

MEETING OF THE BOARD OF MEDICAL EXAMINERS
OF NORTH CAROLINA

Sir Walter Hotel, Raleigh, North Carolina
January 16th, 1946.

The Board of Medical Examiners of the State of North Carolina met at the Sir Walter Hotel, Raleigh, North Carolina, January 16th, 1946, at 8:30 A. M., in an extra session for the consideration of licensure by endorsement of credentials.

The meeting was called to order by Dr. R. B. McKnight, president. Drs. Charles W. Armstrong, M. D. Bonner, Thomas Leslie Lee, Paul G. Parker, and Malory A. Pittman were present. Dr. Ivan Procter, secretary-treasurer, was absent due to an attack of coronary thrombosis on January 7th, 1946, and is confined to Mary Elizabeth Hospital.

The president presented Dr. Procter's letter of resignation of January 15th, 1946, to the board, which was as follows:

"I am sorry that it is necessary for me to write this letter. It has been a great pleasure and joy for me to associate and work with each member of the North Carolina Board of Medical Examiners, and I hope to continue my association as a part of this important state agency.

"As a result of my present illness which will probably be more or less prolonged, my physician directs that I withdraw from some of my many duties, and secretaryships are a part of his order. For this reason only do I ask you and the board to accept my resignation as secretary-treasurer of the North Carolina Board of Medical Examiners. I hope, however, to sit with you in session after not too many weeks.

"My assistant, Mrs. Louise McNeill, is at your disposal and will gladly co-operate in any manner which you desire. I am sure that she will arrange a practical method of acquainting a new stenographer with the many routine duties so as to lighten the burden of that member of the board who accepts the secretaryship."

Dr. Thomas Leslie Lee moved that Dr. Procter's resignation as secretary-treasurer not be accepted. This motion was duly seconded and unanimously passed.

Dr. Charles W. Armstrong moved that Mrs. Louise J. McNeill, secretary to Dr. Ivan Procter, be made acting secretary-treasurer during Dr. Procter's illness, with the authority to sign checks. This motion was duly seconded and unanimously passed.

The board was advised by the acting secretary that the deans of the three medical schools in North Carolina agreed upon the week of March 25th, 1946, as the most desirable time for the next examination; whereupon, Dr. Charles W. Armstrong moved that the date for examinations be set for March 25-28th, 1946. This motion was duly seconded and unanimously passed.

The secretary's minutes for the November 7th, 1945 meeting for the consideration of licensure by endorsement of credentials were approved as read.

The audit by John F. Prescott, Certified Public Accountant, of the treasurer's accounts for the year ending November 30th, 1945, was presented and approved by the board. The president asked that the acting treasurer forward a copy of the audit for his files.



The acting secretary presented that part of a copy of letter of December 14th, 1945, from the secretary, Dr. Ivan Procter, to Dr. Oren Moore, President of the North Carolina State Medical Society, dealing with the affairs of the North Carolina State Board of Medical Examiners as follows:

"You are probably familiar with the case of the State of North Carolina vs Dr. Richard Baker (osteopath) that will be heard in the Superior Court of Richmond County. We are trying to leave no stone unturned in the prosecution of this case and the secretary of the State Board of Medical Examiners has co-operated with Attorney Willis Smith in every way that he has requested.

"I believe that the fee for taking the examination given each June by the State Board should be raised from \$15.00 to \$25.00. Certainly that is in keeping with the present elevation of prices throughout the nation. I also believe that the members of the State Board should be satisfactorily compensated for the time that they have to spend in coming to Raleigh for state work. At present it looks as though we will have to meet every two months in order to take care of returning veteran physicians. The law designates a fee of \$10.00 per day for this service. I think it should be \$25.00. I am discussing these state board points with you because you are president of the State Medical Society. I have not discussed this with the examiners. It is my personal opinion. I am sure that they would not want to do anything that was not approved by the executive committee of the State Society and maybe some of them would not want me to promote this idea. We will see about that later."

Dr. Thomas Leslie Lee moved that the Board of Medical Examiners petition the State Medical Society to recommend to the Legislature that the fee for examination be raised from \$15.00 to \$25.00 and that the salary of the board members be increased from \$10.00 to \$25.00 per day, in addition to expenses. This motion was duly seconded and passed by a vote of five to one.

The board was advised that the secretary, Dr. Ivan Procter, had instructed that 10¢ per mile be paid instead of 5¢ to members of the board and that this additional 5¢ per mile be paid for the Morehead meeting July, 1946 and the November, 1945 meeting in Raleigh, North Carolina.

Dr. R. B. McKnight directed the acting secretary to request Dr. Oren Moore, President of the North Carolina State Medical Society, to notify him of the date of the meeting of the executive committee in order that he as president of the North Carolina Board of Medical Examiners might attend in the absence of Dr. Ivan Procter, secretary.

The acting secretary presented the following letter under date of January 13th, 1946, from J. H. Anderson, Jr., of the firm of Smith, Leach, and Anderson, Attorneys at Law, in the case of State vs Richard C. Baker, Osteopath:

"In view of the fact that Mr. Smith was still suffering from the effects of a severe attack of influenza, and in accordance with his telephone conversation with you Monday, the writer went to Rockingham last Tuesday afternoon to attend the trial of the above case which was expected to be reached for trial on the following day. As you know, the writer and Mr. Dorsett had been working on the legal aspects of the case for sometime and had prepared a brief on the legal points involved. In accordance with previous arrangements with the solicitor and Mr. Z. V. Morgan, it was understood that they would handle all questions pertaining to the indictments and the obtaining of the necessary witnesses and proof.



"The writer conferred with the solicitor and with Mr. Bradshaw, Agent of the State Board of Investigation, at length on Tuesday night. The following day, the writer and Mr. Morgan discussed the case with all available witnesses and initiated steps to obtain the attendance of other necessary witnesses who had not then been located by the sheriff. Quite a number of witnesses were finally made available, but the sheriff was still unable to locate a number of witnesses whom we would like to have had present. Various phases of the legal aspects of the case were discussed in detail with the solicitor and Mr. Morgan and every effort was made by these gentlemen and the writer to prepare the case for trial on all the charges.

"Upon the opening of the trial late Wednesday afternoon, the defendant's counsel made a motion to quash the indictment upon the grounds that the charges against the defendant were phrased in the alternative and therefore were not sufficiently specific as required by some of the decisions of the North Carolina Supreme Court. The indictments which the solicitor had prepared and sent to the Grand Jury charged that the defendant both "did engage in the practice of medicine for the cure of disease by diagnosing or attempting to diagnose and by treating or attempting to treat and prescribing medicine or drugs or administering such drugs or medicine to one Mrs. _____ . . . having not been first licensed and registered so to do." The presiding Judge, Olive, stated at the close of court Wednesday that he was inclined to overrule the motion, at that time, but that he would think about it further that night. The following morning, Judge Olive said that he thought the indictments should be reworded and redrawn to eliminate the objection pointed out rather than running the risk of going through a long trial and having the Supreme Court find some objection to the wording of the indictments and he therefore sustained the motion to quash the indictment.

"In the conference with Dr. Young and Dr. Long, Solicitor Gibson stated that he had prepared the indictments himself for presentation to the Grand Jury in the form he considered proper, which was his responsibility, but that he preferred to submit, and will submit, new bills to the Grand Jury next April rather than attempt to appeal from the Judge's ruling.

"Throughout the preparation of the case for trial and following the close of the case, the matter was discussed in detail with Dr. Young and Dr. Long. It was specifically suggested that efforts be made to obtain any additional evidence of Dr. Baker's prescribing substances which could be definitely proved to be "drugs." Arrangements are being made to obtain chemical analyses of all the medicines and other substances obtained by the various witnesses upon Dr. Baker's recommendation, samples of which were obtained, in order to obtain definite proof that such substances constitute drugs within the meaning of the statute. The decisions in other states indicate that the State must prove specifically and definitely that substances taken by the patients were drugs as distinguished from food substances. It is realized that the mere statement of a patient that he obtained a bottle of medicine, even though he remembers its name as given on the bottle, will not be sufficient. It is also realized that it will be extremely difficult to obtain a conviction by a jury unless the jury is positively and specifically instructed by the court to find the defendant guilty if they believe all of the evidence.

"In our attempt to discover any instances of Dr. Baker prescribing drugs occurring since the SBI investigation last fall we were informed that no such instances have come to the attention of Dr. Young or Dr. Long. No doubt, Dr. Baker is now fully informed by his counsel of the limits of his license and the dangers of illegal practice, despite the difficulties the State may have in legally proving its case.



"We had been informed that Governor Ehringhaus would not appear in the case for the Osteopathy Association. However, he did appear at the trial on Wednesday on behalf of Dr. Baker. He later told the writer that he was employed individually in the matter by Dr. Baker himself. It is not known the exact extent to which the Osteopathy Association is participating in the matter.

"If you or any member of the Board of Examiners, or Dr. McMillan, have any further suggestions in connection with the preparation or handling of this matter, we shall be glad to receive them."

The following letter under date of December 26th, 1945, from Will S. Wood, Deputy Commissioner of Narcotics, Bureau of Narcotics, Washington, D. C., was presented to the board by the acting secretary in regard to Dr. Russell S. Beam of Lumberton, N. C.:

"On October 25th, 1945, one of our agents interviewed Dr. Russell S. Beam, Lumberton, N. C., at the latter's home. Dr. Beam, who was sick in bed, stated that he had just returned from Duke Hospital, Durham, N. C. He admitted that he had been purchasing codeine on his Government order forms for his own use. According to his statement, he was then using daily 35 grains of this drug, hypodermically, to relieve pain caused by kidney stones.

"However, in a letter dated October 1st, 1945, Dr. W. M. Nicholson of Duke Hospital had advised Dr. Beam that the latter's general physical examination at this hospital had revealed "not a great deal of interest, except for abdominal extension", and that an x-ray film showed no stones visible. Dr. Nicholson stated in this letter that he was confident that Dr. Beam's abdominal extension and pain were the basis of his drug intoxication and he recommended that Dr. Beam enter a good sanatorium "where the whole business can be straightened out" and he could be taken off the drugs which he had been using.

"Dr. Beam surrendered his narcotic special tax stamp and unused Government forms and indicates his intention of entering a hospital in Philadelphia for treatment. No further information has been received and his case is regarded as pending in our files.

"It will be appreciated if you will advise this Bureau of any disciplinary action which your Board may decide to take in Dr. Beam's case.

"By direction of the Commissioner."

Dr. Malory A. Pittman advised the board that Dr. Beam had expired one week prior to this date. The acting secretary was instructed to make this report to the Deputy Commissioner of Narcotics.

The following letter under date of November 18th, 1945, was presented to the board from Lt. Commander J. E. Amiss by the acting secretary:

"After graduating from the University of Virginia in 1930 I passed an examination for entrance in the Navy Medical Corps and interned in the Navy. Several months after completing my internship the State of Virginia issued me a license to practice medicine by reciprocity with the Navy. I practiced in Virginia until 1941 when I was called to active duty in the Naval Reserve and have been on active duty since then. Please advise me whether I can now reciprocate with your state."

Dr. Thomas Leslie Lee moved that Commander Amiss be advised that he was eligible to take the written examination of the North Carolina Board of Medical Examiners, but that he was not eligible for reciprocity. This motion was duly seconded and passed by a vote of three to two.



The following letter from Dr. James G. Renegar of December 7th, 1945, was presented to the board by the acting secretary:

"May I have particulars etc, as to licensure in the State of North Carolina? I am contemplating a practice in the vicinity of my home town of Southern Pines. At present I am on terminal leave from the Army after almost four years of service. Graduated from the University of Western Ontario Medical School in London, Ontario, Canada 1941; I obtained a licensure of the Medical Council of Canada by examination. I believe the Council exams are somewhat similar to our National Board exams."

Dr. Paul G. Parker moved that Dr. Renegar be required to take the written examination. This motion was duly seconded and unanimously passed. The acting secretary was instructed by the president to ascertain from the American Medical Association if the various state boards of medical examiners should grant reciprocity from the Medical Council of Canada.

The matter of Lt. Comdr. Moffitt K. Holler receiving credit for Part I of the written examination was presented to the board. At the June, 1946 meeting this matter was discussed by the board, at which time it was unable to take action without further evidence, as no record could be found in the files that Comdr. Holler had taken any part of the written examination. On December 17th, 1945, the Secretary wrote Comdr. Holler the following letter:

"In going over the correspondence concerning the credit for Part I before the North Carolina State Board of Medical Examiners, I note that you stated that you had in your possession a postal card from Dr. W. D. James saying that you would not have to take the first half of the examination.

"In order to present the proper credentials and also to leave this important communication in your personal possession, I would suggest that you have a photostatic copy of this card made and mailed to me. The next examination will probably be held the latter part of March or the first part of April in 1946 and you should have everything in readiness by this time. The card referred to from Dr. James may be all the evidence that you need and I am anxious to help you get the credit to which you have stated you are entitled."

The photostatic copy of card dated May 29th, 1939, to Mr. Moffitt K. Holler from Dr. W. D. James, former secretary of the North Carolina Board of Medical Examiners, referred to in Comdr. Holler's letter was as follows:

"Your letter received. When you finish the last two years of medicine, present your diploma to the Board of Medical Examiners. This is one of the requirements. You will be eligible to take the last two years' examination at that time. You do not have to take the 1st half."

Dr. M. D. Bommer moved that credit be given Comdr. Moffitt K. Holler for Part I of the written examination of the North Carolina Board of Medical Examiners. This motion was duly seconded and unanimously passed. The board instructed the acting secretary to so advise Comdr. Holler.

The following letter of January 14th, 1946, from Miss Sara Wilkerson, Employment Officer, State Board of Health, was presented to the board:

"We are considering employing Dr. John W. Mahoney of Washington, D. C. as a Consultant Obstetrician in the Division of Preventive Medicine. He has been instructed to report to work on Tuesday, January 15, 1946. We want to be assured that it will be



satisfactory with the State Board of Medical Examiners for Dr. Mahoney to begin his services in the health department. The position to which he will be assigned does not include any active practice. I understand that he has contacted your office for the purpose of clearing his reciprocity in North Carolina. He is licensed in New York and perhaps other states. A statement from you approving his appointment at the State Board of Health under these conditions will be appreciated."

The acting secretary advised that Dr. John W. Mahoney had secured application and that he expected to appear before the board for licensure by endorsement of credentials at the March, 1946 meeting. The acting secretary was instructed to advise Miss Wilkerson that it was desirable for physicians beginning work with the State Board of Health to have a license to practice medicine, but that it would be satisfactory for Dr. Mahoney to begin his service since his position would not include any practice of medicine; also that it would expect Dr. Mahoney to come before the board at its next meeting in March, 1946 to apply for license.

The board instructed the acting secretary to procure a copy of Rypins' Medical Licensure Examinations for each member of the board.

The board advised the acting secretary that it was not necessary to retain in the files credentials of reciprocity applicants after license had been granted and all recordings made.

Commander Vincent Flack appeared but his credentials were incomplete.

Due to many urgent requests from returning veterans for licensure by endorsement of credentials the board has met every two to three months as it was not practical that applicants be allowed to visit each member of the board in order to procure license. Applicants were asked to complete a questionnaire in order to obtain information in regard to how they may have been inconvenienced in waiting for licensure. Forty-seven applicants answered the questionnaire. The following is data compiled from this questionnaire:

"How long did it take you to get data together?"

Answer - 3 months - 1
 2 months - 2
 4 weeks - 8
 3 weeks - 8
 3 $\frac{1}{2}$ weeks - 1
 2 $\frac{1}{2}$ weeks - 2
 2 weeks - 15
 12 days - 1
 10 days - 5
 1 week - 4

"Have you been inconvenienced in waiting for a meeting?"

Forty answered "No".

Those answering "Yes" were as follows:

E. I. Bugg - 60 days (He applied for reciprocity November 16th, 1945)
 S. Frank Fox - 30 days
 W. H. Horton - 5 weeks
 Cary F. Irons - Unable to prescribe narcotics (He applied for reciprocity December 16th, 1945)
 Hilton D. Haines - Not inconvenienced in practice, but in operating (He applied June 9th, 1945 - unable to appear November meeting)
 Edward C. Jennings - approximately 1 week (He applied December 9th, 1946)
 Oliver B. Williams - 15 days (He applied January 6th, 1946)



Dr. S. R. Kaplan, a graduate of Eclectic College of Medicine, presented credentials to obtain licensure by endorsement of the same. No action was taken awaiting further proof as to whether this medical college was classified as Grade A by the American Medical Association at the time of his graduation in 1936. The acting secretary was directed to obtain this information from the American Medical Association.

Capt. Solomon Murray Rauchwerger of the Veterans Administration, Oteen, N. C., came before the board requesting licensure by endorsement of credentials. Capt. Rauchwerger was a graduate of the Anderson College of Medicine, Glasgow, Scotland. The board was unanimous in its decision to decline licensure by endorsement of credentials on account of the fact that he had not met the first requirement as specified by the board, to-wit: graduation from a Grade A medical school as classified by the American Medical Association. The acting secretary was instructed to so notify Dr. Rauchwerger.

The following physicians were granted license by endorsement of credentials:

<u>NAME</u>	<u>MEDICAL SCHOOL</u>	<u>ADDRESS</u>
Adkins, Dr. Trogler Francis	Duke University	Durham, N. C.
Barefoot, Dr. Sherwood Washington	Duke University	Durham, N. C.
Baum, Dr. Ralph Etheridge	Duke University	Kitty Hawk, N. C.
Bennett, Dr. Basil Taylor, Jr	University Tenn.	Asheville, N. C.
Bugg, Dr. Everett Irving, Jr	Johns Hopkins	Durham, N. C.
Burgess, Dr. Woodrow W.	Duke University	Asheville, N. C.
Clark, Dr. Lintner Earl	Indiana University	Raleigh, N. C.
Clark, Dr. Elizabeth	Johns Hopkins	Durham, N. C.
Creed, Dr. George Otis	Med. Coll. S. C.	Wagram, N. C.
Croom, Dr. Arthur Bascom	Med. Coll. Va.	Maxton, N. C.
Cutchin, Dr. Joseph Henry, Jr.	Duke University	Whitakers, N. C.
Davidson, Dr. John Alexander	Univ. Vermont	Durham, N. C.
Dickson, Dr. Glenn Sirmens	Jefferson Med. Coll.	Philadelphia, Pa.
Dorsett, Dr. Fletcher Ishmael	Med. Coll. Va.	Greensboro, N. C.
Fox, Dr. S. Frank	Tufts Med. Coll.	Durham, N. C.
Haines, Dr. Hilton Drummond	Geo. Washington U.	Rockingham, N. C.
Harloe, Dr. Weldon Merritt	University Va.	Matoaka, W. Va.
Horton, Dr. William Hanson	Boston U. Sch. Med.	Wendell, N. C.
Hunter, John Franklin Croom	Med. Coll. Va.	Magnolia, N. C.
Irons, Cary Frederick, Jr	Med. Coll. Va.	Greenville, N. C.
Irons, Malene Grant Dr.	Med. Coll. Va.	Greenville, N. C.
Jennings, Dr. Edward Clifford	Temple University	Medford, N. J.
Judy, Dr. William John	Med. Coll. Va.	Beckley, W. Va.
Karansky, Dr. Stanley	Duke University	Enka, N. C.
Kelsey, Dr. Weston Maynard	Johns Hopkins	Winston-Salem, N. C.
Lemon, Dr. Willis Storrs	University Toronto	Rochester, Minn.
Medlin, Dr. LaRue Merida	Med. Coll. S. C.	Charleston, S. C.
Mills, Dr. James C.	Tulane University	Henderson, N. C.
MacDonald, Dr. John Kingsley	McGill University	Charlotte, N. C.
McCarty, Dr. Ralph Leeves	Tulane University	Lincolnton, N. C.
Newman, Glenn Carraway	Duke University	Washington, D. C.
Manzotta, Dr. Leonard	University Michigan	Winston-Salem, N. C.
Nunnery, Dr. William Ernest	University Kansas	Pilot Mt, N. C.
Pickard, Dr. Henry Mack	McGill University	Elkhart, Ind.
Placak, Dr. Joseph Charles, Jr	Harvard University	Washington, D. C.
Raper, Dr. James Sidney	Duke University	Asheville, N. C.
Richards, Dr. Charles Emmett	Western Reserve	Durham, N. C.
Rundles, Dr. Ralph Wayne	Duke University	Durham, N. C.
Sawyer, Dr. Logan Everett	Duke University	South Mills, N. C.
Sims, Dr. Arthur Isaac	Jefferson Med. Coll.	Philadelphia, Pa.
Smethie, Dr. William Massie	Med. Coll. Va.	Rocky Mount, N. C.
Smith, Dr. William Lloyd	Meharry Med. Coll.	Beaumont, Tex.
Spangler, Dr. Paul Carrington	Coll. Phys. & Surg. (Univ. Maryland)	Morganton, N. C.
Templeton, Dr. Ralph Gordon	Duke University	China Grove, N. C.
van Gorder, Dr. Charles Oscar	University Tenn.	Andrews, N. C.
Wallace, Dr. Clifton Robert	Geo. Washington U.	Washington, D. C.
Whildin, Dr. James Griffith	Duke University	Durham, N. C.
Whitt, Dr. Walter Fuller, Jr.	Duke University	Salisbury, N. C.
Williams, Dr. Oliver Benjamin	Meharry Med. Coll.	Newberry, S. C.



The members of the board signed their names to the certificates.

The meeting was adjourned.

SIGNED *R. B. McKnight*
R. B. MCKNIGHT, V. D.
President

SIGNED *Louise J. McNeill*
LOUISE J. McNEILL
Acting Secretary-Treasurer



