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
NONE

REVOCATIONS

SEBHAT, Berhan, MD
Location: Durham, NC (Durham Co) | DOB: 10/22/1966
License #: 2001-01395 | Specialty: IM (as reported by physician)
Medical Ed: Medical College of Ohio (1998)
Cause: In March 2007, Dr Sebhat violated his Consent Order of October 2006 by refusing to provide a urine sample in order to determine if he had consumed alcohol. He also failed to enter a monitoring contract with the NCPHP as required by the Consent Order.
Action: 10/12/2007. Findings of Fact, Conclusions of Law, and Order of Discipline issued following hearing on 8/15/2007: Dr Sebhat’s North Carolina medical license is revoked.

See Consent Orders:
BREWER, Thomas Edmund, Jr, MD

SUSPENSIONS

FEDAK, Jason R., Physician Assistant
Location: Wilmington, NC (New Hanover Co) | DOB: 4/10/1970
License #: 0001-03737
PA Education: Bronx Lebanon Hospital Center (2002)
Cause: In June 2006, Mr Fedak signed a Consent Order with the Connecticut Board accepting a reprimand based on allegations he prescribed controlled and other medications to a family member who was not his patient.
Action: 9/05/2007. Findings of Fact, Conclusions of Law, and Order of Discipline issued following hearing on 8/17/2007: Mr Fedak’s North Carolina PA license is suspended for 30 days, suspension being stayed.

MAUSKAR, Anant Nilkanth, MD
Location: Houston, TX | DOB: 9/13/1932
License #: 0000-18680 | Specialty: FP/IM (as reported by physician)
Medical Ed: BJ Medical College, Poona, India (1957)
Cause: The Texas Board suspended Dr Mauskar’s Texas medical license, staying the suspension and placing him on probation on terms and conditions.
Action: 9/25/2007. Findings of Fact, Conclusions of Law, and Order of Discipline issued following hearing on 8/16/2007: Dr Mauskar’s North Carolina medical license is suspended indefinitely, suspension being stayed provided he complies with conditions in the Texas Order.

See Consent Orders:
AUGUSTUS, Carl Trent, MD
BLISS, Laura Katherine, MD
FIELDS, Jason Baker, MD
GREGORY (formerly Blemings), Ginger Dobbins, Physician Assistant
GUSTILO-ASHBY, Arlan Marcus, MD
LOWE, James Edward, Jr, MD
MANUSOV, Eron Grant, MD
RATHBURN, Stephen Don, MD

SUMMARY SUSPENSIONS
NONE

CONSENT ORDERS
ANDERSON, Robert Michael, MD
ARCHAMBAULT, Mark Elno, Physician Assistant
Location: Winston-Salem, NC (Forsyth Co) | DOB: 12/28/1971
License #: 0010-01083
PA Education: Lock Haven University of Pennsylvania (1998)
Cause: Mr Archambault has not practiced clinically since 2001. He has been instructing students in a PA program.
Action: 10/09/2007. Consent Order executed for Limited Administrative License: Mr Archambault is granted a limited administrative license as a PA; he may not engage in clinical practice.

AUGUSTUS, Carl Trent, MD
Location: Charlotte, NC (Mecklenburg Co) | DOB: 1/22/1962
License #: 0096-01218 | Specialty: IM (as reported by physician)
Medical Ed: Medical University of South Carolina (1989)
Cause: Without admitting fraudulent behavior, Dr Augustus recognizes the Board has evidence that could cause it to conclude he was guilty of unprofessional conduct in relation to handling of a check for $170,009.04 sent to him in error by Blue Cross/Shield in 2005. The Board maintains he deposited the check and spent its proceeds. He contends an employee endorsed the check in error. He failed to return the funds to the bank and was sued as a result, a default judgment being rendered against him with an award to the bank of $510,027.12.
Action: 10/17/2007. Consent Order executed: Dr Augustus’ license is indefinitely suspended, suspension being stayed and Dr Augustus being placed on probation; he shall reimburse the bank, plus attorney’s fee and interest, in 12 payments over three years; must comply with other conditions.

BARBER, Robert Anthony, DO
Location: Morehead City, NC (Carteret Co) | DOB: 9/30/1954
License #: 2003-00222 | Specialty: FP (as reported by physician)
Medical Ed: University of Health Sciences Coll of Osteo, Kansas City (1989)
Cause: To amend Dr Barber’s Consent Order of 8/17/2006.
Action: 10/28/2007: Consent Order amended: His Consent Order is amended to require he keep a log of controlled substance prescriptions, he attend a CME course on prescribing, and he and maintain pain management contracts with patients.

BLAKELEY, Dean DeWayne, MD
Location: Raleigh, NC (Wake Co) | DOB: 10/17/1961
License #: 0000-35588 | Specialty: IM (as reported by physician)
Medical Ed: University of Missouri, Columbia (1988)
Cause: After reviewing some of Dr Blakeley’s records, the Board ordered him to undergo assessment at the Center for Personalized Education for Physicians. Results indicated he should improve his knowledge in several areas.
Action: 10/24/2007. Consent Order executed: Dr Blakeley is ordered to undergo remedial education in keeping with the recommendations of the CPEP; he must practice in a supervised environment; he shall not treat chronic pain; must comply with other conditions.

BLISS, Laura Katherine, MD
Location: Mebane, NC (Alamance Co) | DOB: 4/25/1958
License #: 0095-00018 | Specialty: FP (as reported by physician)
Medical Ed: University of North Carolina (1989)
Cause: Dr Bliss prescribed Xanax® for a coworker and asked the coworker to share the pills with her. This was done. Her employer asked her to go to the NCPHP and it was their recommendation she be assessed. Assessment found no evidence of substance abuse but recommended treatment for alcohol dependence. Dr Bliss surrendered her license on 6/01/2007.


**BREWER, Thomas Edmund, Jr, MD**

Location: Denton, NC (Davidson Co) | DOB: 11/04/1956
License #: 0000-28141 | Specialty: GP/EM (as reported by physician)
Medical Ed: Wake Forest University School of Medicine (1983)

Cause: In February 2006, Dr Brewer prescribed a controlled substance to four persons on four occasions knowing they did not require the medication and knowing that one patient, a pharmacist using a false name, would fill the prescriptions for himself and that the other three persons were not aware of the prescriptions being written in their names. Dr Brewer’s medical license expired at the end of February 2006, but he conducted a physical examination and assessment of a patient in August 2007.

Action: 10/03/2007. Consent Order executed: Dr Brewer’s North Carolina medical license is revoked.

**COHEN, Max William, MD**

Location: Greensboro, NC (Guilford Co) | DOB: 10/15/1968
License #: 2002-00507 | Specialty: OS/OSS (as reported by physician)
Medical Ed: Medical College of Virginia (1996)

Cause: Dr Cohen’s failed to inform a patient in a timely way about the potential existence of sponge fragments left from a 2005 procedure prior to a 2006 procedure and to disclose the removal of those fragments in the 2006 procedure in the operative note. He also failed to perform a 2006 procedure on another patient at the correct interspace level. He has taken steps to prevent recurrence of those kinds of surgical issues, has expressed remorse, and apologized. He has no previous record with the Board.

Action: 10/19/2007. Consent Order executed: Dr Cohen is reprimanded and is placed on probation for one year; he must attend a CME course on ethics.

**CORLEY, Charles Austin, MD**

Location: Kennesaw, GA | DOB: 10/02/1967
License #: 0099-00023 | Specialty: PD (as reported by physician)
Medical Ed: University of North Carolina School of Medicine (1993)

Cause: In April 2007, the Georgia Board, via Consent Order, found Dr Corley was charged in Georgia with child molestation, enticing a child, and sexual battery of a minor. In the Consent Order, Dr Corley agreed not to practice in Georgia until the criminal charges are resolved and to comply with other requirements.

Action: 10/17/2007. Interim Consent Order executed: Dr Corley shall not practice in North Carolina without prior written permission from the North Carolina Board; he shall notify the Board of the resolution of the charges against him within 20 days of that resolution; must comply with other requirements.

**COX, Benjamin Gould, Jr, MD**

Location: Menifee, CA | DOB: 11/27/1931
License #: 2007-01629 | NS (as reported by physician)
Medical Ed: New York Medical College (1959)

Cause: On application for a license. Dr Cox has not performed neurosurgery since 1980.

Action: 9/26/2007. Non-Disciplinary Consent Order executed: Dr Cox is issued a North Carolina medical license; he shall not perform or assist in neurosurgical procedures; must comply with other conditions.

**DOBSON, Burt William, MD**

Location: Fayetteville, NC (Cumberland Co) | DOB: 7/30/1967
License #: 2007-01685 | Specialty: FP (as reported by physician)
Medical Ed: University of North Carolina School of Medicine (2002)
Cause: On application for a license. While holding an RTL, Dr Dobson wrote prescriptions for controlled substances to a patient for whom he kept no chart. He could not justify the prescriptions and denied knowing the patient. He later admitted he did know the patient and did write prescriptions, but said the patient secretly got a prescription pad he had pre-signed. In February 2005, Dr Dobson entered a Consent Order with the Board admitting his conduct, accepting a reprimand, and agreeing not to apply for a full license until after April 2005. He has not practiced since December 2004.
Action: 10/09/2007. Consent Order and Reentry Agreement executed: Dr Dobson is issued a North Carolina medical license; he shall have a physician colleague observe his practice for one year and report on his skills to the Board on a quarterly basis.

FIELDS, Jason Baker, MD
Location: Wilmington, NC (New Hanover Co) | DOB: 5/24/1969
License #: 0099-00833 | Specialty: PD (as reported by physician)
Medical Ed: East Tennessee State University (1996)
Cause: Dr Fields is methamphetamine dependent. At the Board’s request, he inactivated his North Carolina medical license in 2006. At that time, he was already a participant in the NCPHP and had undergone inpatient treatment. His license was reactivated in March 2007. In April 2007, he surrendered his license after testing positive for methamphetamine.
Action: 10/05/2007. Consent Order executed: Dr Fields’ North Carolina medical license is indefinitely suspended.

GREGORY (formerly Blemings), Ginger Dobbins, Physician Assistant
Location: Fuqua Varina, NC (Wake Co) | DOB: 8/30/1963
License #: 0001-01410
PA Education: Bowman Gray School of Medicine (1991)
Cause: Ms Gregory has a substance abuse history with the Board. She tested positive for alcohol on several occasions, particularly on the EtG test, and was evaluated by Talbott Recovery in April 2006. Talbott recommended she have 30 days of inpatient relapse treatment. She denies she is drinking and the NCPHP believes she is not unsafe to practice in her current setting. She voluntarily placed her license on inactive status in October 2007.
Action: 10/17/2007. Consent Order executed: Ms Gregory’s PA license is reactivated and she is placed on indefinite suspension, suspension being stayed on strict conditions related to substance abuse.

GUSTILO-ASHBY, Arlan Marcus, MD
Location: Cleveland, OH | DOB: 5/17/1967
License #: 2001-00884 | Specialty: OB/GYN (as reported by physician)
Medical Ed: Mayo Medical School (1996)
Cause: In 2006, Dr Gustilo-Ashby agreed to a Consent Order with the Ohio Board based on a finding that he had sexual contact with a patient in 2003/2004 and on results of assessments that found he had psychosexual disorder and adjustment disorder. He underwent a two-week inpatient treatment, medication management, and intensive outpatient treatment. He agreed that his license should be suspended, that he should provide reports to the Ohio Board on his treatment, and that specific conditions should apply to future reinstatement.
Action: 9/10/2007. Consent Order executed: Dr Gustilo-Ashby’s North Carolina medical license is suspended indefinitely; he shall comply with the terms of his agreement with the Ohio Board.

HOWARD, Cleve W., MD
Location: Charlotte, NC (Mecklenburg Co) | DOB: 8/14/1941
License #: 2007-01559 | Specialty: OPH/PD (as reported by physician)
Medical Ed: University of Kansas School of Medicine (1967)
Cause: On application for a Retired Limited Volunteer License. In 2001, Dr Howard was fined by the Florida Board and ordered to attend five hours of risk management courses and deliver a lecture
on wrong-side surgery. This action resulted from his placing a surgical tube in the wrong location in 1999. He intends to perform eye examinations in an indigent clinic.

Action: 9/13/2007. Consent Order executed: Dr Howard is issued a Retired Limited Volunteer License.

KHAYATA, Mazan, MD
Location: Tempe, AZ | DOB: 2/01/1960
License #: 2006-01233 | Specialty: NS (as reported by physician)
Medical Ed: Cornell University Medical College (1984)
Cause: In May 2006, the Arizona Board issued Dr Khayata a letter of reprimand based on its finding he deviated from the standard of care by failing to properly evaluate a patient prior to beginning a surgical procedure.

LOWE, James Edward, Jr, MD
Location: Fayetteville, NC (Cumberland Co) | DOB: 12/05/1950
License #: 0000-37887 | Specialty: PS/HS (as reported by physician)
Medical Ed: Meharry Medical College (1975)
Cause: It appears Dr Lowe failed to adequately record information in the records of six patients and billed for certain surgical procedures not supported by the records. The Board also has evidence from which it could conclude Dr Lowe departed from the standard of care in diagnosis and surgical judgment in one case. It has no evidence any surgeries resulted in bad outcomes.
Action: 10/17/2007. Consent Order executed: Dr Lowe’s North Carolina medical license is suspended indefinitely effective 12/01/2007; he may reapply for a license in three months from the date of this Consent Order.

MacDONALD, Carolyn, MD
Location: Pittsboro, NC (Chatham Co) | DOB: 11/29/1955
License #: 0095-00650 | Specialty: PhysMed/Rehab (as reported by physician)
Medical Ed: Eastern Virginia (1980)
Cause: From 2003 to 2005, Dr MacDonald, while at Progressive Rehabilitation and Pain Management, presigned prescription blanks and left them with an unlicensed employee in her absence. She says she required the employee call her to obtain permission to complete a presigned prescription. She abruptly closed her practice in December 2005 without notifying patients. She says her conduct was the result of having the administrative duties at Progressive Rehabilitation placed on her involuntarily. She did not attend to these duties properly due to inexperience and the demands of family illness. She has arranged to take training in organizational skills and administration. Her patient records indicate her patient care was satisfactory.
Action: 10/17/2007. Consent Order executed: Dr MacDonald is reprimanded; she shall comply the the Board’s Position Statement on the treatment of pain and shall maintain and abide by a contract with the NCPHP; must comply with other requirements.

MANUSOV, Eron Grant, MD
Location: West End, NC (Moore Co) | DOB: 5/23/1958
License #: 0098-00625 | Specialty: FP/SM (as reported by physician)
Medical Ed: Uniformed Services University (1984)
Cause: In May 2005, Dr Manusov began a sexual affair with an employee who was also wife of one of his patients. During July and August following, Dr Manusov’s PA provided care for and wrote a prescription for the patient. At no time did Dr Manusov tell the patient about the affair nor did he end the physician-patient relationship. The patient’s wife was divorced from the patient and married Dr Manusov.
Action: 10/17/2007. Consent Order executed: Dr Manusov’s North Carolina medical license is suspended for one year; suspension is stayed as of 11/17/2007 and Dr Manusov is placed on probation for one year; he must attend CME courses on boundary issues, ethics, and prescribing; must comply with other conditions.

McMANUS, Shea Eamonn, MD
McManus, Dr. (Wilmington, NC) DOB: 11/04/1965
License #: 0097-01056 | Specialty: IM (as reported by physician)
Medical Ed: Tulane University School of Medicine (1994)
Cause: Dr. McManus has a history of alcohol and substance abuse. Beginning in August 2006, he underwent 14 weeks of inpatient treatment for a relapse. He admitted this to the Board in December 2006. He has since entered a contract with the NCPHP. The Board suspended his license in February 2007 and he seeks reinstatement.

Action: 10/05/2007. Consent Order executed: Dr. McManus is issued a license to expire on the date shown on the license [4/05/2008]; he must abide by strict requirements related to alcohol and substance abuse.

Northrip, Dr. (Lexington, KY) DOB: 9/12/1953
License #: 0000-29635 | Specialty: AN (as reported by physician)
Medical Ed: University of Oklahoma (1981)
Cause: The Kentucky Board indefinitely restricted Dr. Northrip’s Kentucky medical license based on his record of abuse of alcohol and controlled substances.

Action: 10/04/2007. Consent Order executed: Dr. Northrip’s North Carolina medical license is restricted indefinitely; he must abide by the terms of his Agreed Orders with the Kentucky Board; he must inform the North Carolina Board before returning to practice in North Carolina and will not begin such practice without written permission from the Board.

Rathburn, Dr. (Asheville, NC) DOB: 7/26/1958
License #: 2002-01516 | Specialty: AN (as reported by physician)
Medical Ed: Northeastern Ohio Universities (1982)
Cause: Dr. Rathburn diverted a controlled substance to his own use on at least two occasions. He surrendered his license in April 2007 and is in a five-year contract with the NCPHP.

Action: 10/30/2007. Consent Order executed: Dr. Rathburn’s North Carolina medical license is indefinitely suspended.

Shanton, Mr. (Newport, NC) DOB: 2/17/1963
License #: 0001-01943
PA Education: Alderson-Broaddus (1992)
Cause: Mr. Shanton has abused alcohol and controlled substances and suffers from depression. He underwent inpatient treatment for depression in early 2007 and has received outpatient treatment since that time. The Board summarily suspended his PA license in April 2007 and indefinitely suspended his license by Consent Order in July 2007. He has entered a contract with the NCPHP and is compliant with it.

Action: 9/27/2007. Consent Order executed: Mr. Shanton is issued a PA license to expire on the date shown on the license; he must abide by strict requirements related to alcohol and substance abuse.

Swanger, Dr. (Whiteville, NC) DOB: 7/17/1961
License #: 2007-01654 | Specialty: OB/GYN (as reported by physician)
Medical Ed: Univ of Health Sciences Coll of Osteopathic Medicine, Kansas City (1989)
Cause: On application for a medical license. Dr. Swanger was reprimanded by the Georgia Board and required to fulfill certain terms as a result of a malpractice settlement related to complications during delivery of a baby resulting in delayed development of the child. He completed the terms required by Georgia.

Action: 10/04/2007. Consent Order executed: Dr. Swanger is issued a North Carolina medical license subject to a reprimand.

Tompkins, Dr. (Virginia Beach, VA) DOB: 9/22/1956
License #: 0097-01625 | Specialty:  D (as reported by physician)
Medical Ed: Jefferson Medical College (1982)
Cause: In September 2006, the Virginia Board found Dr Tompkins had prescribed to a person not his patient and violated the law and the rules of the Board in treating three persons who were his employees. He also prescribed weight-reduction medication without performing an appropriate history and physical, without prescribing and recording a diet and exercise program, and without recording monthly BP and pulse. Further, he prescribed other drugs to patients without documenting them. He also failed to report on a hospital staff application that he had been convicted for impaired driving in 1999.
Action: 9/06/2007. Consent Order executed: Dr Tompkins is reprimanded.

WARE, Leslie Ann, Physician Assistant
Location: Wadesboro, NC (Anson Co) | DOB: 5/03/1968
License #: 0001-03472
PA Education: University of Nebraska Medical Center (1999)
Cause: Ms Ware wrote prescriptions for several family members during 2006 and 2007. She did not keep a patient chart documenting a history and examination for either person.
Action: 9/13/2007. Consent Order executed: Ms Ware is reprimanded; she shall comply with the Board’s position statements on prescribing.

WHITLOCK, Gary Thomas, MD
Location: Jacksonville, NC (Onslow Co) | DOB: 7/15/1948
License #: 0000-24331 | Specialty: EM/ADDM (as reported by physician)
Medical Ed: University of North Carolina School of Medicine (1978)
Cause: Dr Whitlock has a history of substance abuse and medical conditions at times requiring controlled substances for relief of pain. He has a contract with the NCPHP and has undergone inpatient treatment. The NCPHP reports he is compliant with his contract.
Action: 10/12/2007. Consent Order executed: Dr Whitlock is issued a license to expire on the date shown on the license [4/12/2008]; he must abide by strict requirements related to alcohol and substance abuse.

MISCELLANEOUS ACTIONS

BUZZANELL, Charles Anton, MD
Location: Asheville, NC (Buncombe Co) | DOB: 9/23/1956
License #: 0098-00481 | Specialty: AN (as reported by physician)
Medical Ed: Georgetown University School of Medicine (1984)
Cause: Motion by Dr Buzzanell’s attorney to amend Dr Buzzanell’s public file to reflect deposition testimony by Drs Buzzanell, Rholl, and Rauck relevant to the issues involved in the Charges and Consent Orders (of 9/16/2003, amended 1/15/2004 and 8/03/2005—and terminated on completion of all terms).
Action: 10/17/2007. Order issued to amend the public file to reflect the findings presented in the motion.

CHEN, Chih-Cheng, MD
Location: Wilmington, NC (New Hanover Co) | DOB: 10/30/1941
License #: 0000-25004 | Specialty: N (as reported by physician)
Medical Ed: Taipei Medical College (1969)
Cause: Inappropriate treatment of tremors led to issuance of a private letter of concern to Dr Chen from the Board in 2005. The Board conducted a further review of patient charts involving his treatment of pain in 2006 with Marcaine injections, and determined those treatments were without scientific or evidence-based rationale. Expert review also held his treatment was below acceptable standards.
Action: 9/14/2007. Findings of Fact, Conclusions of Law, and Order of Discipline issued following hearing on 8/15-16/2007: Dr Chen is reprimanded; he shall no longer administer the nerve-block injections he had been employing and shall improve his charting to acceptable Medicare standards.
DENIALS OF RECONSIDERATION/MODIFICATION
NONE

DENIALS OF LICENSE/APPROVAL

DUBEY, Subu, MD
Location: River Forest, IL | DOB: 2/21/1961
License #: 0094-01175 | Specialty: IM (as reported by physician)
Medical Ed: Northwestern University (1987)
Cause: Appeal of the Board’s denial of his previous application for reinstatement of license. He was convicted of a felony in 2002 in federal court. As a result, his North Carolina license was revoked.
Action: 10/22/2007. Findings of Fact, Conclusions of Law, and Order of Discipline issued following hearing on 10/17/2007: The previous denial of Dr Dubey’s application for licensure was proper and shall remain in effect.

SURRENDERS

GUICE, Richard Eric, MD
Location: Greensboro, NC (Guilford Co) | DOB: 10/09/1963
License #: 0000-34022 | Specialty: OB/GYN (as reported by physician)
Medical Ed: Medical College of Georgia (1989)

JUSTICE, Brenda Jean, Physician Assistant
Location: Benson, NC (Johnston Co) | DOB: 10/02/1970
License #: 0001-01923
PA Education: Alderson-Broadus (1992)

OLIVER, Joseph Andrew, III, MD
Location: Rockwell, NC (Rowan Co) | DOB: 9/11/1956
License #: 0095-01366 | Specialty: FP (as reported by physician)
Medical Ed: St George’s Medical School, Granada (1992)

SARMIENTO, Pete Matibag, MD
Location: High Point, NC (Guilford Co) | DOB: 7/03/1965
License #: 0097-00136 | Specialty: IM (as reported by physician)
Medical Ed: Far Eastern University, Philippines (1990)

TOMPKINS, Kenneth James, MD
Location: Virginia Beach, VA | DOB: 9/22/1956
License #: 0097-01625 | Specialty: D (as reported by physician)
Medical Ed: Jefferson Medical College (1982)

PUBLIC LETTERS OF CONCERN

ASAJO, Sunday Olanrewaju, MD
Location: Utica, NY | DOB: 2/10/1952
License #: 0000-34550 | Specialty: OB/GYN (as reported by physician)
Medical Ed: University of Illinois (1986)
Dr Asaju was placed on probation for a year by the New York Board on a finding that he had been negligent in his level of care on several occasions.

10/03/2007. Public Letter of Concern issued: The Board admonishes Dr Asaju and cautions that any repetition of such practice may lead to formal disciplinary proceedings.

CLAYTON, Kimberly Lavita, MD
Location: Brooksville, FL | DOB: 9/03/1967
License #: 2000-01099 | Specialty: GS (as reported by physician)
Medical Ed: Case Western Reserve University (1993)
Cause: In reviewing a malpractice payment, the Board was concerned about Dr Clayton’s failure to communicate effectively with a patient’s referring physician and, as a result, her performing a procedure at an incorrect site.
Action: 10/22/2007. Public Letter of Concern issued: The Board admonishes Dr Clayton and cautions that any repetition of such practice may lead to formal disciplinary proceedings.

FUCHS, Herbert Edgar, MD
Location: Durham, NC (Durham Co) | DOB: 1/05/1958
License #: 0000-39594 | Specialty: NS/PNS (as reported by physician)
Medical Ed: Duke University School of Medicine (1984)
Cause: Under Dr Fuchs’ supervision, procedures were performed on a patient in May 2003 at L4-L5 that should have been performed at L5-S1. He was the patient’s attending physician and the physician in charge of the patient during the procedure.
Action: 10/17/2007. Public Letter of Concern issued: The Board is concerned about any allegations involving quality of care and cautions Dr Fuchs that repetition of similar facts and circumstances may lead to additional disciplinary proceedings; and Dr Fuchs’ cooperation with the Board and remedial steps he and his staff have implemented are noted.

GROSSMAN, Clifford Norman, MD
Location: Miami, FL | DOB: 08/14/1966
License #: 0095-00361 | Specialty: DR (as reported by physician)
Medical Ed: Emory University (1993)
Cause: Dr Grossman was reprimanded by the Georgia Board, fined, and required to take CME in ethics because of his changing of a treating physician’s request regarding an MRI. This action delayed diagnosis and resulted in patient injury.
Action: 9/01/2007. Public Letter of Concern issued: The Board admonishes Dr Grossman and cautions that any repetition of such an incident may lead to formal disciplinary proceedings.

HUBERMAN, Richard Allen, MD
Location: Kinston, NC (Lenoir Co) | DOB: 2/24/1947
License #: 0000-18526 | Specialty: ORS (as reported by physician)
Medical Ed: New York University (1972)
Cause: Dr Huberman performed a surgical exision of a heel spur on the wrong foot of a patient in 2003.
Action: 10/30/2007. Public Letter of Concern issued: The Board is concerned when there are allegations involving quality of care and cautions Dr Huberman that a repetition of such an incident may lead to additional disciplinary proceedings; the Board is pleased he has taken steps to ensure avoidance of such wrong-site surgery in future.

JACKSON, Richard Thomas, MD
Location: Winston-Salem, NC (Forsyth Co) | DOB: 7/01/1948
License #: 2005-00510 | Specialty: N (as reported by physician)
Medical Ed: Albany Medical College (1974)
Cause: Dr Jackson prescribed medications for himself and his family.
Action: 9/27/2007. Public Letter of Concern issued: The Board invites Dr Jackson to review its Position Statements on “Self-Treatment and Treatment of Family Member…” and its other Position Statements; it also encourages Dr Jackson to refrain from such prescribing in future except as
noted in the Position Statement; it also cautions him that repetition of this incident may lead to formal disciplinary proceedings.

**MacKENZIE, Karen Marie, MD**  
Location: Port Charlotte, FL | DOB: 3/28/1968  
License #: 2003-00650 | Specialty: GS (as reported by physician)  
Medical Ed: University of North Carolina School of Medicine (1998)  
Cause: In reviewing a malpractice payment made on Dr. MacKenzie’s behalf, the Board was concerned about her peri-operative care of a surgical patient. She did not adequately document her discussion with the patient of risks and benefits and did not seek consultation on his co-existent medical problems. She also performed the operation while he was anticoagulated.  
Action: 10/09/2007. Public Letter of Concern issued: The Board admonishes Dr. MacKenzie and cautions her that a repetition of such an incident may lead to formal disciplinary proceedings.

**SIMMONS, Leo Benjamin, MD**  
Location: Wilmington, DE | DOB: 11/28/1944  
License #: 0000-39479 | Specialty: GS (as reported by physician)  
Medical Ed: Medical University of South Carolina (1970)  
Cause: Dr. Simmons reliance on an erroneous MRA report without personally reviewing films and the apparent inadequate preoperative patient evaluation contributed to wrong-side surgery being performed.  
Action: 9/17/2007. Public Letter of Concern issued: The Board admonishes Dr. Simmons and cautions that a repetition of such an incident may lead to formal disciplinary proceedings.

**WENN, Timothy Peter, MD**  
Location: Salisbury, NC (Rowan Co) | DOB: 5/26/1951  
License #: 0000-27103 | Specialty: EM/IM (as reported by physician)  
Medical Ed: Wayne State University (1980)  
Cause: Review of a malpractice claim and the corresponding medical record led to concern that Dr. Wenn’s evaluation of the patient did not adequately address the possibility that the patient’s knee pain was related to vascular leg injury.  
Action: 10/03/2007. Public letter of Concern issued: The Board admonishes Dr. Wenn and cautions that a repetition of such a practice may lead to formal disciplinary proceedings.

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**COURT APPEALS/STAYS**  
NONE

**CONSENT ORDERS LIFTED**  

**CARLSON, James Lenhart, MD**  
Location: Cerro Gordo, NC (Columbus Co) | DOB: 11/20/1959  
License #: 2002-00010 | Specialty: FP (as reported by physician)  
Medical Ed: Medical College of Wisconsin (1991)  

**ENGLISH, Thaddeus David, Physician Assistant**  
Location: Elizabeth City, NC (Pasquotank Co) | DOB: 8/01/1972  
License #: 0001-03217  
PA Education: Lock Haven University of Pennsylvania (2000)  

**FARRELL, Edwin Gayle, MD**  
Location: Wilmington, NC (New Hanover Co) | DOB: 3/13/1945  
License #: 0000-17345 | Specialty: PD/AM (as reported by physician)  
Medical Ed: University of North Carolina School of Medicine (1971)

NIEMEYER, Meindert Albert, MD
Location: Elon, NC (Alamance Co) | DOB: 6/16/1956
License #: 0000-30440 | Specialty: FP (as reported by physician)
Medical Ed: Faculty of Medicine, National University of Utrecht, Netherlands (1981)

TAUB, Harry Evan, MD
Location: Fletcher, NC (Henderson Co) | DOB: 11/24/1970
License #: 2006-00491 | Specialty: ChP/P (as reported by physician)
Medical Ed: Dartmouth (2001)

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

AARONS, Mark G., MD
Location: Rockingham, NC (Richmond Co) | DOB: 5/07/1958
License #: 0000-31233 | Specialty: NEP/IM (as reported by physician)
Medical Ed: Baylor College of Medicine (1984)

FARRELL, Edwin Gayle, MD
Location: Wilmington, NC (New Hanover Co) | DOB: 3/13/1945
License #: 0000-17345 | Specialty: PD/AM (as reported by physician)
Medical Ed: University of North Carolina School of Medicine (1971)

ROSNER, Michael John, MD
Location: Hendersonville, NC (Henderson Co) | DOB: 12/04/1946
License #: 0090-01548 | Specialty: NS/NS-Critical Care (as reported by physician)
Medical Ed: Virginia Commonwealth University School of Medicine (1972)

WADDELL, Roger Dale, MD
Location: Aberdeen, NC (Moore Co) | DOB: 11/17/1954
License #: 0000-30105 | Specialty: NA
Medical Ed: University of Colorado School of Medicine (1981)

WILLIAMS, Dwight Morrison, MD
Location: Roanoke Rapids, NC (Halifax Co) | DOB: 2/15/1952
License #: 0000-33577 | Specialty: OB/GYN (as reported by physician)
Medical Ed: University of North Carolina School of Medicine (1982)

See Consent Orders:
McMANUS, Shea Eamonn, MD
SHANTON, Gregory Damon, Physician Assistant
WHITLOCK, Gary Thomas, MD

DISMISSALS
NONE
**REENTRY AGREEMENTS**

**ARANDA, Conrado Pena, MD**
Location: Brevard, NC (Transylvania Co) | DOB: 5/24/1939
License #: 2007-01637 | Specialty: IM/Pulmonary Disease
Medical Ed: Faculty of Med and Surg, Univ of Santo Tomas, Philippines (1962)
Cause: Dr Aranda is retired and has not practiced since 2000. He has not maintained his CME.
Action: 9/28/2007. Reentry Agreement for Retired Limited Volunteer License executed: Dr Aranda shall have a physician colleague observe his first year of volunteer practice and report to the Board on his skills at the end of that period.

**BADER, Joanne Wilson, Physician Assistant**
Location: Cincinnati, OH | DOB: 5/30/1953
License #: 0010-01022
PA Education: Duke University (1988)
Cause: Ms Bader has not practiced as a PA since 2001.
Action: 9/05/2007. Reentry Agreement executed: Ms Bader is issued a PA license; her supervising physician shall observe her practice for one year and shall report on her skills to the Board quarterly; she shall meet her CME requirements and meet with members of the Board on request.

**CORRY, Beverly Elizabeth, MD**
Location: Goldsboro, NC (Wayne Co) | DOB:12/14/1947
License #: 0000-23017 | Specialty: PD/PD-UR (as reported by physician)
Medical Ed: University of California, San Francisco (1975)
Cause: Dr Corry has not practiced clinical medicine since March 2004. Her CME is current.
Action: 9/10/2007. Reentry Agreement executed: Dr Corry is issued a North Carolina medical license; she shall undertake a mini-residency for a period of three months at ECU School of Medicine; Dr Dale Newton shall report to the Board on her skills at the close of the residency; she must meet with members of the Board on request.

**EDGERTON, Ann Killian, Physician Assistant**
Location: Charlotte, NC (Mecklenburg Co) | DOB: 9/06/1955
License #: 0001-00356
PA Education: Wake Forest University (1979)
Cause: Ms Edgerton has not practiced as a PA since 1985 but has maintained her CME and has passed the PANC examination.
Action: 10/09/2007. Reentry Agreement executed: Ms Edgerton is issued a PA license; her practice shall be observed by her supervising physician for one year with quarterly reports to the Board on her skills; she must meet with members of the Board on request.

**JOHNSON, Theresa Ann, Physician Assistant**
Location: Linden, NC (Cumberland Co) | DOB: 6/22/1962
License #: 0010-01038
PA Education: Baylor College of Medicine (1984)
Cause: Ms Johnson has not practiced as a full-time PA since August 2004.
Action: 9/26/2007. Reentry Agreement executed: Ms Johnson is issued a North Carolina PA license; her supervising physician shall observe her practice for six months and shall then report on her skills to the Board; she shall meet with members of the Board on request.

**PRIESTAF, Amy Christine, Physician Assistant**
Location: Raleigh, NC (Wake Co) | DOB: 4/17/1967
License #: 0010-01021
PA Education: Wake Forest University (1992)
Cause: Ms Priestaf has not practiced as a full-time PA since 1998.
Action: 9/05/2007. Reentry Agreement executed: Ms Priestaf is issued a PA license; she must arrange to meet with her supervising physician on a weekly basis for the first six months of practice; the
physician observing her must report to the Board on her skills on a quarterly basis for one year; she must meet with members of the Board on request.

**QUINN, Jane A., MD**
Location: Huntersville, NC (Mecklenburg Co) | DOB: 6/27/1957  
License #: 0000-39322 | Specialty: IM (as reported by physician)  
Medical Ed: Medical College of Wisconsin (1983)  
Cause: Dr Quinn has not practiced clinical medicine since late 2003 and voluntarily made her North Carolina license inactive in late 2006. Her CME is current and she is licensed in Maryland and New York.  
Action: 9/13/2007. Reentry Agreement executed: Dr Quinn is issued a medical license; she must arrange for a physician colleague to observe her practice for six months and report on her skills to the Board in writing; must meet with members of the Board when requested.

**SEWARD, Paul North, MD**
Location: Raleigh, NC (Wake Co) | DOB: 6/14/1943  
License #: 2007-01769 | Specialty: EM/PD (as reported by physician)  
Medical Ed: Harvard University (1968)  
Cause: Dr Seward has not practiced clinical medicine since July 2004. His CME is current.  
Action: 10/30/2007. Reentry Agreement executed: Dr Seward is issued a medical license; he must arrange for a physician colleague to observe his practice for six months and report on his skills to the Board in writing; must meet with members of the Board when requested.