



BOARD HEARING MINUTES

North Carolina Medical Board

June 21, 2019

**1203 Front Street
Raleigh, North Carolina**

The North Carolina Medical Board held its regularly scheduled June 2019 meeting at the Board's office located at 1203 Front Street, Raleigh, North Carolina. Barbara E. Walker, DO, President and Presiding Officer, called the meeting to order on Friday June 21, 2019, at 8:04 a.m. Board members participating were: Bryant A. Murphy, M.D.; Venkata R. Jonnalagadda, M.D.; Debra A. Bolick, M.D.; Michaux R. Kilpatrick, M.D.; Jerri L. Patterson, N.P.; John W. Rusher, M.D.; and Shawn P. Parker, J.D. Also attending was Fred Morelock, Independent Legal Counsel to the Board.

Presidential Remarks:

Dr. Walker commenced the meeting by reminding the Board members of their duty to avoid conflicts of interest with respect to any matters coming before the Board as required by the State Government Ethics Act.

HEARINGS

FINK, GARY LEE, MD – Salisbury, NC

The Board was represented by Mr. Brian Blankenship. Dr. Fink represented himself.

Dr. Fink was charged with failure to comply with a Board Order in violation of N.C.G.S. § 90-14(a) (6) and failure to respond, within a reasonable period of time and in a reasonable manner as determined by the Board, to inquiries from the Board concerning matters affecting his license to practice medicine in violation of N.C.G.S. § 90-14(a) (14).

Following the hearing, the Board found that Dr. Fink failed to comply with a Board Order in violation of N.C.G.S. § 90-14(a) (6) and failed to respond, within a reasonable period of time and in a reasonable manner as determined by the Board, to inquiries from the Board concerning matters affecting his license to practice medicine in violation of N.C.G.S. § 90-14(a) (14). The board voted to indefinitely suspend Dr. Fink's license the practice medicine effective June 30, 2019.

PROPOSED SETTLEMENTS

MCKENZIE, Wayland Wilson, Sr., MD – Greensboro, NC

The Board was represented by Mr. Marcus Jimison. Dr. McKenzie was represented by Mr. Harold Kennedy and Mr. Harvey Kennedy, who did not appear but agreed in advance to allow the proposed consent order to be presented ex parte.

The Board went into closed session pursuant to Section 143-318.11(a) of the North Carolina General Statutes to prevent the disclosure of information that is confidential pursuant to Sections 90-8, 90-14, 90-16, 90-21.22 of the North Carolina General Statutes and not considered a public record within the meaning of Chapter 132 of the General Statutes and/or to preserve attorney/client privilege.

The Board voted to accept the proposed Consent Order.

REQUEST FOR RELIEF

JEMSEK, Joseph Gregory, MD – Washington, DC

The Board was represented by Mr. Marcus Jimison. Dr. Jemsek was represented by Mr. Jacques Simon and Mr. Edward Hash.

The Board voted: 1) not to treat the Petition as a Motion for Relief under Rule 60(b)(6); 2) that the Petition for Order Annuling the August 21, 2006 Order of Discipline and the June 23, 2008 Public Letter of Concern is DENIED; and 3) the Petition for Declaratory Ruling is DENIED.

CLOSED SESSION MATTERS

The Board went into closed session pursuant to Section 143-318.11(a) of the North Carolina General Statutes to prevent the disclosure of information that is confidential pursuant to Sections 90-8, 90-14, 90-16, 90-21.22 of the North Carolina General Statutes and not considered a public record within the meaning of Chapter 132 of the General Statutes and/or to preserve attorney/client privilege.

Two closed session matters were conducted. A written report regarding the first matter was presented for the Board's review. The Board adopted the Committee's recommendation to approve the written report. The second matter was accepted as information. The specifics of these reports are not included because these actions are not public information.

Adjournment:

This meeting was adjourned at 11:50 a.m., Friday, June 21, 2019.



Venkata Jonnalagadda, MD
Secretary/Treasurer