board investigator and admitted previously making a false representation. Dr. Parker thereafter fully cooperated with the investigation. A urine drug screen tested negative for the presence of illegal substances.

Action: 03/10/2010. Consent order executed: Dr. Parker's medical license is suspended for six months, but the suspension is immediately stayed.

**PERRY, Robert Francis, MD**

Location: Carolina Beach, NC (New Hanover Co)

License #: 0094-01472 | Specialty: GP (as reported by physician)

Cause: Dr. Perry voluntarily surrendered his NC medical license on October 7, 2008, and entered into a consent order indefinitely suspending his license on January 15, 2009, as a result of boundary violations. He is a participant with NCPHP and NCPHP is of the opinion that Dr. Perry is in full compliance with that contract and is safe to return to the practice of medicine.

Action: 03/23/2010. Consent order executed: The Board shall issue Dr. Perry a license to practice medicine to expire on September 30, 2010, and must comply with conditions. He shall maintain a contract with NCPHP. Dr. Perry shall ensure that a chaperone is physically present in the same room as Dr. Perry for all female patients that Dr. Perry treats. He shall not work in solo practice and he shall obtain approval from the Board's medical director regarding all work sites.

**RIVERA-ORTIZ, Epifanio, MD**

Location: Charlotte, NC (Mecklenburg Co)

License #: 0099-00123 | Specialty: NA (as reported by physician)

Cause: On September 14, 2009, a female patient, Patient A, presented to Dr. Rivera-Ortiz for back and hip pain sustained from a fall. Dr. Rivera-Ortiz performed an unchaperoned examination of the patient. The patient alleged that Dr. Rivera-Ortiz touched her buttocks and breast unnecessarily. After the examination, Patient A complained to the practice that employed Dr. Rivera-Ortiz. The following day, she also filed a criminal complaint with the Charlotte-Mecklenburg Police Department. On February 10, 2010, Dr. Rivera-Ortiz pleaded guilty to assault on a female regarding the incident and was placed on probation. In December 2002, the Board received a complaint from a different patient, Patient B, that Dr. Rivera-Ortiz had inappropriately touched her in a sexual manner and had made inappropriate sexual remarks during a medical examination. That medical examination was unchaperoned. Patient B also filed a complaint with the Charlotte-Mecklenburg Police Department, though no criminal charges were filed in this incident. The Board investigated Patient B's allegations and during that investigation Dr. Rivera-Ortiz denied the allegations to a Board investigator and to police. Dr. Rivera-Ortiz denied Patient B's allegations again during an informal interview with members of the Board in February 2003. The incident was resolved with a private letter of concern that encouraged Dr. Rivera-Ortiz to use a chaperone whenever he examined a female patient. Subsequent to the informal interview with the Board, Patient B filed a civil lawsuit against Dr. Rivera-Ortiz. In a deposition in the case, Dr. Rivera-Ortiz admitted that his penis was outside his unzipped pants during Patient B's examination. In further questioning, Dr. Rivera-Ortiz claimed it was Patient B who initiated sexual banter and sexual contact during the examination. Dr. Rivera-Ortiz's conduct with Patient B constitutes a violation of physician-patient boundaries. Dr. Rivera-Ortiz's act of falsely denying any impropriety in his examination of Patient B to the Board constitutes an act of deception. On September 28, 2009, Dr. Rivera-Ortiz voluntarily surrendered his license.

Action: 04/16/2010. Consent order executed: Dr. Rivera-Ortiz's medical license is indefinitely suspended. He may make application for reinstatement only after permitted to pursuant to his probation in the assault on a female case mentioned above, which presently, absent a modification of his probationary period, would be five years from February 10, 2010, or February 10, 2015. Should Dr. Rivera-Ortiz make application for reinstatement, the Board is under no obligation to approve it.

#### **SIEGEL, Drew Kevin, MD**

Location: Burlington, NC (Alamance Co)

License #: 0000-39999 | Specialty: Gastro, IM (as reported by physician)

Cause: The Board has received information that Dr. Siegel suffers from a medical condition that affects his ability to practice medicine. Dr. Siegel voluntarily surrendered his NC medical license on June 16, 2009. Dr. Siegel agrees never to apply, request or petition the Board for reinstatement of his license. He also agrees never to practice medicine in any other jurisdiction.

Action: 03/09/2010. Consent order executed: Dr. Siegel's NC medical license is indefinitely suspended.

#### **SINGH, Vinod, MD**

Location: Benson, NC (Johnston Co)

License #: 0000-38690 | Specialty: IM (as reported by physician)

Cause: In December 2009 the Board received information that Dr. Singh was abusing alcohol and benzodiazepines. On December 22, 2009, Dr. Singh was ordered to the NCPHP for an examination. As a result of the NCPHP assessment, NCPHP recommended that Dr. Singh enter a residential treatment program. On December 29, 2009, Dr. Singh made his NC medical license inactive. He has entered a residential treatment program.

Action: 03/10/2010. Consent order executed: Dr. Singh's NC medical license is indefinitely suspended.

#### **SPATARO, Joseph David, MD**

Location: Charlotte, NC (Mecklenburg Co)

License #: 2003-00091 | Specialty: FM (as reported by physician)

Cause: In June 2008, the Board received a complaint that Dr. Spataro was treating patients and providing obstetrical and prenatal services without having obstetrical privileges at a hospital that would allow him to perform deliveries. The Board submitted the records of five of Dr. Spataro's obstetrical patients to an outside expert, who was of the opinion that care of the patients reviewed did not conform to accepted and prevailing standards of care. Based on that opinion, Dr. Spataro may lack the professional competence to practice obstetric and prenatal medicine with reasonable skill and safety. Dr. Spataro contends that he limited his treatment of obstetrical patients to indigent women who had difficulty scheduling appointments

at local clinics that serve indigent patients.

Action: 04/16/2010. Consent order executed: Dr. Spataro shall not practice obstetrics or provide prenatal care and will refer all patients requiring such care to appropriate physicians, clinics, hospitals or other facilities for care.

**THOMPSON, Robert Bruce, MD**

Location: Charlotte, NC (Mecklenburg Co)

License #: 0000-40006 | Specialty: Neurology (as reported by physician)

Cause: On December 6, 1996, Dr. Thompson entered into a consent order with the Board to receive a medical license based on information that he had a history of substance abuse and psychiatric health problems. As a result of the 1996 order, Dr. Thompson was required to maintain and abide by a contract with the NCPHP. On September 18, 1998, Dr. Thompson entered into another consent order with the Board wherein Dr. Thompson admitted that he had relapsed in his recovery from substance abuse and agreed not to practice medicine; However, Dr. Thompson was allowed to perform certain administrative duties related to the practice of medicine. On June 7, 1999, Dr. Thompson entered into a third consent order that granted him reissuance of his NC medical license after it expired because of Dr. Thompson's inability to attend a November 1998 informal interview with members of the Board. On August 10, 1999, Dr. Thompson surrendered his NC medical license due to a relapse in his recovery from substance abuse that led to an arrest for driving while impaired in Mecklenburg County. On July 25, 2003, Dr. Thompson had his NC medical license reinstated by means of a temporary license and a consent order that again required, among other things, that he maintain a contract with NCPHP. The 2003 order also limited Dr. Thompson to practicing in a structured non-patient care setting. On June 23, 2004, the Board amended Dr. Thompson's consent order to permit his return to the clinical practice of medicine under certain conditions. On August 16, 2004, the Board entered an order relieving Dr. Thompson of all consent order obligations and granting him a full and unrestricted NC medical license. In June 2009, Dr. Thompson was suspected in having a relapse in his recovery from substance abuse. The NCPHP conducted a field test for alcohol on Dr. Thompson and the test was positive for consumption of alcohol. On June 4, 2009, Dr. Thompson surrendered his NC medical license.

Action: 03/02/2010. Consent order executed: Dr. Thompson's NC medical license is indefinitely suspended.

**WISE, Daniel Edwin, MD**

Location: Charlotte, NC (Mecklenburg Co)

License #: 0000-17813 | Specialty: Hypertension specialist/cardiovascular disease (as reported by physician)

Cause: Dr. Wise prescribed controlled substances to Patient A, a coworker, and provided medical care to Patient A for several years. Dr. Wise knew that Patient A suffered from a number of diagnosed conditions including severe back and abdominal pain for which other practitioners had prescribed controlled substances. Documentation of a physical examination or a patient chart could not be produced for Patient A. Dr. Wise reports that he did maintain a patient chart for Patient A, but that he did not secure transfer of this patient chart when he transitioned into private practice. Dr. Wise reports that he also discussed Patient A's conditions and his prescriptions with her treating physicians but acknowledges that he did not document these discussions. Dr. Wise concedes that he did not record and document all prescriptions he authorized for Patient A. Dr. Wise also prescribed controlled substances to Patient A's husband, Patient B. Dr. Wise indicates that he had provided treatment to or ordered testing for Patient B since 1992 and, as a result of this long-standing physician-patient relationship, was familiar with his general medical condition. In 2008 Patient B was involved in a motor vehicle accident from which he suffered fractured ribs and for which the Emergency Department prescribed him a controlled substance. Dr. Wise authorized two additional prescriptions for the controlled substance that was initially prescribed to Patient B as a result of the motor vehicle accident without first examining Patient B and without documenting the prescriptions in any patient chart. Dr. Wise requested that his nurse practitioner write prescriptions for controlled substances to him and a family member. The prescriptions were for a diagnosed medical condition for which he had received treatment and testing and the prescriptions were a continuation of the medical treatment previously provided to Dr. Wise by other physicians. The nurse practitioner also authorized prescriptions for Dr. Wise's family member without first examining the family member and without documenting the prescriptions or maintaining a patient chart. By requesting that the NP prescribe for



himself and for a family member, Dr. Wise was engaging in a form of self-prescribing and prescribing to a person with whom he has a significant emotional relationship, because the NP is a supervisee of Dr. Wise. The Board notes that there is no evidence of any harm to any of the individuals noted in this order and that, in 38 years of practice, Dr. Wise has never been the subject of discipline by this Board.  
Action: 04/22/2010. Consent order executed: Dr. Wise is reprimanded.

**WRENN, Cynthia Helen, PA**

Location: Fayetteville, NC (Cumberland Co)

License #: 0001-02752

Cause: On September 19, 2008, Ms. Wrenn entered into a consent order with the Board that indefinitely suspended her NC physician assistant's license. The suspension arose from the fact that Ms. Wrenn prescribed to a patient with whom she had a significant emotional relationship without documenting the prescription in any patient chart. She elicited the assistance of a co-worker to divert controlled substances to a patient. Ms. Wrenn wrote several prescriptions to other patients without documenting the patient encounter or the prescriptions in any patient chart. She also failed to disclose on her NC physician assistant license application that, in 1983, she was convicted of driving under the influence and that, in 1976, she was convicted of felony sale of cocaine. Ms. Wrenn suffers from substance abuse and on July 25, 2008, surrendered her NC physician assistant license. Ms. Wrenn met with the Board on March 17, 2010, to discuss her request that the Board reinstate her license. She is a participant in NCPHP and the program reports that she is compliant and doing well with her recovery.

Action: 04/08/2010. Consent order executed: The Board shall issue Ms. Wrenn a temporary license to expire on the date shown. She shall maintain a contract with NCPHP and follow any and all recommendations made by NCPHP. She shall refrain from the use of all mind and mood-altering substances, including alcohol.

**MISCELLANEOUS ACTIONS**

**BLACKWELL, Michael Aldred, MD**

Location: North Wilkesboro, NC (Wilkes Co)

License #: 0095-00290 | Specialty: OB/GYN (as reported by physician)

Cause: Dr. Blackwell entered into a consent order with the Board on September 2009 wherein certain dates pertaining to the suspension of Dr. Blackwell's hospital staff privileges were stated in error.

Action: 02/09/2010. The September 2009 order is amended to include the correct dates.

**LAND, Phillip Barton, PA**

Location: Clinton, NC (Sampson Co)

License #: 0001-02750

Cause: Mr. Land was arrested by police in Greensboro, NC, in September 2008 for going armed to the terror of the public. He surrendered his NC physician assistant license that same month. Mr. Land suffers from opiate dependence. The Board reinstated Mr. Land's license on December 9, 2009, on a number of conditions, including that he limit his work week to 30 hours, that he maintain a contract with NCPHP and that he refrain from the use of any mind- or mood-altering substances, including alcohol. Mr. Land has asked the Board to increase his permitted work week to 32 hours.

Action: 04/08/2010. Mr. Land's December 2009 consent order is amended to increase his permitted work week to 32 hours. All other terms and conditions remain in force.

**OKWARA, Benedict Onwukwe, MD**

Location: Monroe, NC (Union Co)

License #: 0000-33878 | Specialty: IM (as reported by physician)

Cause: In October 2008, Dr. Okwara entered into a settlement agreement with the U.S. Government based on information that Dr. Okwara had improperly billed healthcare programs, including Medicare, Medicaid and the Federal Employee Benefit Program by a method known as "upcoding." Dr. Okwara agreed to repay the U.S. Government \$1.7 million over five years. In addition in 1996, Dr. Okwara was arrested for speeding and obstructing and delaying an officer in his official duties. Dr. Okwara was convicted of the speeding offense. He then initiated litigation that was ultimately dismissed. The Board is concerned about

Dr. Okwara's conduct in both the matters described above.

Action: 04/06/2010. Non-disciplinary consent order executed: Dr. Okwara must strictly comply with the terms of his settlement agreement with the U.S. Government.

***DENIALS OF RECONSIDERATION/MODIFICATION***

NONE

***DENIALS OF LICENSE/APPROVAL***

NONE

***SURRENDERS***

**YORK, David Allan, MD**

Location: Augusta, ME

License #: 2004-01357 | Specialty: FM (as reported by physician)

Action: 03/26/2010. Voluntary surrender of NC medical license.

***PUBLIC LETTERS OF CONCERN***

**BODEN, Scott Adam, MD**

Location: Wethersfield, CT

License #: 2005-00872 | Specialty: FM (as reported by physician)

Cause: The Board is concerned that, while practicing in Connecticut, Dr. Boden used an unlicensed individual to administer local anesthesia prior to hair restoration procedures during the course of 2008. This conduct led the Connecticut Medical Examining Board to take disciplinary action, which included entering a consent order and \$5,000 fine, against Dr. Boden on July 21, 2009.

Action: 03/30/2010. Public letter of concern issued.

**BRUHA, Paul Joseph, MD**

Location: Fort Walton Beach, FL

License #: 0000-36664 | Specialty: AN (as reported by physician)

Cause: The Board is concerned that, while practicing in Florida, Dr. Bruha mistakenly performed an anesthetic block on a patient's left side rather than the right side where surgery was to be performed. This led the Florida Department of Health to enter a final order on April 21, 2009, wherein Dr. Bruha received a public letter of concern and was assessed a \$5,000 fine.

Action: 04/06/2010. Public letter of concern issued.

**BUCKLAND, David Nelson, PA**

Location: Star, NC (Montgomery Co)

License #: 0001-01879

Cause: The Board is concerned that Mr. Buckland prescribed medications to family members in violation of the Board's position, which is against such prescribing except for minor, acute illnesses and in emergency situations.

Action: 03/24/2010. Public letter of concern issued.

**CHAO, Ronald Philip, MD**

Location: Beverly Hills, CA

License #: 2009-00329 | Specialty: PS (as reported by physician)

Cause: The Board is concerned that Dr. Chao failed to accurately answer a question on his application for a NC medical license. Dr. Chao indicated on his application that no regulatory board or agency had ever taken action against him. In fact, Dr. Chao was issued a non-disciplinary citation by the Florida Department of Health for failure to timely complete and/or submit required CME certificates. The Board notes that Dr. Chao had provided this information in a prior application for a special permit license and recognizes that the omission appears to be the result of carelessness rather than an attempt to deceive the Board.

Action: 04/21/2010. Public letter of concern issued.

**GILLIS, John Francis, MD**

Location: Mooresville, NC (Iredell Co)

License #: 0095-00354 | Specialty: OPH (as reported by physician)

Cause: The Board is concerned that Dr. Gillis was arrested for Driving While Intoxicated on November 2, 2006, but failed to indicate this on his 2007 and 2008 license renewals, despite the fact that the renewal specifically asks whether the licensee has been charged or convicted of a misdemeanor. Dr. Gillis disclosed the 2006 arrest on his 2009 license renewal. The Board encourages Dr. Gillis to answer license renewal questions timely and with complete candor in future.

Action: 04/01/2010. Public letter of concern issued.

**HALLBERG, John Andrew, MD**

Location: Lumberton, NC (Robeson Co)

License #: 2010-00313 | Specialty: OS (as reported by physician)

Cause: The Board is concerned that Dr. Hallberg's Rhode Island medical license was placed on probation for three years and that he paid a \$500.00 fine in July 2008 because he failed to report to the Rhode Island Board of Medical Licensure and Discipline that his hospital privileges at Westerly Hospital were placed on probation related to call responsibilities. The West Virginia Board of Medicine subsequently took reciprocal action against Dr. Hallberg's West Virginia license, issuing a public reprimand on February 10, 2009.

Action: 03/03/2010. Public letter of concern issued.

**HATCH, David Matthews, MD**

Location: Winston-Salem, NC (Forsyth Co)

License #: 2010-01879 | Specialty: AN (as reported by physician)

Cause: The Board is concerned that Dr. Hatch failed to answer a question on his application for a NC medical license accurately. Dr. Hatch indicated that he had never been suspended from, placed on scholastic or disciplinary probation, expelled or requested to resign from any school, including medical school. In fact, he was placed on academic probation from August 2004 to April 2005 related to a clerkship in obstetrics and gynecology. The Board notes that this probation was related to Dr. Hatch's performance on a single written examination and that the probation was removed when he passed the examination on the second attempt.

Action: 04/20/2010. Public letter of concern issued.

**OLDROYD, Robert G., MD**

Location: Pinehurst, NC (Moore Co)

License #: 0099-00313 | Specialty: AN (as reported by physician)

Cause: The Board is concerned that Dr. Oldroyd was arrested and charged with driving while impaired on December 14, 2008, and failed to accurately reflect this in response to direct questions on his 2009 license renewal, which asked whether he had ever been charged with or convicted of a misdemeanor. Dr. Oldroyd contends that he misread or misinterpreted the question.

Action: 03/10/2010. Public letter of concern issued.

**RUSSELL, David Norman, MD**

Location: Salisbury, NC (Rowan Co)

License #: 0000-25525 | Specialty: NA (as reported by physician)

Cause: The Board is concerned that Dr. Russell may not be supervising Physician Assistant David Nelson Buckland appropriately given the distance from his practice to where PA Buckland practice medicine. The Board is specifically concerned with Mr. Buckland's prescribing and treatment of family members.

Action: 04/07/2010. Public letter of concern issued.

**THOMPSON, Marcel Dwaine, MD**

Location: Round Rock, TX

License #: 2005-01535 | Specialty: NA (as reported by physician)

Cause: The Board is concerned that Dr. Thompson entered into an Agreed Order with the Texas Medical Board on March 16, 2009, in which he agreed to successfully complete a professional boundaries course

within one year of the Agreed Order. The Texas order was based on prior disciplinary action by the U.S. Army, including a conviction under the Uniform Code of Military Justice. The Board notes that Dr. Thompson's NC medical license has been inactive since November 2008.  
Action: 04/07/2010. Public letter of concern issued.

**WAGNER, Paul Dean, MD**

Location: Charleston, WV

License #: 2000-01325 | Specialty: IM (as reported by physician)

Cause: The Board is concerned that Dr. Wagner failed to respond timely to the Board's inquiries regarding Dr. Wagner's CME hours. The Board contacted Dr. Wagner in February 2009 because it appeared he had not reported sufficient hours. He did not respond until June 16, 2009. That same month, the Board requested notarized verification of Dr. Wagner's CME hours. He did not respond to this request until September 2009 and not until several phone calls and email messages requesting a response went unreturned.

Action: 03/02/2010. Public letter of concern issued.

***COURT APPEALS/STAYS***

NONE

***CONSENT ORDERS LIFTED***

**AUGUSTINE, Santhosh, MD**

Location: Lumberton, NC (Robeson Co)

License #: 0096-00445 | Specialty: IM (as reported by physician)

Cause: Dr. Augustine entered into consent orders with the Board dated December 14, 2007, and January 2, 2009. The Board believes the orders are no longer necessary to ensure it and the people of North Carolina that Dr. Augustine can safely practice medicine.

Action: 03/11/2010. Dr. Augustine is relieved of all terms and conditions imposed by his 2007 and 2009 consent orders.

**STEADMAN, Brent Thomas, MD**

Location: Winston-Salem, NC (Forsyth Co)

License #: 2007-01247 | Specialty: Diagnostic Radiology (as reported by physician)

Cause: Dr. Steadman entered into a consent order dated August 12, 2005. Dr. Steadman submitted a letter dated January 25, 2010, requesting that he be relieved of all obligations contained in the 2005 order. The Board believes the order is no longer necessary to ensure it and the people of North Carolina that Dr. Steadman can safely practice medicine.

Action: 04/21/2010. Dr. Steadman is relieved of all continuing obligations in the 2005 consent order.

***TEMPORARY/DATED LICENSES:  
ISSUED, EXTENDED, EXPIRED, OR REPLACED BY FULL LICENSES***

**DUGLISS, Malcolm Andrew John, PA**

Location: Asheville, NC (Buncombe Co)

License #: 0090-01628

Action: 04/06/2010. Temporary physician assistant license dated to expire October 6, 2010, issued.

**MESSNER, Keith Harold, MD**

Location: Fayetteville, NC (Cumberland Co)

License #: 2006-00748 | Specialty: EM (as reported by physician)

Action: 03/18/2010. Full physician license issued.

**WRENN, Cynthia Helen, PA**

Location: Fayetteville, NC (Cumberland Co)

License #: 0001-02752

Action: 04/08/2010. Temporary physician assistant license dated to expire October 8, 2010, issued.

*See Consent Orders:*

**PERRY, Robert Francis, MD**

***DISMISSALS***

NONE

***REENTRY AGREEMENTS***

**BURGOA RIO, Carlos Fernando, PA**

Location: Winston-Salem, NC (Forsyth Co)

License #: 0010-02248

Cause: Mr. Burgoa Rio has not practiced as a physician assistant since June 2008.

Action: 03/02/2010. Program of reentry executed: Mr. Burgoa Rio shall undertake a program of reentry that shall consist of a three-phased period of mentoring by Dr. Jorge Escandon, who shall provide a series of letters to the Board describing his mentoring and his assessment of Mr. Burgoa Rio's clinical skills.

**SHEFFIELD, Kelli Rae, PA**

Location: Greensboro, NC (Guilford Co)

License #: 0001-03649

Cause: Ms. Sheffield has not practiced as a physician assistant since January 2008 and acknowledges the need to complete a program of reentry.

Action: 04/30/2010. Program of reentry executed: Ms. Sheffield shall undertake a program of reentry that shall consist of a three-phased period of mentoring by Dr. Stuart O. Tafeen, who shall provide a series of letters to the Board describing his mentoring and his assessment of Ms. Sheffield's clinical skills.

*See Consent Orders:*

**DUGLISS, Malcolm Andrew John, PA**